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TYPHOID OUTBREAK IN DADE COUNTY, FLA.

PROPERTY OF UNITED STATES GOVERNMENT¹

HEARINGS

BEFORE THE

SUBCOMMITTEE ON AGRICULTURAL LABOR

OF THE

COMMITTEE ON EDUCATION AND LABOR

HOUSE OF REPRESENTATIVES

NINETY-THIRD CONGRESS

FIRST SESSION

ON

THE TYPHOID OUTBREAK AND GENERAL CONDITIONS RELATING TO FARMWORKERS IN AND AROUND DADE COUNTY, FLA.

HEARINGS HELD IN MIAMI, FLA., APRIL 6 AND 7, 1973

Printed for the use of the Committee on Education and Labor

CARL D. PERKINS, *Chairman*



UNIVERSITY OF MAINE
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TYPHOID OUTBREAK IN DADE COUNTY, FLA.

APRIL 6, 1973

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AGRICULTURAL LABOR
OF THE COMMITTEE ON EDUCATION AND LABOR,
Miami, Fla.

The subcommittee met at 9 a.m., pursuant to notice, in the Dade County Commission Auditorium, Miami, Fla., Hon. William D. Ford (chairman of the subcommittee) presiding.

Present: Representatives Ford, Lehman, and Landgrebe.

Also present: Thomas R. Jolly, counsel; William H. Cable, legislative assistant; Mrs. Meredith Branson, clerk; and Miss Edith Baum, minority counsel.

Press Release

Date: March 30, 1973

WASHINGTON, D.C.—Congressman William D. Ford (D-Mich), Chairman of the House Subcommittee on Agricultural Labor, announced today that field hearings will be conducted by the Subcommittee in Miami, Florida, beginning on Friday, April 6.

The hearings were prompted by the recent typhoid outbreak at South Dade Labor Camp and reports of widespread exploitation of farm and migrant workers. They will be conducted to determine whether Federal laws have been violated and how Federal programs affecting migrant and farm workers are being administered.

Congressman Ford referred to the typhoid outbreak, in which nearly 200 cases of typhoid have been confirmed, as the largest such outbreak in our Nation's recent history. He expressed shock and anger over reports of intolerable working and living conditions, and of workers being held in virtual captivity in the Dade County area.

Congressman Ford said, "Evidence presently before the Subcommittee indicates that workers are living in sub-human conditions, that very serious health hazards continue to exist, and that some Federal laws and regulations are not being complied with. The Subcommittee intends to inquire into the entire area of migrant programs and to determine whether or not there is a need for strengthening existing laws or enacting new ones."

The Congressman hinted that one proposal presently being considered is the establishment of an Agricultural and Migrant Workers' Commission—modeled after the U.S. Commission on Civil Rights—to oversee and coordinate Federal laws and programs affecting agricultural employees.

"It is obvious that something is very seriously wrong when a typhoid outbreak of the dimension which has recently occurred in South Dade County can take place in this country, and it is even more shocking to read newspaper reports of workers in this day and age living in virtual captivity."

The hearings were scheduled at the urging of three Florida Congressmen—Representatives Claude Pepper (D-Miami), Dante Fassell (D-Miami) and William Lehman (D-North Miami).

Congressman Lehman, a member of the Agricultural Labor Subcommittee, was singled out for praise by the Chairman for his special efforts in providing the Subcommittee with information concerning the present crisis.

"Congressman Lehman was instrumental in keeping the Subcommittee informed of the developments in Dade County, and it was through his efforts in conducting a preliminary investigation for the Subcommittee, that we were able to determine the seriousness of the situation," stated Congressman Ford.

The hearings, which are open to the public, are scheduled to begin at 9:00 a.m. on Friday, April 6, in the Chamber of the Dade County Commissioners, in the Dade County Court House.

Mr. Ford. We will call the hearing to order.

As chairman of the Agricultural Labor Subcommittee of the House Committee on Education and Labor, I am pleased to have the opportunity to be here in Dade County this morning with my colleague from the State of Indiana, Mr. Earl Landgrebe. We expect to be joined later by another member of the committee, Congressman Lehman, who is doing double duty this weekend because there is another hearing on education in Miami. Mr. Lehman is helping to make a quorum there and will join us later.

We are hearing this on rather short notice to people who have responded and indicated their willingness to assist us by testifying today and tomorrow, because there is some pressure on us to be addressing ourselves to the problems that we came here to learn something about now, rather than at some other time of the year.

Some of these migrant workers and some of these problems will move from Florida very soon, and they won't be back until next season.

Of course, throughout the United States, people have read of the typhoid outbreak. People in many States are concerned about what it means to them. The subsequent newspaper disclosures of problems involving living conditions in some of the migrant workers' camps have brought a lot of attention to this particular area of the country at this particular time, although from my own several years of experience on the Education and Labor Committee's Subcommittee on Agricultural Labor, none of the things we've heard or read about so far are really unique. The typhoid epidemic, I suppose, is unique. The conditions that probably led up to it are not, unfortunately, unique. Our principal concern at the moment is in three areas. The Federal laws that are in existence, and whether or not they are being enforced; whether they mean anything in this part of the world.

Second, the possibility of solving some of the problems here, and as they move to other parts of the country, with new Federal legislation that is pending before our committee.

In addition to that, consideration of a proposal that has come to us from a number of people for a commission at the Federal level, patterned after the Civil Rights Commission, that concerned itself specifically with the problems of the migrant workers.

It is not the intention, my intention as chairman, or that of any member of this committee, to be here to participate in any local political battle or to point fingers at anybody down here, public official or not. We are here to learn. It is my intention, unless something happens to prevent it, to start the hearings now and proceed on through the day without a break unless it is an emergency so that we can accommodate all the people who have agreed to come, some from great distances, to be here today.

With that I'd like to call on the gentleman to my right, Mr. Earl Landgrebe, representing the Republican side here in the hearings—Earl, do you have any comments you'd like to make before we start?

Mr. LANDGREBE. Thank you, Mr. Chairman.

Let me state that I am happy to be in Florida on this very pleasant morning. And, while I am a new member on the Agricultural Labor

Subcommittee, having been named ranking minority member of this committee within the last few weeks, I wish to assure those present of my deep and sincere interest in the welfare of the migrant workers.

In fact, my Second District of Indiana has a need for a large number of dependable migrant workers, and has had throughout the year. Therefore, I am particularly interested in the problems that have prompted this visit of the committee to Miami, and I am anxious to hear the testimony of Mr. Medina and all the people who will be testifying for us today.

With that, Mr. Chairman, I am ready to proceed.

Mr. Ford. Thank you.

For the benefit of the observers here and so there are no mysterious people sitting up here, the lady to our right here is the minority counsel, Miss Edith Baum.

Thomas R. Jolly is the counsel to the subcommittee, and William Cable is a counsel from the full committee.

This is Jeffrey Doranz, special counsel to the Senate Committee on Labor and Public Welfare. Mr. Doranz is here so he can go back and tell our colleagues in the other body what we have learned.

Eliseo Medina.

STATEMENT OF ELISEO MEDINA, FLORIDA STATE DIRECTOR, UNITED FARMWORKERS NATIONAL UNION, AFL-CIO, ACCOMPANIED BY WALTER WILLIAMS, MIGRANT WORKER; HAZEL HALL, AND BROOKS HALL, RESIDENTS OF SOUTH DADE LABOR CAMP, HOMESTEAD, FLA., A PANEL

Mr. MEDINA. Mr. Chairman and Mr. Landgrebe, we very much appreciate the opportunity to come and discuss with you some of the problems that are being faced by the farm workers here in the State of Florida.

As you know, most farmworkers are excluded from most of the protective legislation passed within the last 35 years to protect the American working man. We are still excluded from the National Labor Relations Act, and, from unemployment insurance.

Our minimum wage is still \$1.30, where for industrial workers it is \$1.60. We have a very minimum social security coverage. And, in most cases, where farmworkers do get social security deducted, there is some chance it won't get reported.

But, we have several areas which have been of most concern the last couple of months, and I would like to discuss that with you.

