

**Congress of the United States**  
**Washington, DC 20515**

June 27, 2022

The Honorable Tom Vilsack  
Secretary of Agriculture  
U.S. Department of Agriculture  
1400 Independence Avenue SW  
Washington, D.C. 20250

Dear Secretary Vilsack,

We write in response to the U.S. Department of Agriculture's (USDA), announcement<sup>1</sup> on June 10, 2022, to "Invest up to \$65 Million in Pilot Program to Strengthen Food Supply Chain, Reduce Irregular Migration, and Improve Working Conditions for Farmworkers." While we appreciate USDA's recognition of the need for agriculture labor reform, we have serious questions and concerns about the implementation of this program.

Buried in the last paragraph of the announcement it is stated that USDA will "partner with the United Farm Workers of America (UFW) through a technical assistance cooperative agreement to inform USDA of the challenges faced by agricultural workers and to inform the development of the pilot program." We have serious concerns about this partnership.

UFW is an openly partisan advocacy organization that has a long history of actively lobbying for drastic changes in agriculture labor policy at every level of government, including during the Biden Administration. In fact, UFW is currently running an active grassroots campaign<sup>2</sup> "demanding a thorough audit and investigation into the H-2A agriculture guest worker program" calling the program, "modern day slavery." Furthermore, while UFW claims to be the nation's largest farmworkers' union<sup>3</sup> the reality is that UFW's 5,512 members<sup>4</sup> represent less than one quarter of one percent of the country's estimated 2.6 million farmworkers<sup>5</sup>. For these reasons, we question UFW's ability to accurately inform USDA of the challenges faced by farmworkers and provide objective technical assistance to develop the pilot program.

Therefore, we respectfully request responses to the following questions:

1. Given that the U.S. Department of Labor (DOL) has authority<sup>6</sup> over administration and enforcement of the H-2A program, including recruitment requirements, was DOL

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<sup>1</sup> <https://www.usda.gov/media/press-releases/2022/06/10/us-department-agriculture-invest-65-million-pilot-program>

<sup>2</sup> [https://act.seiu.org/a/ga\\_h2a?ms=w](https://act.seiu.org/a/ga_h2a?ms=w)

<sup>3</sup> <https://ufw.org/about-us/our-vision/>

<sup>4</sup> <https://olmsapps.dol.gov/query/orgReport.do?rptId=812996&rptForm=LM2Form>

<sup>5</sup> <https://www.ers.usda.gov/data-products/ag-and-food-statistics-charting-the-essentials/ag-and-food-sectors-and-the-economy/#:~:text=In%202020%2C%2019.7%20million%20full,1.4%20percent%20of%20U.S.%20employment.>

<sup>6</sup> 8 U.S.C. § 1188.

consulted in the development of this program? If not, please explain why their program expertise is not needed? What role will DOL play in facilitating this program?

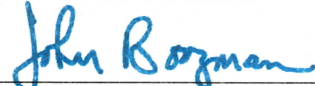
2. What criteria did USDA use to select UFW as the technical assistance partner for developing the pilot program, and which stakeholders, outside of UFW, were consulted in this process? Specifically, were any organizations representing H-2A employers consulted? If not, why?
3. What will be UFW's role under this technical assistance cooperative agreement? Why is UFW the chosen entity for the cooperative agreement given its vested interest in the Department's policy decisions?
4. Will UFW receive funding from the federal government for its technical assistance efforts and what percentage will they be able to retain for salaries and expenses?
5. Will USDA commit to hosting briefings on the pilot program for Congress and all relevant stakeholders?

Thank you for your attention to this important matter. We look forward to your response.

Sincerely,



Thom Tillis  
United States Senator



John Boozman  
United States Senator



Ted Cruz  
United States Senator



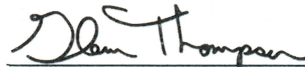
Richard Burr  
United States Senator



Austin Scott  
Member of Congress



David Rouzer  
Member of Congress



Glenn 'GT' Thompson  
Member of Congress



Roger Marshall, M.D.  
United States Senator



Lindsey O. Graham  
United States Senator



Scott DesJarlais, M.D.  
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