

# United States Senate

April 24, 2020

Vice President Michael R. Pence  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Dear Vice President Pence,

We write to inquire what the taskforce is doing to ensure persons with limited English proficiency (LEP) and persons with disabilities can access accurate information and updates on COVID-19 including information on benefits and programs included in the *Coronavirus Aid, Relief, and Economic Security (CARES) Act* and the *Family First Response Act*. In order to ensure their health and livelihoods are not further compromised due to language barriers, we strongly urge the White House Coronavirus Taskforce to encourage every federal agency to create culturally sensitive informational materials that are accessible in various formats and multiple languages, including for those with low or no literacy.

Recent news stories highlight the life-threatening consequences to people of color<sup>1</sup> and people with disabilities<sup>2</sup> of lacking access to culturally competent, language specific and/ or disability-sensitive materials to protect themselves from the dangers of COVID-19. We believe the Taskforce has a critical responsibility to fix this. The role of the Taskforce is to “monitor, contain, and mitigate the spread of the virus, while ensuring that the American people have the most accurate and up-to-date health and travel information”<sup>3</sup>. Understanding the barriers to information created by language and access impediments is critical to the success of the Taskforce and our nation’s ability to most effectively fight COVID-19.

More than 60 million people in the United States speak a language other than English of which more than 40% have limited English proficiency.<sup>4</sup> Additionally, approximately 38 million

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<sup>1</sup> Lopez-Villafana, A. (2020) Language, cultural barriers limit San Diego Somali residents access to COVID-19 resources. The San Diego Union Tribune (April 2) Accessed online at <https://www.sandiegouniontribune.com/communities/san-diego/story/2020-04-19/san-diego-somali-community-among-vulnerable-during-pandemic>

<sup>2</sup> Silverman, A. & Daily Star (2020) People With Intellectual Disabilities May Be Denied Lifesaving Care Under These Plans as Coronavirus Spreads. *ProPublica*. Accessed online <https://www.propublica.org/article/people-with-intellectual-disabilities-may-be-denied-lifesaving-care-under-these-plans-as-coronavirus-spreads>

<sup>3</sup>The White House (January 29, 2020) Statement for the Press Secretary regarding the President’s Coronavirus Taskforce. Accessed online at <https://www.whitehouse.gov/briefings-statements/statement-press-secretary-regarding-presidents-coronavirus-task-force/>

<sup>4</sup> Zong, J & Batalova, J. (2015) The limited English proficient population in the United States. Accessed online at <https://www.migrationpolicy.org/article/limited-english-proficient-population-united-states>.

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individuals living in the United States are deaf or hard of hearing,<sup>5</sup> 7.5 million have vision loss, and 15 million live with an intellectual disability and require multiple formats of the same information. The need for expanded language assistance increases as Congress continues to pass legislation in response to COVID-19. The Taskforce must address language access issues to ensure these marginalized communities access the benefits to which they are entitled. Our national response cannot be successful if whole sections of our society are unable to access timely and accurate information about the virus, health information, and services that may benefit them during the pandemic.

Making federal programs accessible for persons with LEP and for persons with disabilities is a core civil rights requirement under Title VI of the Civil Rights Act of 1964.<sup>6</sup> During a public health emergency current law requires the “distribution of supplies, the processing of applications, and other relief and assistance activities [to] be accomplished in an equitable and impartial manner, without discrimination on the grounds of race, color, religion, nationality, sex, age, disability, English proficiency, or economic status”<sup>7</sup> by the federal government. While many states and territories have disseminated multilingual and sign language interpreted information on COVID-19, there is a lack of federal guidance with the same accessibility. Many of the increased benefits available to Americans during the COVID-19 crisis require individuals to read and fill out forms, and engage in online and verbal phone communications. Interpretation and translation is not enough; the incorporation of multilingual staff, accessibility media analysts, language inclusion evaluations, and additional funding for language services is necessary. To meet these needs, the Taskforce must also work with and include representatives from LEP communities, interpreting agencies, and organizations led by persons with disabilities in the development of any policies and procedures affecting these communities. It is also important to remember, communication access for persons with disabilities does not have a singular solution. To ensure accuracy, information must be short, culturally appropriate, flexible to serve different platforms (oral, captions, visual, picture infographics, transcriptions with video descriptions, and plain language for those with low literacy), and most importantly created with qualified deaf and hearing interpreters, stakeholders from disability led organizations, and skilled media analysts that can create inclusive content.