Mr. Ford. Let me say, Eliseo, that we are grateful that you have presented a formal written statement. And, without objection, that will appear in the transcript of the hearings.

So, when talking to us and so you can understand when this Record is completed, everything in here will be there. So, you can add to it whatever you would like.

Mr. MEDINA. Thank you, sir.

[The material referred to follows:]

STATEMENT BY ELISEO MEDINA, FLORIDA DIRECTOR, UNITED FARM WORKERS

My name is Eliseo Medina. I am the Florida Director for the United Farm Workers. I appreciate the opportunity to discuss with you some of the problems being faced by Florida farm workers.

Farm workers in this state are facing a severe housing and health crisis. In this state, a crew chief or grower who decides to open a farm labor camp is supposed to notify the health department so that the camp can be inspected and a permit issued, if it meets certain health regulations. If a grower does not notify the health department there is no way that the camp will ever be inspected. There is no safeguard to insure that the camp owner will respect the most basic housing regulations.

The result is that throughout Florida, the going rate for one small room in a barracks-like building with no running water is \$17.50 a week. Generally the occupants must provide their own stove and refrigerator. Many families are forced to share unsanitary toilets and showers. Farm workers' complaints to camp owners go unheard, or else a worker is told to move out if he does not like the way things are. No steps are taken by the owner or the state to improve conditions and make the camps suitable for human beings. A clear example is in Alachua County. It is common knowledge that there are nine labor camps in that county, but the Health Department has always denied the existence of these camps because they have not applied for registration. It is bad enough that these camps violate housing and sanitary regulations, but in cases where the health department is inspecting camps, regulations are not being enforced. The United Farm Workers conducted a survey of the camps housing Jamaican sugar cane cutters in Belle Glade and found 192 different violations of state and Federal housing codes. The Palm Beach County Health Department told us that they check the camps once a month and give the operator a slip of paper telling him to correct the violations. There is no follow-up to assure that the operator makes the necessary repairs. The violations uncovered by our survey ranged from pools of stagnant dirty water, torn screen doors, and windows to plugged up unsanitary toilets. In this case the workers in Palm Beach County can take little consolation from the fact that health department checks the housing since nothing is being done.

In a letter dated January 9, 1973 the health department ordered the Homestead Housing Authority to keep records of the chlorination level in the water supply and to install an extra chlorine injector to assure proper chlorination. Neither recommendation was followed. But Dr. Milton Saslow, Director of the Dade Public Health Department said that they did not take the housing authority to court because "it would have taken them too long." The state housing code provides for second degree misdemeanor for violators, but, to my knowledge, no camp operator has ever been charged by the Health Department for ignoring the law. The result is that the operators have no reason to comply with the law.

When it was announced that the Miami Beach water supply was contaminated, Dr. Saslow immediately went on television to instruct Beach residents to boil all water before drinking and arrangements were made for two chlorinators from Alabama, so that the 150,000 beach residents would have safe drinking water. Today a month and a half after the outbreak of the epidemic, the South Dade Camp water supply for the 2,000 residents consists of horrible tasting over-chlorinated water from the camp well that is still contaminated, and a single outdoor pipe with two little faucets bringing water from the Rex Utilities Company of Homestead.

The Health Department was aware of the history of bad water at South Dade dating to January of 1971 and knew the results of a January 9, 1973 test indicating that the water was unfit for human consumption. Amidst a rash of intestinal illnesses during that month, the first typhoid case was confirmed on January 29, 1973. Knowing the background of the water situation and knowing that nothing had been done to correct the situation, it is inconceivable that the Health Department did not immediately prepare for an emergency when that first case of typhoid was confirmed. Instead we find that as late as March 2 more than forty suspected typhoid patients had been refused admission to Jackson Memorial for lack of bed space. Yet the Health Department didn't make any provisions for alternate hospital space. As late as March 4, 1973 some residents of the camp still did not know there was an epidemic and that they should be boiling their water.

This kind of callous irresponsible treatment of farm workers by the Homestead Housing Authority and Public Health officials is unforgivable. The worst typhoid epidemic of the century was not, as Dr. Saslow has stated, "just one of those unfortunate happenings." It was a tragedy that would have been avoided had the health department and the housing authority been properly carrying out their responsibilities.

We must not only examine the agencies and officials at fault in the Homestead typhoid epidemic, but steps must be taken to assure that such a tragedy will never occur again. Recently union representatives went to the Hillsborough County Health Department and to the Collier County Health Department requesting information about the reports of contaminated water in labor camps in those areas. They were refused any information or access to public records. If the water in those camps was indeed contaminated, how can we be sure that appropriate action was taken to correct the situation? How can we be sure that the same inaction and irresponsibility that preceded the Homestead epidemic will not be repeated in other Labor Camps in Florida?

Miserable living conditions facing farm workers off-the-job are just part of the problem. Farm workers in the State of Florida have the worst wages and working conditions that I have ever seen in any part of this country.

Most farm workers in Florida must get jobs through crew chiefs, a middleman used by companies to hire and supervise field workers.

In Belle Glade, Florida, for example, farm workers go to the loading ramp around 6:00 a.m. each morning and go from busses to busses looking for a job. If there is a surplus of labor, the crew chiefs hire only the youngest and the strongest of the workers. On days like this, older men and women never get a job unless they are willing to work cheaper than the other workers. The only standards for hiring that crew chiefs have is workers will work the most for the least money. Job protection and the right to work for a decent wage is unheard of in the loading ramps of Florida. It is illegal for a crew chief to operate unless he has registered with the state pursuant to the crew chief registration act, Chapter 71-284 Laws of Florida. There are an estimated 2,000 crew chiefs in Florida. As of March 31, 1973, only 37 of these had registered, in compliance with the law.

In Belle Glade there are between 125 and 150 crew leaders and only one (1) is registered. Every morning, the Department of Commerce Farm Labor Office charged with enforcing the crew chief registration act, operates a farm labor referral office out of a trailer at the loading ramp. They refer farm workers to these very same unregistered crew chiefs who are in violation of the law. The State Department of Commerce has become a party to violation of the laws that they all pledged to enforce.

The crew chief registration act states that it is a misdemeanor of the second degree for a grower to employ a crew chief who is not registered. Why aren't the hundreds of Florida growers who hire these unregistered crew chiefs being prosecuted? The growers, crew chiefs and the farm labor offices have made a cruel mockery of the law and turned it into a worthless piece of paper.

Crew chiefs are not only operating illegally; they are also committing many other serious crimes daily. Recently two crew chiefs were arrested for allegedly having kept their crew members in virtual slavery, giving them only a pittance with which to buy food, and keeping them prisoners with threats of violence and actual beatings.

These are not isolated incidents. In June, 1972, crew chief Walter Taylor and five of his foremen were indicted by a federal grand jury in Tampa for enslaving/ beating workers to keep them in his employ. A Jacksonville grower also pleaded guilty last year to having kept his workers in bondage. In the spring of 1972, six men filed a class action law suit against Florida grower A. Duda and two of his foremen for keeping them in involuntary servitude. And in California, Crew Chief Juan Corona was convicted of having killed over 25 farm workers.

Daily less spectacular, but nonetheless serious, crimes are committed by crew chiefs who do not pay promised wages, report social security, or provide decent transportation. In February a worker came into our Belle Glade union office with a check stub from a crew chief contracted by A. Duda. He had been promised \$1.80 per hour, but was given only \$15.72 for a 12 hour day. When the worker went to Duda's office to complain about his pay, the company official crossed out the 12 hours in the pay stub, inserted a '9' and told the man to get out of his office. I am enclosing a copy of his pay stub with the statement for your information. Another worker came in to our office to ask how the crew chief he was working for could take out for social security, which he was doing, if he had not even asked for the worker's social security number.

This season a woman working with a crew chief in Pahokee, Florida became ill on the job. She requested that the crew chief take her to a doctor. He told her instead to go sit on the bus. When the crew returned to the bus to leave for the day, they found the woman lying dead in the field beside the bus.

