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August 10, 2020

Ms. Phyllis K. Fong
Inspector General
United States Department of Agriculture
1400 Independence Avenue SW
Washington, DC 20250

Mr. Larry D. Turner
Acting Inspector General
United States Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

Dear Inspector General Fong and Acting Inspector General Turner:

I write to request an investigation into federal actions that may have contributed to the spread of Coronavirus Disease 2019 (COVID-19) in meat processing plants and other agricultural processing facilities. Specifically, I ask that you review steps the federal government took to prevent the spread of COVID-19 in these plants and how the President's use of the Defense Production Act for meat processing facilities may have affected the health and wellbeing of workers.

Meat processing plants have had some of the highest rates of COVID-19 infections, harming a workforce predominately comprised of immigrants, refugees, and People of Color who are at a higher risk for COVID-19. A Centers for Disease Control and Prevention (CDC) report released in early July indicates that 86 worker deaths in 23 states are linked to COVID-19. Nine percent of the total meat and poultry processing plants' workforce in 14 states have tested positive for the disease.¹ In Colorado, state health officials have reported 447 cases and 10 deaths associated with meat processing plants.²

While many industries suffered from COVID-19 outbreaks, the high incidence of outbreaks at these facilities, even very early in the pandemic, raises questions. In Weld County, Colorado, there were reports of increased doctors' visits among meat processing plant employees throughout March, with dozens of confirmed cases, 14 hospitalizations, and at least two worker deaths by April 10.³ A week later, a Smithfield plant in South Dakota was the largest outbreak in the country.⁴ By May 5, hundreds of United States Department of Agriculture (USDA) Food

¹ <https://www.cdc.gov/mmwr/volumes/69/wr/pdfs/mm6927e2-H.pdf>

² <https://www.denverpost.com/2020/07/12/jbs-greeley-coronavirus-investigation/>

³ https://www.kunc.org/sites/kunc/files/202004/cdphe_wcdphe_health_order_041020.pdf

⁴ <https://www.nytimes.com/2020/04/15/us/coronavirus-south-dakota-meat-plant-refugees.html>

Safety and Inspection Service (FSIS) employees had been exposed to or tested positive for COVID-19, and three individuals had died.⁵

On April 28, 2020, the President invoked the Defense Production Act to “ensure that meat and poultry processors continue operations.” I’ve been informed that the use of the Defense Production Act, without clear direction or enforceable standards from federal agencies, only added confusion and uncertainty for many workers in these plants.

In light of these facts, I ask that you review the federal government’s response to COVID-19 in meat processing plants and other agricultural processing facilities, including but not limited to:

- USDA and United States Department of Labor’s actions (or inaction) regarding meat processing plants and the related COVID-19 outbreaks
- The use of voluntary health and safety standards at meat processing facilities
- The federal government’s communication of authority, standards, and expectations with state, local, worker, and industry stakeholders
- The movement of USDA inspectors between facilities amid outbreaks
- The provision of personal protective equipment to USDA inspectors
- Any federal actions following the Defense Protection Act order on April 28, 2020 that affected outbreaks at meat processing and other agricultural facilities.

Thank you for your attention to this matter.

Sincerely,



Michael F. Bennet
United States Senator

⁵ <https://www.cbsnews.com/news/coronavirus-usda-meat-inspectors-3-dead-covid-19/>