In order to understand what actions the Taskforce is taking, or planning to take to ensure fully accessible, and multilingual resources about available COVID-19 benefits and relief, please respond the following questions below no later than Friday May 1, 2020:

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<sup>5</sup> Centers for Disease Control and Prevention. (February 2014) Summary Health Statistics for U.S. Adults: National Health Interview Survey, 2012. Accessed online at [https://www.cdc.gov/nchs/data/series/sr\\_10/sr10\\_260.pdf](https://www.cdc.gov/nchs/data/series/sr_10/sr10_260.pdf)

<sup>6</sup> Department of Justice. Policy Guidance Document. “Enforcement of Title VI of the Civil Rights Act of 1964—National Origin Discrimination Against Persons With Limited English Proficiency; Policy Guidance 50123 of August 16, 2000,” *Federal Register* 65, no. 159 (August 11, 2000): 50123, <https://www.govinfo.gov/content/pkg/FR-2000-08-16/pdf/00-20867.pdf>

<sup>7</sup> *Robert T. Stafford Disaster Relief and Emergency Assistance Act, U.S. Code 42 (1973), § 5121 et seq*

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1. What steps has the Taskforce taken to ensure that persons with LEP and persons with disabilities receive the benefits and assistances to which they are entitled under the *Coronavirus Aid, Relief, and Economic Security (CARES) Act* and the *Family First Response Act*?
2. Have you consulted or do you plan to consult with advocates from LEP communities, interpreting agencies and organizations led by persons with disabilities on how to best create and disseminate resources on COVID-19 benefits?
3. Given the Taskforce's limited language resources during press briefings and the lack of centralized online educational materials, how will you ensure that the agencies and departments have sufficient resources to meet language access solutions related to COVID-19 aid?
4. Has the Taskforce created agency guidance to collect demographic information of people receiving benefits in order to monitor and evaluate the effectiveness of the language solutions implemented, and ensure aid is reaching all communities? If so, what types of demographic information and which agencies have been involved in the data collection?

We look forward to your response detailing how the Taskforce plans to make this crucial information available to these communities and your plan on immediate action required to fulfill this request.

Sincerely,

***/s/ Robert Menendez***

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ROBERT MENENDEZ  
United States Senator

***/s/ Cory A. Booker***

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CORY A. BOOKER  
United States Senator

***/s/ Edward J. Markey***

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EDWARD J. MARKEY  
United States Senator

***/s/ Mazie K. Hirono***

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MAZIE K. HIRONO  
United States Senator

***/s/ Catherine Cortez Masto***

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CATHERINE CORTEZ MASTO  
United States Senator

***/s/ Richard Blumenthal***

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RICHARD BLUMENTHAL  
United States Senator

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***/s/ Kamala D. Harris***

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KAMALA D. HARRIS  
United States Senator

***/s/ Elizabeth Warren***

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ELIZABETH WARREN  
United States Senator

***/s/ Sherrod Brown***

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SHERROD BROWN  
United States Senator

***/s/ Amy Klobuchar***

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AMY KLOBUCHAR  
United States Senator

***/s/ Jack Reed***

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JACK REED  
United States Senator

***/s/ Dianne Feinstein***

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DIANNE FEINSTEIN  
United States Senator

***/s/ Robert P. Casey, Jr.***

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ROBERT P. CASEY, Jr.  
United States Senator

***/s/ Mark R. Warner***

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MARK R. WARNER  
United States Senator

***/s/ Sheldon Whitehouse***

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SHELDON WHITEHOUSE  
United States Senator

***/s/ Jeffrey A. Merkley***

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JEFFREY A. MERKLEY  
United States Senator