The grim tales of suffering and injustice that farm workers endure everyday are not meant to evoke pity, and rather to demonstrate how totally ineffective the state and federal government have been in enforcing the few laws that exist for the protection of farm workers. The crew chief registration act, the health codes for migrant housing, the requirement for farm labor buses are just a few examples of laws that are not being enforced to the detriment of the farm worker. If the existing laws are not immediately enforced then the only possible outcome will be more typhoid epidemics, more Joe Browns, and more misery for farm workers.

These problems of farm workers are not easily solved because at the root of it is the fact that farm workers are powerless. The laws are not being enforced because we haven't had the power to enforce them. We are convinced that the only way things are ever going to change for farm workers is if we are organized into a strong union of our own. We recognize that the corrupt crew chief system must be ended once and for all. This is why the union insists on including a hiring hall provision in all our contracts. In the hiring hall, workers receive jobs on the basis of seniority with the company irregardless of sex, age, creed, color, religion, language spoken, national origin or political belief. This democratic, nondiscriminatory system will not only end the crew chief system, but also assures the worker a job with dignity and a decent wage.

I urge you to do everything in your power to thoroughly investigate and make public the circumstances surrounding the typhoid epidemic so that steps can be taken to prevent any future outbreaks of this nature. We call upon the secretary of the Florida Department of Health and Rehabilitative Services to send out every available health worker to check all the labor camps in the state. Where water is found to be contaminated, the wells should be immediately shut down and arrangements made to bring in clean drinking water. All camp operators that refuse to comply, must be prosecuted as prescribed by law. To do less would be gambling with the lives and health of the farm workers. We hope you'll use your offices to secure enforcement of the crew leader registration act by the Fla. Department of Commerce and the U.S. Department of Labor. Growers illegally hiring unregistered crew leaders must be made liable for their actions. It must be made clear that the state of Florida and the federal government will not stand by as its citizens are enslaved by unscrupulous growers and crew chiefs.

For 100 long farm workers have been condemned to second class citizenship in our society. With your help we can end the "harvest of shame" and give farm workers the right to live and work as free men and women.
Thank you.

A. DUDA & SONS, INC.

86568

THIS IS A STATEMENT OF YOUR EARNINGS AND DEDUCTIONS. DETACH AND RETURN FOR YOUR RECORDS

PERIOD	EMPLOYEE NO.	EMPLOYEE NAME	HOURS	COMP. PAY	TAXES	DEDUCTIONS	NET PAY
022173	09	520443474	4201	1575	93		1482

- 1 TRANSPORTATION
- 2 BOARD
- 3 SHAREFEE DEDUCT
- 4
- 5 LIGHTS AND TELEPHONE
- 6 PAINTS AND LABOR
- 7 BOOTS, GLOVES, KNIVES, RAINCOAT
- 8
- 9 ONE OR COMBINATION OF FOLLOWING:
 - A CHRISTMAS CLUB
 - B SICKNESS BENEFIT
 - C SICK PAY
 - D PERSONAL SAVINGS
 - E UNEMPLOYMENT
 - F SHARE IN LIFE INS. PREMIUMS

Proposed Budget

UFW Farm Labor Housing Project
Budget (Revised 6/2/72)
100 Units

Assume costs of:

Land	\$ 50,000.00
Improvements	1,282,500.00
Total Cost	1,332,500.00

Costs:

Debt Repayment (1% of \$13,250.)	\$ 4,797.00
Utilities (Water, sewer, no electric)	11,400.00
Exterior Lawn and Building Maintenance	2,500.00
Interior Maintenance, Repair	10,000.00
Management *	
Office Supplies & Expenses, Legal Fees, Etc.	2,000.00
Manager's Salary, S.S.	6,000.00*
Bookkeeping	1,500.00
Property Taxes (20 mls on 1.2 million)	21,000.00
Insurance (Fire & Liability \$55.00/Unit)	5,500.00
Reserve (10% over 10 years on 1,202,500)	12,925.00
Total Expenses	85,522.00
Expenses Per Unit (100 Units)	855.22

Income Estimate (Based on Budget)

Assume 85% Occ. Rate			
Units	Size	Unit Monthly Rent	Monthly Income
15	Rf.c.	\$ 65.00	\$ 975.00
31	2 BR	75.00	2,325.00
46	3 BR	91.00	4,326.00
8	4 BR	100.00	800.00
			\$8,126.00

Summary

Monthly Income	\$ 8,126.00
x 12 months	101,088.00
x Income 12 Months	85,924.80
x 85%	85,522.00
vs. Expenses	

* This management budget does little more than collect rents - No funds are available to deal with the human problems that must be met.

injector in case one of them died, and the other one automatically kicked in.

But, the Homestead Housing Authority never followed the recommendations.

And, when Dr. Saslow, the director of the Dade County Public Health Department, was asked why nothing was done to insure that recommendations were followed, they said it would have taken too long to take them to court.

To my knowledge there has never been any growers, any camp operators, any crew chiefs, ever been taken to court to assure that the basic housing and health codes are being respected. So, what kind of motivation do these people have to respect the law? There's absolutely none.

But, we have a situation where the county health department now for a couple of years knew that the water was contaminated and didn't even tell the people they should boil the drinking water. But, on the contrary, in this same chamber, Dr. Saslow announced that the water in Miami Beach was contaminated and within minutes they had a press conference to tell all the beach residents they should boil the water and take all kinds of precautions. And, within 12 hours they flew two chlorine injectors from Alabama in an Air Force plane to purify the water for 150,000 residents of Miami Beach.

It's been almost 2 months now in South Dade Labor Camp, and the residents there are still drinking overchlorinated water, which tastes more like swimming pool water. And, the only clean water that was available to them was a little pipeline from Rex Utilities Co. in Homestead with two little faucets that were supposed to serve 2,000 people.

It would seem that farmworkers should have the same rights to health like the Miami Beach people have, but because it was farmworkers, the health department wasn't in too big of a hurry.

We also have the situation once the typhoid epidemic broke out that no precautions were taken to assure that it was handled quickly.

On March 2 we find Jackson Memorial Hospital turning people away because they said they did not have enough beds available for people. There was nothing done to declare an emergency and to open up beds in private hospitals. So, people were being sent home with aspirins and a drink of water. And, we feel this kind of irresponsible treatment of people, farmworkers by the Homestead Housing Authority and public health officials is unforgivable.

This was the worst typhoid epidemic since 1908 in the United States, and it's not as Dr. Saslow says, one of these things that just happened.

It could have been avoided had the health department been doing their job. But, the problem is how to assure that the same situation is not happening in the rest of Florida.

Union officials went recently to both Hillsborough County and Collier County Health Departments to try to investigate reports of contaminated water in camps in those counties, and they were refused access to public records and refused any kind of information. How can we be sure we are not facing the same type of situation as the Homestead farmworkers?

We have the situation where a family that got sick with typhoid are in Collier County and the children are told that they can't go to school, but they could work in the fields. Most of the migrant children going up to Hillsborough County are being kept out of school until they can prove they don't have typhoid. But, this kind of situation with the health and the housing is a problem that is being repeated throughout the State of Florida every day. The law is there, but it is simply not being enforced. It's nothing but a piece of paper.

But, the housing is just one of the problems the farmworkers face. The living and working conditions are worse here than any other place that I have seen in this country.

In Belle Glade, for example, the way the farmworkers get a job is that they get up at 6 in the morning going from bus to bus looking for a job, talking to the crew chiefs for jobs available. And, if there is a surplus of labor, only the youngest and strongest get jobs. You don't know much you're going to make. It isn't until you get out on the field and finish a day you find out how much you earned.

The going rate is from \$11 to \$13 for a 9-hour day, and the only way that women and older workers can get a job is if they are willing to work cheaper than the younger people.

There's no job protection. These things are unheard of in the camps in Florida.

And, we also have crew leader registration acts, both Federal and State, which says crew chiefs must be registered with the State and Federal Government before they can begin to take workers to the fields. But, this is not being enforced—

Mr. FORD. Let me interrupt you there.

You are the Florida Director, and State Director of the United Farm Workers.

Mr. MEDINA. Yes.

