



The Leadership Conference  
on Civil and Human Rights

December 1, 2020

Dear Senator:

On behalf of The Leadership Conference on Civil and Human Rights, we write once again to urge you to take strong, comprehensive action, during the lame duck session, to address the health and economic consequences of the COVID-19 crisis. As cases, hospitalizations, and fatalities continue to grow out of control nationwide, and as millions of people continue to face economic catastrophe, our nation cannot afford to surrender to the virus or hope that the situation will magically get better. Our nation is starving for true leadership. The House acted by passing the HEROES Act over half a year ago. The responsibility now lies with you to take steps that will save lives, preserve and strengthen our vital institutions, and ensure that the eventual economic recovery works for everyone.

While the pandemic has upended everyone's lives, it has not affected everyone equally. The COVID-19 crisis has had a particularly devastating impact on Black and Brown people, Native Americans, low-income people, people with disabilities, the elderly, women, and immigrant communities. To make matters worse, many states did not factor the ongoing disparities into their rushed decisions to reopen their states. As a result, these decisions have only magnified the effects that our nation's history of systemic racism and inequality have had on people of color. For too long, policymakers have deprived the communities we represent of essential resources they need to be healthy and thrive, so it was predictable that these communities, once again, have been hit the hardest. While the recent news about COVID-19 vaccine research is encouraging, the damage done to the communities we represent is already incalculable, and the situation only promises to get even worse before it gets better.

Now is not the time for incremental half-measures or trade-offs. The Senate has a moral obligation to ensure that all people in America have the resources they need to withstand this crisis, and to provide additional resources to the people and communities that have borne the brunt of the pandemic's impact. It must do so in a manner that protects the civil and human rights of all people; and because we are all in this together, it must not leave out any community. With schools once again disrupted, and with many businesses and working people facing renewed restrictions as COVID-19 infections skyrocket – and with many provisions of the CARES Act and foreclosure and eviction protections set to expire – the Senate must ensure that children and families have the resources and support they need, now and into the future.

What the Senate must not do is force working people to choose between their health and safety and their livelihood. It must [reject any measure](#) that would allow employers to escape accountability for making decisions that sacrifice their employees' health and well-being in

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the name of “reopening” businesses, or that would deprive working people of their legal rights when employers disregard policies aimed at preventing the spread of the virus.

To these ends, and before it adjourns for the holidays, we call on the Senate to enact legislation that achieves the following objectives. Our coalition’s task forces have spelled out these priorities in greater detail, with many of them linked below, and we will be working with you to ensure that they are included.

**Ensuring Equal Access to Quality Health Care:** A virus such as COVID-19 does not discriminate. Yet the pandemic has exposed glaring structural disparities, including in access to preventive, urgent, and long-term health care, resulting in increased vulnerabilities and far worse outcomes for some communities and heightening the threat to everyone. Congress must ensure free and widespread testing, treatment, and eventual vaccination for all people (regardless of immigration status); ensure equitable distribution of vaccine(s) and directly address vaccine hesitancy in many communities of color; ensure that disaggregated demographic data on testing, cases, and outcomes is made publicly available; protect the Affordable Care Act and increase access to care; enhance federal Medicaid assistance; and provide additional support for people with disabilities, seniors, and other vulnerable populations. Congress must also provide sufficient funding to ensure materials and services are accessible to Limited English Proficient people and produce enough protective medical equipment so that tragic shortages can be minimized.

**Providing More Relief for our Most Marginalized Communities:** With high unemployment and so much uncertainty about when and how our economy will recover, the need for strong safety net policies to ensure basic human needs are being met is greater than ever. Congress must provide recurring, direct cash assistance during this severe economic crisis that targets aid to all vulnerable people in our country, including immigrants and formerly incarcerated people; increase access to SNAP relief; expand the EITC and Child Tax Credit; ensure widespread and uninterrupted access to clean water, [internet](#), and other critical services and utilities; and protect access to and the safety of public transit systems nationwide.

**Protecting the Most Vulnerable Working People:** It is a sad reality that many of our most vital working people – those who still leave home daily and risk their lives to deliver our care, our food, our mail, and other essentials – are faced with inadequate protections to their health and economic well-being. Meanwhile, countless low-income employees who have been sidelined are also highly vulnerable to illness or financial insecurity. Congress must ensure that all workers have access to paid sick leave, enhanced unemployment assistance, child care, and fair pay. Congress must also require the creation of enforceable, federal workplace safety standards that preserve access to justice and protect working people as well as those whom they serve.