Mr. FORD. How long have you been in that position in Florida?

Mr. MEDINA. About a year now.

Mr. FORD. Have you been in contact with anyone from the U.S. Department of Labor who has been identified to you, or, been in any way apparent to you, that he's there for the purpose of enforcing the Federal Farm Labor Registration Act?

Mr. MEDINA. No, sir.

Mr. FORD. Have you ever seen anybody purporting to be an inspector from the U.S. Labor Department?

Mr. MEDINA. Never.

Mr. FORD. Has anybody from the U.S. Government representing the enforcement of the Occupational Health and Safety Act ever been around where you are?

Mr. MEDINA. Never.

And, as a result, for instance, we have 2,000 crew chiefs in the State of Florida as of March 31, 1973, and only 37 are registered.

Mr. FORD. I'd like to invite you to provide the committee with a list in as much detail as available to you, and don't wait until you get the whole 2,000, but as many of these unregistered crew leaders and uninspected and unregistered camps as you could get for us. And, I promise now—and if they have representatives here, I hope they will take this message back—as soon as we get back to Washington, I'm going to insist on an explanation why Federal officials have not

been around to see them, and when they'll get around to seeing them. So, if you can, before the weekend is out, give us such a list. It might be helpful.

Mr. MEDINA. Well, to do that I must add something to that.

In discussions with some of the people in the State level about why the law is not being enforced, one of the things they raise is they say the U.S. Department of Labor won't let them use the local people in the Farm Labor Offices to enforce the law. As you know, most of the Farm Labor Offices' people are funded from the grants of the Manpower Administration. And, they were told these people can't be used to enforce the law of the State of Florida.

So, we have a situation where in Belle Glade, where every morning two people from the Department of Commerce are referring workers to the same crew leaders who are unregistered, violating the law, both State and Federal. And, in fact, they become a party to the violation of the law.

The crew chiefs and the growers and the U.S. Department of Labor and the Florida Department of Commerce all make a mockery of the crew leader Registration Act. To them it's nothing but a worthless piece of paper, because they are the ones charged with enforcing the law and they are not doing it.

And, finally, Mr. Chairman, we believe that the problems the farmworkers face, basically the root of it, is the fact that farmworkers have the power to make sure that the laws are enforced.

It's not an accident that the laws are not being enforced. It's not an accident that the housing laws are not being enforced. There is many incidents about crew leaders and others holding workers in bondage and some very clear examples are the two within the last 2 months. But, that's not the only one. Last June a crew chief by the name of Walter Taylor was indicted by a Federal grand jury in Tampa for holding workers in peonage.

There is a grower in Jacksonville who pleaded guilty to holding five workers in enslavement. And, so on as in here.

So, these things have been going on and on. And we feel it is unfortunate that the situations have to come up before they start to decide enforcing the law.

I have some people that came with me today to talk about some of the other conditions they are facing. And, we would like you to hear them. But, before they come up I'd like to know if you have any more questions.

Mr. FORD. I want to thank you for the cooperation that you have offered the committee here today and in helping us prepare for the hearing down here.

We will have some other people later in the day, as I see it on the schedule, maybe more appropriate people for me to ask the questions that occurred to me as I go through your testimony here—and particularly when you make reference to contacts that you've had with health authorities, and their indication that they feel powerless to have done something.

If I understood you correctly, notwithstanding the fact some 200 or more cases of typhoid have now been officially diagnosed and traced to this camp at Homestead—Homestead is it?

Mr. MEDINA. Homestead.

Mr. FORD. For all practical purposes, there is nothing being done now to give us any assurance that additional carriers of typhoid are being treated, or that the source of the typhoid infection is being cleared up.

As one coming from the State of Michigan, we expect this year about 50,000 migrant workers to come to our State. Without them, we would see my own State, where agriculture is second only to the automobile industry in its importance in terms of jobs and the wealth of our State, really fall off the chart because of the nature of the cash crops that we have in Michigan. Without the annual flow of viable workers, migrant workers who come from other areas—frankly, the dollar producing agri-industry in Michigan couldn't exist. If we looked at this from a purely selfish point of view, it is in our interest as citizens of Michigan to find out what happens to that work force here in Florida, because this is the source of a large number of people we have to depend on later in Michigan.

And, I really wonder if people in Michigan are fully aware of how they would feel about the fact there are hundreds of potential typhoid carriers headed toward Michigan who would be arriving about the same time the tourist industry would hit its peak. And, it happens that the cherry orchards and the pickle fields and the grapes are in the same areas that are very desirable for the tourist and for the fisherman.

I, frankly, as one citizen, am concerned that there doesn't seem to be here yet an understanding of the seriousness of the problem, or an indication that the problem would be intercepted before it could get to the people I represent.

I think you make a very telling point when you draw the contrast with the difference in being able to recognize the danger of not having good drinking water in the hotels like the one I'm staying in while I'm here, and not being able to realize there's no way to build a wall around the people they care about and the people walking around here carrying a very deadly and very contagious disease because health facilities are not being opened up to diagnose or treat them. On that specific point, is there any assistance being rendered by the Federal Government to make available medical personnel to do the diagnostic work that would be necessary to find out who is at this point infected with typhoid? Do you know of any project underway?

Mr. MEDINA. We know, for instance, they are asking people to stay in Homestead. But, since it is the tail end of the harvest season, who is going to feed them? Some of the workers are being evicted—

Mr. FORD. They are asking this of people identified as having typhoid, or potential carriers?

Mr. MEDINA. Yes.

But, there is the added problem that the incubation period of typhoid is 2 or 3 weeks from the time they drink the water. So, we have thousands of people coming to South Dade labor camp before the epidemic even started—

Mr. FORD. It's my understanding from the preparation we had that you have some medical opinions of the effect that during the month of January and February of this year the water was con-

taminated to the level where it was likely to produce typhoid. Is that correct?

Mr. MEDINA. That's true.

Mr. FORD. How many people would have passed through that camp and been using that water during December, January and February?

Mr. MEDINA. Several thousand at least.

Mr. FORD. Several thousand at least.

Mr. MEDINA. Yes.

Mr. FORD. Please go on.

Mr. MEDINA. And we have some of the people from the camp here that can give you a better idea exactly what the situation was.

We had, for instance—

Mr. FORD. Where have they been going?

Mr. MEDINA. They go to Ammolokee, they go to Ruskin, they go close to Tampa, then they spread out to Texas, to the Midwest, and just keep going north. There is no way that I know about that the public health department can put one person to follow each worker up the stream as they go up. And, as far as I know, they are not making any effort at all to do anything about it. And, the public health department is inefficient. They couldn't even do a job of adequately protecting the workers here in Dade County or in the State, and we can't see how they are going to take any kind of precautions to be able to give adequate protection to the workers when they leave here. And, we are not aware of any kind of plan that they laid down other than saying, "Sure, sure. We're going to take care of it."

Mr. LANDGREBE. Mr. Medina, how long have you been the Florida Director of the United Farm Workers?

Mr. MEDINA. About a year.

Mr. LANDGREBE. And about how many members do you have a year in this State?

Mr. MEDINA. We have about a thousand dues-paying members.

Mr. LANDGREBE. You normally would represent the people in Florida who work on farms on a regular basis?

Mr. MEDINA. We represent farmworkers in the State of Florida, whether they are migrants or working here all year round. As long as they work in the fields of Florida, they are eligible for entrance in our organization.

Mr. LANDGREBE. So, you do try to organize or gain membership in the migrant workers as well as more permanent workers in the State?

Mr. MEDINA. Yes, sir.

Mr. LANDGREBE. Where is the most typical area of origin of migrant workers in Florida?

Mr. MEDINA. Most of them are based here in Florida. They are citizens of the State of Florida.

And, what they do, from here they migrate up the stream. And, some go up the east coast, and some up the area to the Midwest. But, these—this is their home base.

Mr. LANDGREBE. They are citizens of America, residents of Florida, and just fan out through the seasons, then returning here again.

Mr. MEDINA. When harvest season begins here.

Mr. LANDGREBE. For my own information, when would this sequence begin? They go up and pick cherries in Mr. Ford's area and pick up potatoes in my district—but, when? What time of year does this sequence start here?

Mr. MEDINA. The season is ending right now.

Mr. LANDGREBE. So, it would have started maybe in February?

Mr. MEDINA. No. The season begins, for most of the workers, they begin returning to Florida in October and November. And they stay for around 4 or 5, and some up to 6 months here in this area.

Mr. LANDGREBE. Do they work immediately or have a sort of rest period? Are there crops to harvest when they start coming back?

Mr. MEDINA. When they come back, there is work, but not enough for all the farmworkers. So, it is a forced rest period without any compensation and without any kind of protection, because for them to lose 1 day very well means whether you eat that day or not.

Mr. LANDGREBE. You've certainly given me some enlightenment on the whole matter.

In returning to the subject of this outbreak of typhoid, as I understand it, there have been no deaths. The work here was sufficient to avoid any fatalities so far as you know?

Mr. MEDINA. We feel, Congressman, there were no fatalities, and it was thanks to God, and no thanks to the public health department.

Mr. LANDGREBE. This camp where this tragedy occurred, wasn't this run by a municipal corporation? Do you know whether or not it is true that they received most of their funding from Federal sources?

Mr. MEDINA. The way the camp was set up, was they got 50 percent of all their money as an outright grant from the Farmers Home Administration, and the other 50 percent has been loaned to them over a long period as a loan without interest.

Yes, sir.

Mr. LANDGREBE. So, the South Dade labor camp, run by the Homestead Housing Authority under the direction of George Eicher was basically a federally operated installation.

Mr. MEDINA. Federally funded but run by the Homestead Housing Authority, which incidentally is controlled by growers. Four of the five on the board are growers. And, anyone that wants to get in has to get a letter from the crew chiefs they are employed by, to get into the housing.

Mr. LANDGREBE. Do you know how many people live in that housing project?

Mr. MEDINA. About 2,000.

Mr. LANDGREBE. Two thousand?

Mr. MEDINA. Yes.

Mr. LANDGREBE. The situation here, as I understand it then, still hasn't been totally remedied. The water is being heavily treated so it is unpleasant to drink, for example.

Mr. MEDINA. Yes.

Mr. LANDGREBE. Just a couple of questions more.

In your testimony you state there are 37 crew chiefs who are registered?

Mr. MEDINA. Yes, sir.

Mr. LANDGREBE. They admit to that requirement. So, do you know if those 37 legitimate operators are informing the workers of the wage rates? If these operators manage and supervise and control housing, do they clearly state the terms and conditions of occupancy? Do you think the 37 are pretty much in compliance? Or, as they should be, in total compliance?

Mr. MEDINA. I think all they have complied with is the registering. Registering themselves.

But, for instance, there is many other laws they violate, not just simply the registration.

They deduct social security and never report it. And, many occasions, we've had workers coming in to the office, and the workers have said, "How can they deduct money from my check? They never asked for my social security number." And, on occasions they transport people in open trucks.

There is a copy of a paycheck from A. Duda and Sons Co. in Oviedo. This worker had gotten a job from a crew chief in Alabama. And, he'd been promised \$1.80 an hour. And, he worked 12 hours.

When he got paid, his gross pay was only \$15.75. And, he went to Duda's office and complained about the fact he got so little pay. And finally the company official just crossed out the 12 hours in the pay stub and put in a 9 for it, so it looks like he made the \$1.80 and told him to get out of the office.

Mr. FORN. That is the most unique pay raise I've ever heard of.

Mr. MEDINA. But, this man was lucky, Congressman. Most people never get anything. They don't get no statement, no paycheck. They get paid in cash so they have no proof they ever made any money.

There are cases of members coming into our service center, men who have reached retirement age. And, they ask, how do I apply for social security? And, it comes back they don't have enough money in there.

Mr. LANGRISH. They are paid by the crew chief in cash?

Mr. MEDINA. Yes, sir.

Mr. LANGRISH. All right. I have no more questions at this time. Thank you.

Mr. FORN. Do you have any other people with you that you want to speak at this moment?

Mr. MEDINA. Yes. I'll introduce them.

I would like to introduce three workers that came to testify and tell you a little more about the work. And, I'd like to introduce Walter Williams, a fruitpicker from the area.

Mr. WILLIAMS. My name is Walter Williams. I am a migrant worker. I have been a migrant worker all my life. I am the third generation of migrant workers.

It gives me great pleasure to be here this morning to be able to voice some of the things that have been wrong for so long. And, it's just at this time that it finally got to where we can have a voice and be able to say something about our problems.

For just a moment I'd like to talk about the things that I remember and the things that are predominant in the migrant way of life. The main thing being that nobody has ever cared, you know, nobody has ever cared enough to even talk to them.

The newspapers would come out when there was a crisis or something, and they'd ask you how many people slept in a bed or how many dogs you had, but nobody cared enough to do anything about any of the problems that were exposed.

So we've gone this far without anybody taking notice of our problems at all, and as a result of it, it just brought home lessons among the people that nobody cares. And when your problems and when your

life seems like there is not any brighter future to it, you just get completely hopeless and lose sight of tomorrow.

Poverty becomes a way of life. And, if you move up one year model in a car, that is progress. It's not whether or not you can buy a new car or whether or not you can have really the things that you need to eat. It's just a matter of how far you came since yesterday and whether you have meat on the table today when you didn't have it yesterday.

The houses that we live in—for instance, some friends of mine live in a place and there is a \$20—it cost \$20 a week to live there. And, if you use more than \$10 a month in electricity, then you have to pay the bill. But, they do pay the electricity and water bills and things. But, the houses are two rooms, no screens on the windows. One of the houses don't even have a window in the entire house. And, the ceiling and the roof all fall in. And this is not, you know, this is not just an isolated case. But it is common. The rats and roaches and everything imaginable. You sleep, and when you wake up in the night, the roaches fall off the roof and on your face.

And, those things, because people have lost hope, they exist in the kind of poverty because there is no other recourse.

I worked for a man in 1970, and he charged us 50 cents a day to ride the bus, 50 cents a day for water, 50 cents a day for signing on. He had a camp that he charged \$3 a day to park my trailer in. And, there was sewer and water and electricity just right next to me, but I couldn't hook up to it. I never understood why. But, I couldn't hook up to the sewer and utilities, so I had to park my trailer without any of these things. And, that made a total of \$5 a day that he took from my pay. The wife and I and three children, one Saturday went out and worked, and we made \$12, but he only gave us \$7. And, you have to pay this whether or not—if you take your own water or drive your own car, you still have to pay that, you see, because that's the rules of the company.

And, in the camp there is a big high wire fence that circles the camp. And, you can go in and out during the day, but at 8 o'clock at night there is no way you can go in or out in case of sickness or emergency. You couldn't get in or out of the camp. You're just stuck there after closing hours.

He takes social security out of your check, but he doesn't get a social security card, because you never get any kind of statement back from the Government—that it's been paid in or anything.

The bathroom—there is one community building with two shower stalls and two commodes. He opens the building at 15 minutes after the people get in from work, and it stays open 15 minutes and then closes. There is no other facilities anywhere around. So, obviously if you go, you've got to go—you just have to find a place out back of the house or something.

So, this kind of hopelessness is what I wanted to talk to you about, because never before have we been able to speak or say anything to anyone.

But, the situation is changing now. There is a big difference, especially since I have been with the United Farm Workers Union. Because, this is the first time that people have ever been together to try to do anything. Never before have they even considered the next-door neighbors before, or tried to do anything, because they had too much

to think about in their own life. But, now they have an organization that they can unite with, and the difference that this has made is tremendous with people connected with the United Farm Workers.

For instance, the hiring hall that we have, nobody is going to take away a job because you don't work long enough hours. Nobody is going to take your job from you because you complained about the pay checks. Nobody will give you any kind of a down-the-road signal because you bring up a problem to the company or the people you work for because you're injured in your job or anything else. Or complained.