**Safeguarding Homes and Financial Health, and Providing Shelter to Those Most in Need:** The CARES Act and the CDC moratorium took important but temporary steps in reducing homelessness, evictions, and foreclosures. Far more resources – including rental assistance – are needed to protect homeless people and to prevent more people from becoming homeless in the coming months. Congress should also improve the complicated and confusing patchwork of federal, state, and private protections against evictions and foreclosures, and protect the financial security of families from abusive small-dollar

lending, debt collection, and credit reporting practices. Congress must also ensure that PPP loans are working for small businesses in all communities, and that they are meeting fair lending obligations.

### **Reducing Law Enforcement Responses and the Risks to Incarcerated People and Corrections**

**Employees:** Jails, prisons, and immigrant detention centers face a public health catastrophe due to overcrowded and unsafe conditions, particularly for those who are older or have existing health problems. Meanwhile, law enforcement has targeted people of color as they have enforced stay-at-home orders and requirements to wear masks. Congress must a) support the immediate release of as many people as possible from [jails](#), [prisons](#), and immigrant detention centers; b) increase testing and provide adequate health care and low-cost [communications](#) for all people who remain in custody; c) incentivize law enforcement to reduce arrests and end jail bookings; d) ensure that federal funding to law enforcement agencies prioritizes [public education and awareness](#) of the disproportionate impact of COVID-19 on communities of color, limits arrests and citations for failure to comply with public health ordinances, and requires the implementation of bias and anti-profiling policies and trainings; e) invest in mental health, community outreach, and social services to end the use of police in addressing public health crises; and f) remove barriers to incarcerated people and formerly incarcerated people accessing social safety net programs (*i.e.* Medicaid, cash assistance, and SBA loans) and services.

**Combatting Sharp Increase in Hate Crimes:** Racist and xenophobic rhetoric and policies from leaders and a sharp increase in acts of hate have accompanied the spread of the coronavirus. Asian Americans, immigrants, Latinos, and communities of color are now confronting a terrifying rise in hate crimes, and we are also seeing an increase in calls for violence against the LGBTQ community, Muslims, Jews, and people with disabilities. This surge is building on a longstanding increase in hate crimes as reflected in the FBI's most recent hate crimes report, just released on November 16. The report revealed that 2019 was the deadliest year on record for hate crimes, while also indicating that this number dramatically underrepresents the actual number of hate crimes committed as fewer police departments participated in the voluntary reporting program. To improve the response to hate incidents and hate crimes, Congress must pass the Jabara-Heyer NO HATE Act to improve the data collection and law enforcement policies on identifying, investigating, and reporting hate crimes, and to create opportunities to restore communities and address the root causes of hate crimes through alternative sentencing for offenders.

### **Minimizing Learning Loss, Ensuring Equal Educational Opportunity, and Protecting Student Loan**

**Borrowers:** Our educational system was deeply inequitable before this crisis, and school closures add to the barriers marginalized students face. While schools are closed, Congress must ensure marginalized students have equitable access to distance learning and school meals, and Congress must provide additional resources so that schools can reopen as soon as it is safe and healthy to do so – with special attention to schools in communities that have long been denied their share of state and local funding. Congress must also take steps to reduce educational disparities, as well as to ensure access to early childhood education, so that when schools reopen those who have been most left behind have an opportunity to catch up. Additionally, especially because of the compounding barriers students of color face, Congress should cancel student loan debt to provide a more equal opportunity.

**Ensuring a Fair and Accurate Census:** The census doesn't end when counting operations stop. Data processing and quality improvement activities would have taken five months before the coronavirus pandemic disrupted and delayed all census operations. Unless Congress pushes back the statutory reporting deadlines for apportionment and redistricting data by 120 days each (as the administration originally requested before reversing course), the time for these vital activities will be cut in half, from 26 weeks in 2000 and 21 weeks in 2010 to just 11 weeks in 2020, despite a larger, more diverse population and a census that was upended in every community by the pandemic. Congress must make sure the Census Bureau has the time its experts said they needed to carry out all census operations, including data processing, thoroughly.

**Protecting Immigrants and Citizens Alike:** Viruses do not care about visas. Yet the CARES Act shut out many essential workers and their mixed status families from key provisions based solely on immigration status. Congress must a) make stimulus payments or other forms of direct relief available to all people who pay into our federal income tax system; b) ensure truly nondiscriminatory access to testing, treatment, and vaccines; and c) provide automatic extensions of work authorizations for DACA and Temporary Protected Status recipients. Congress must also reject additional DHS funding, given President Trump's history of using such funds to advance wasteful and cruel policy objectives.

Our nation faces tremendous uncertainty due to a public health crisis that we are still struggling to fully understand, and the situation is made worse by an administration that refuses to cooperate with the president-elect in containing it. But we will ultimately get through this if we pull together and do what is best for everyone. We must unite across our differences and reimagine what our commitment truly is to one another. It is profoundly important that the eventual recovery works for everyone, and that Congress adopts policies that leave us in a better place. We look forward to working with you to that end.

Sincerely,



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