There is no competition for the jobs and no competition for better jobs, because each is run by seniority. And, the sanitary conditions in the field for the first time, we have bathrooms in the field. We have a certain number, one bathroom to a certain number of pickers. And we have water in the fields furnished by the company. Cold water, too. And cups, paper cups. That is sanitary. So, these things are changing.

And, then, you know, they have sick pay if you get sick, you get paid. And, vacation and holiday pay you get. We have a medical plan and a life insurance coverage. And, through this, it's brought about security. A feeling of security among the people, because they've never had these things before.

And, at this time in Florida, the people who work under the Union contract, they are buying more new appliances, washing machines and new refrigerators, and things they've always needed and never were able to have. They are buying these things.

And, some even buy new cars because they are secure in the knowledge they have a job and a future. And their future does look brighter than it ever looked before. And, the banks will loan better because of the people's stability and taking an active interest in the community and in their affairs, trying to help themselves, where always before they depended on somebody else trying to help and do something about their problems.

And, now they are banding together to try to do something to alleviate the problems in the past. So, the banks in turn feel their stability and they will loan money to buy things they need, and have new houses and transportation, and so on and so forth, that they needed so badly.

And, they are all getting interested in politics. They are registering to vote. And this means a whole lot to me, because I've been concerned about these things for years. And, if these people can see a ray of hope, you know, and when they demonstrate enough faith to start to register to vote and take a part in the community affairs and activities of the community, then they can come up in their social structure and in their life because they do have some hope.

And, you know, they are not looking to the past. And, I have talked about the past and what is—what is happened in the past. But, they are not looking to the past anymore. Always before they have looked to the past. But, now they're looking to the future and seeing what the future holds. And, the looking to the future and making plans for the future and trying to do something about the future generations that come after us.

May we make better citizens for the United States of America. I thank you.

Mr. Ford. I want to thank you for the privilege of coming here to hear you.

Walter, you say you are a third-generation migrant worker?

Mr. Williams. Yes.

Mr. Ford. My first experience with migrants goes to my first summers of working in the cherry orchards in Michigan in the 1940's when I was absolutely fascinated by seeing them. I've never seen anybody work so hard and so fast as some of the families I saw there, with three generations at one time, piling into the orchards and working from the time that the dew was enough off the cherries so they would not spoil. And, I always compared my poor production with the production of the grandmothers or the children who were half my age.

Ever since, I have been fascinated by something. Well, you fascinate me. Why does a migrant worker continue to pursue a type of work far from any kind of a home base as you do, instead of just settling down and joining one of the other Government programs like welfare? Why do you do it?

Mr. Williams. Because these are very independent sort of people. They like to be in charge of their own lives, and they like to feel that they are going to support their families. And, it is them that is supporting their family. And, maybe they would be better off on welfare. I've been told that a lot of times. But, where is my dignity and my pride, and where do I look in the future for my dignity and pride if I submit myself to the welfare programs?

We do appreciate welfare, very much. And there's times in my life when my life would be impossible without them—but, to why people migrate—it's because they have to feel like they are men and women that supply the basic needs of their family. Their own selves.

Mr. Ford. How does a parent manage to pass this on to a child, when the welfare case has access to public hospitals and has some kind of regular support coming for a house and some kind of regular support for food? And, in the dignity you describe, it's worth the hardship that it entails to maintain. How does one pass that on in your situation to your children? How do you stack it up against a kid who looks at you and says, well, dad, these kids have got it better than me because their dad is not willing to look for a job?

Mr. Williams. See, the welfare programs have not been in existence all that many years. And, a generation hasn't passed as yet. And, possibly we won't pass that feeling to our offspring.

Mr. Ford. That is very important, because President Nixon and others are continually drawing our attention to the problem of the ever-increasing incentives for unemployment and unemployed people to select welfare as a way of life as an alternative to this way of life.

Are you now saying to me that perhaps in another generation instead of having a work force of migrants that are willing to look for jobs, the children of these migrants might figure they are better off to just drop off and quit?

Mr. Williams. Yes; I think that is what I am saying. Because, you know, unless some drastic steps are taken to relieve some problems as I have mentioned with the United Farm Workers of which I am a member—through that, you know, people can retain their dignity and still be the kind of human being that they think they should be.

Mr. Ford. Where will you go when you leave for your work?

Mr. WILLIAMS. Maybe I'll just give you a general picture of the area. I work the west coast and go to California or to Washington and Montana on. I go to Idaho and Nevada and Arizona and New Mexico, Texas.

Mr. FORD. How many children do you have?

Mr. WILLIAMS. Six.

Mr. FORD. And you have some children who are of school age?

Mr. WILLIAMS. Yes.

Mr. FORD. Are they in school here now?

Mr. WILLIAMS. Yes.

Mr. FORD. When will you leave here?

Mr. WILLIAMS. I'll leave here just about the time that school gets out. They may miss a week right on the tail end.

Mr. FORD. Where will you go?

Mr. WILLIAMS. California.

Mr. FORD. Where will you be at the beginning of September?

Mr. WILLIAMS. I'll be in the State of Washington.

Mr. FORD. What will you be doing there?

Mr. WILLIAMS. Picking apples.

Mr. FORD. And how many children of school age will you have with you at that time?

Mr. WILLIAMS. I will have five.

Mr. FORD. You travel with a trailer?

Mr. WILLIAMS. Yes.

Mr. FORD. A house trailer?

Mr. WILLIAMS. Yes.

Mr. FORD. Seven of you live in that house trailer?

Mr. WILLIAMS. Eight.

Mr. FORD. Eight?

Mr. WILLIAMS. Yes.

Mr. FORD. In September you will be picking apples in the State of Washington?

Mr. WILLIAMS. Yes.

Mr. FORD. Will your children be working or going to school?

Mr. WILLIAMS. They will be going to school during school hours, and it's probable they'll work on weekends. But, they do sometimes and sometimes they don't. Most of the times they do.

Mr. FORD. When will your work run out up North?

Mr. WILLIAMS. About the time it starts here. That will be about November 15.

Mr. FORD. And, then in September you will be in Washington?

Mr. WILLIAMS. Yes.

Mr. FORD. How long will you be there?

Mr. WILLIAMS. I'll be in Washington until I come to Florida.

Mr. FORD. So you will stay till sometime in November?

Mr. WILLIAMS. Yes, sir.

Mr. FORD. And your children will go to school?

Mr. WILLIAMS. Yes. They change schools one time a year. They move from Washington down to here, but being three-generation migrants, I have a pattern that we follow year after year. And, they go to the same school in Washington that they go to in previous years. And when they come down here, it's the same thing.

Mr. FORD. And you and your wife and yourself have maintained a kind of stability of that pattern to your childhood and for your children?

Mr. WILLIAMS. Yes, sir.

Mr. FORD. You take into account the type of education and the time it is available in deciding where you go and where you look for work?

Mr. WILLIAMS. Yes.

Mr. FORD. Do you know as parents whether either the schools in Washington or the schools where the children go in Florida identify your children as children of a migrant worker and receive Federal funds because of that?

Mr. WILLIAMS. I don't know whether they receive special funds, but they are identified as farmworkers, migrant workers.

Mr. FORD. Your children are in the school computer in Little Rock, Ark. Do they have the school records going with them?

Mr. WILLIAMS. No, I don't think so.

Mr. FORD. Are you ever asked to fill out any kind of a form or anything for school people to indicate that your occupation is a migrant farmworker rather than something else?

Mr. WILLIAMS. Yes.

Mr. FORD. And is that done both in Florida and in Washington?

Mr. WILLIAMS. In almost every place.

Mr. FORD. What school district do your children attend in Florida?

Mr. WILLIAMS. It's Jesse King Elementary School in Lakeland.

Mr. FORD. In Lakeland?

Mr. WILLIAMS. Yes.

Mr. FORD. Do you know where they go to school in Washington?

Mr. WILLIAMS. They go in Wenatchee, Wash. But, I don't know the name of the school.

Mr. FORD. I don't want to put you on the spot, and I'm not trying to pick on your children, but I have another interest than this committee does in the migrant education program. We can go into Federal law on it. About 1967, a special provision was put in there to provide money to school districts to make a special effort to see that children like your children were not just ignored as they came through. We are sending Federal money out to do it, and we would like to see if there are specific ways to get out there and see if it's doing anything. I wonder if you would take a moment when you finish here to talk to Mrs. Branson on the end there, and give us the names of your children and your permission to ask for their school records from Little Rock, Ark., to see if they are getting over there and what they tell us they're doing with that Federal money.

Mr. WILLIAMS. Yes, sir.

Mr. FORD. And I want to assure you that we in no way would embarrass your children, but we want to find real children and find out what happens to these programs. You could be helpful on that for us.

Mr. WILLIAMS. I'd be glad to. But, I'd like to say that there are places we've gone in the past, 3 years ago, for instance, in Stockton. We got there 2 weeks early, you know, before the school season was out. And we tried to register the children for school. And went to three different schools, and they would not register the kids for school. So, I contacted the school board. And, I can't recall the name of the

office. But, he was in charge of the school board. And, I had a meeting with him in Stockton. And he did get the children enrolled in school, although they didn't like to go to school there.

And, I don't have any children that is old enough to know what education is about that doesn't have a deep desire to go to college. I have tried to instill that in them.

And, their education up to now has been, you know, very good. They have received good grades in school, and they try very hard. And, they want to have an education so they can do things other than poverty work.

Mr. Ford. You believe that if your children have an opportunity for access to education, they'll have a better life than you have?

Mr. Williams. Yes. I certainly do.

Mr. Ford. You think that education will do that for them?

Mr. Williams. Well, my aim is if I can get my children educated, it is not that they go out and be a professional man to do things for money like an attorney, you know. I wouldn't really care about him doing that. But, if he could turn that same learning and ability into doing something for his fellow man to try to relieve the problems that exist, then my life has meant something, whereas if I give him an education, you know, so that he goes out and makes enough money to buy a grove, to treat the people the way they've always been treated, then I have been a failure.

But, on the other hand, if he can gain the education and responsibility to go out and try to relieve these problems through this education and working on them, then I and he both have been a success.

Mr. Ford. You have a better grasp of meaningful goals in life than many of us sitting in Congress trying to solve the problems you're living with.

Mr. Landgrave. Walter, I think you should put a "C.C.C." behind your name. Walter Williams, cool, calm and collected.

You have certainly made an extremely fine presentation. You have to make apologies to no one. And, rather than ask any question, I would like to compound my own feelings with your spirit of independence and self-reliance. Your spirit is a challenge to all of us. It is certainly the kind of spirit that brought our forefathers across the prairies and made this a truly great Nation. But doesn't it bother you, as a working man, to see so many able-bodied people across this country getting a free ride in the Federal programs?

Mr. Williams. Really they are not getting a free ride. What bothers me more than anything else about it, is the fact of degeneration of character that these free rides do to the individual.

Mr. Landgrave. The demoralizing effects seen even more important than getting some of your money?

Mr. Williams. Yes. That is my main concern.

See, I think that a person should have the opportunity and should have the ability to go out and earn a living and be able to afford his family the things they need. And most of these people think that, too, although it's like you say, there are some that do get a free ride.

And, I look at these cases and the person that was very highly productive just a few years back and working very hard for self-determination, after being on welfare a few years or a few months, the way the welfare system is set up, he can't afford to work anymore.

And by that I mean that, you know, the way it's set up, if he comes to the place that he can buy a decent car for transportation for going from one place to the other, he's cut off of welfare, just because he bought himself a better car.

And, by the same token, if he works through the summer and then gets on welfare in the winter, when the spring starts again, if he works, he doesn't get on it that winter. So he'll stay on it rather than take the big chance of being forever without it and facing the winter without any income.

Mr. Landgrave. You're not only a migrant worker, but you move to places where work is waiting for you?

Mr. Williams. Yes.

Mr. Landgrave. You move with the work?

Mr. Williams. Yes.

Mr. Landgrave. Just one more question: What do you do if your children become ill? Are there places where you know a doctor you can call and then you personally pay for his services? Or are there some camps that have doctors? Or, is it a different situation in different areas?

Mr. Williams. There is a vast difference in each area you go into.

Mr. Landgrave. But, you have learned the situation and your family gets, generally speaking, good medical care?

Mr. Williams. Yes. Part of the time. That can't be said generally. But, it is obvious when people don't have enough money—maybe I should tell you this. That transportation is the overriding issue of any farmworker that I have ever known. Because, they make as many as 20,000 or 30,000 or 35,000 miles a year on an automobile. And, banks won't loan money on a car because the income is too low. And, they have an older car, and they put money into these older cars just to keep them going. And, so they don't ever have money. Really.

And, if a child in Miami, for instance, if he becomes ill with a cold, you can say, I'll go to see a doctor, but a migrant worker thinks that the doctor can probably wait until the situation becomes more serious so he can buy a new battery for the car. And, so we do have medical centers and medical clinics set up in some areas, but they are so very understaffed. And, if you make an appointment for 2 o'clock in the afternoon, it means from 2 o'clock to dark. If you make it at 9 o'clock in the morning, it means from 9 o'clock to dark. Because, you lose the day then when you go. So, naturally when you lose a day's work, you are reluctant to go to the clinic unless it's pretty serious.

Mr. Landgrave. Thank you, Walter. I have no more questions.

Mr. Ford. Thank you very much.
We have Mr. Brooks Hall and Mrs. Hazel Hall. I understand you've been residents of South Dade Labor Camp at Homestead. And you live there now?

Mr. Hall. Yes.

Mrs. Hall. Yes.

Mr. Ford. Do you have work at the present time?

Mrs. Hall. It's been about a year and a half, I went in welfare. And I had to go to be operated on. And, my leg hasn't healed back. And, I go back to the doctor's on Monday again. So, I'm working for a Mr. Leggett at the camp, running a coin laundry.

Mr. Ford. You're employed by the camp owner?

Mrs. HALL. No. This is privately owned business. He has this coin laundry. He rents the building from the camp people.

And, I worked there. But, I can't go there, can't go in the fields anymore. The doctor won't let me go in the fields anymore because I'm not able to.

Mr. FORD. How many children do you have?

Mrs. HALL. I have seven. Five boys and two girls. And I have five grands. I have four in the hospital with typhoid. I have had one son—he was sick 3 weeks before they took them—

Mr. FORD. Four of your grandchildren are in the hospital with typhoid?

Mrs. HALL. Yes.

Mr. FORD. Who is providing the medical care for them?

Mrs. HALL. Well, we were given the understanding that the county was supposed to.

Mr. FORD. Dade County?

Mrs. HALL. Yes.

Mr. FORD. Let's get more specific with this.

How old are these children?

Mrs. HALL. I have got one that's three and a half and I got one that's two and a half—

Mr. FORD. We're talking about the children with typhoid now?

Mrs. HALL. Yes.

Mr. FORD. They have been diagnosed and hospitalized for typhoid?

Mrs. HALL. Yes; they have.

Mr. FORD. When did the first one get this diagnosed?

Mrs. HALL. The baby, which is 8 months old, she's been in 2 weeks—going on 3. And, the little girl, she's been about in 2 weeks. I've got two grandboys, not quite 2 weeks.

Mr. FORD. When did you first suspect there was something wrong with the children?

Mrs. HALL. The beginning was my son, my 14-year-old. He had it real bad. And it was on the fourth week before they sent him to the hospital. And he was down where he couldn't hardly walk. They sent him to Homestead Clinic—they sent him to Goulds Clinic, and Gould Clinic said that he didn't have anything but a bad cold or the flu.

Well, they gave him aspirin and sent him back home.

Mr. FORD. When?

Mrs. HALL. This was around in February.

Mr. FORD. And when did some doctor finally see him and decide he had typhoid?

Mrs. HALL. The third week they finally took some more tests, and all of a sudden they said on the fourth week—they sent for me and said to get him in Jackson right away. And, he was in a condition where he can just barely make it. And, when I took him to Goulds Clinic, the last time, they put him in a wheelchair, and then in a van, and said that he couldn't walk. And, on the fourth week they said to take him to Jackson. And, he was delirious. He had a temperature of 105.4.

I took him to Jackson. The first time I took him over there, they gave him a cold bath, got his fever down, and sent him back home. Then, when they did send for him, I had to sit up with him all night long before getting a bed for him.

Mr. FORD. You're describing the family situation now.

Mrs. HALL. Yes.

Mr. FORD. How many people live together in that family?

Mrs. HALL. I have eight counting myself and the grands.

Mr. FORD. And four of the people in the household now are hospitalized with typhoid?

Mrs. HALL. Yes.

Mr. FORD. Are the rest of you people been subjected to medical tests to see if you're carrying typhoid?

Mrs. HALL. Yes.

Mr. FORD. When did that happen?

Mrs. HALL. Oh, it's been the last month, I think it was, when we had our test.

Mr. FORD. Soon after your first child was diagnosed?

Mrs. HALL. Yes. The test came back saying it was OK. And, just before the week was out I sent my daughter, my oldest daughter had to go.

Mr. FORD. Was any attempt made to check any of the people with whom you had close contact?

Mrs. HALL. Well, they're still taking tests, but it seems like the tests don't do much good.

Mr. FORD. Do you boil your water before you use it now?

Mrs. HALL. I have been buying water.

Mr. FORD. You've been buying water?

Mrs. HALL. Yes, sir.

Mr. FORD. Where do you buy water?

Mrs. HALL. 7-11, or any of the big stores.

Mr. FORD. Do you use that for drinking and cooking?

Mrs. HALL. I use that for drinking and cooking.

Mr. FORD. That is a substantial expense, isn't it?

Mrs. HALL. It sure is.

Mr. FORD. Why do you do that?

Mrs. HALL. I would rather do that than see another member of my family come down sick again. But, still there is no guarantee.

Mr. LANDREBE. They could have a test today that is negative, and tomorrow you could come down with it?

Mrs. HALL. Yes.

Mr. LANDREBE. Are these children normally in school?

Mrs. HALL. I have one in school. That is, my 14-year-old. I have a

daughter 20 years old.

Mr. FORD. The grandchildren are too small for school?

Mrs. HALL. They are too small for school.

Mr. FORD. You are the sole support for this family?

Mrs. HALL. No, my daughter works. I have two daughters that works.

Mr. FORD. Any questions for this lady now?

Mr. LANDREBE. I don't think so. I think that you've gotten the situation.

Mr. FORD. Any shots or inoculations?

Mrs. HALL. They won't give shots. They say it doesn't do any good, because I asked them, "Wasn't there any preventing?" And, they said no.

Mr. FORD. How many people live in this camp now?

Mrs. HALL. I don't know. There's so many.

Mr. FORD. Dozens, hundreds?

Mrs. HALL. Thousands of people live there.

Mr. FORD. Somebody said 2,000?

Mrs. HALL. Just about.

Mr. FORD. And it also has been alleged here in the previous statement that there are many people there that still don't know if they ought to boil the water. Is that true?

Mrs. HALL. Yes.

Mr. FORD. Is there any kind of a program underway because of all the publicity that came out about the conditions there, to bring the people in on a systematic basis to test them for typhoid?

Mrs. HALL. They have been going from house to house. The nurses have been going from house to house taking tests. That's all.

Mr. FORD. Has there been any program offered to provide inoculations at all?

Mrs. HALL. No. I'll tell you one thing. Those that have been in the hospital are going back to the hospital. A lot of them. A lot of them go back to the hospital with typhoid.

A little boy went back this week. He was unconscious. A little, small child. Why, I don't know. But, that is true.

Mr. FORD. Well, we're going to have an opportunity to get down there and talk to some of these people before leaving Florida.

Mr. LANDGREBE. Just briefly describe your housing arrangement—eight of you and three adults and five children.

Mrs. HALL. That's right.

Mr. LANDGREBE. How many rooms do you have?

Mrs. HALL. I have a four-bedroom apartment.

Mr. LANDGREBE. So there are six or seven rooms?

Mrs. HALL. Yes.

Mr. LANDGREBE. So, you have fairly spacious living quarters.

Mrs. HALL. Yes.

Mr. LANDGREBE. This is a fairly modern building?

Mrs. HALL. Yes, it is.

Mr. LANDGREBE. So, things have been satisfactory until the water situation developed?

Mrs. HALL. No, but the plumbing isn't what it should be. They haven't put the plumbing in right, or it's cheap plumbing, because it comes apart.

Several times I've had to call them in because it—to fix the plumbing in the house, because it leaked. I've had the bathroom back up into my tub, and they had to dig a hole or drain it out in the back of my house. And, the hole is still there. So, the plumbing is really not what it should be.

Mr. LANDGREBE. All right. No further questions.

Mr. FORD. Thank you.

Now, Mr. Brooks—

Mrs. HALL. May I ask one thing. On our camp, we get bills from the electric company that is enormous. I got one in January for \$26.18. I got one in February for \$34.66. I got one in March for \$20.66. And nothing but refrigerator and TV.

In February I run the heater 2 days because my son was having chills, but yet my bill is \$34.66. And, I know there is a lot of people

complaining about high bills. And, if we don't pay the light bills on time, we have to pay \$5 extra for the man to come out and turn it on, because they turn it off.

Mr. FORD. You submitted here an electric bill dated March 14 from the city of Homestead in the amount of \$34.66.

Mrs. HALL. I think that was February.

Mr. FORD. Well, it's for 1 month or longer?

Mrs. HALL. For 1 month.

Mr. FORD. Well—

Mrs. HALL. That was March 14, you're right.

Mr. FORD. What do you have in your house that uses electricity besides the lights?

Mrs. HALL. Refrigerator and the TV. And a hot water heater.

Mr. FORD. All right. How do you cook?

Mrs. HALL. Gas.

Mr. FORD. You pay for that, too, separately?

Mrs. HALL. We pay for the gas, yes.

Mr. FORD. You don't use electricity for heating?

Mrs. HALL. Yes, we do. We have a heater there and we use it.

Mr. FORD. That is a supplemental heater? It's not a part of the heating system?

Mrs. HALL. Yes, it's part of, you know, it's just one heater in the house. Hooked up to the electric.

Mr. FORD. That's what I mean.

If my wife presented me with an electricity bill like this, I'd go through the roof. We'd like to ask some other people some questions about that. That is an interesting problem.

Mrs. HALL. Yes, sir.

Mr. FORD. Now, Mr. Hall, do you want to add something to what she's had to say.

Mr. HALL. Yes, I do, sir.

Now, they say that at that camp, that's a nice camp, which to them it probably is. But, to us it isn't. And, you have to keep the grass cut. Well, you see a snake there sometimes. My wife has killed a snake laying up on the front there. Laying right up there. And, if you go out there, telling them about coming down and fixing your bathtub or your water or something, they say that they'll send somebody down later maybe.

Mr. FORD. How much do you pay per week or month?

Mr. HALL. \$19 a week.

Mr. FORD. You pay \$19 a week for that?

Mr. HALL. That's right.

Mrs. HALL. Yes.

Mr. FORD. How many people are in your family?

Mr. HALL. Seven.

Mr. FORD. Seven?

Mr. HALL. Yes.

Mr. FORD. Are your people going to school?

Mr. HALL. Not now. They're going to work. They can't go to school until they get a paper stating they're clear from the disease.

Mr. FORD. Well, are you quarantined?

Mr. HALL. They are.

Mr. FORD. Have you been checked for typhoid?

Mr. HALL. Sure, everybody. I had it in the hospital. My wife is in the hospital. I carry her to the hospital yesterday with her arm—where they put that stuff in the arm—and they kept the needle there so long she's lost the use of her hand.

Mr. FORD. \$19 a month rent. It's a week?

Mr. HALL. Yes.

Mr. FORD. You pay your electricity bill?

Mr. HALL. Sure.

Mr. FORD. And how much does that run a month now?

Mr. HALL. Well, mine don't run too high. Ten or thirty dollars. Sometimes it's \$9.20. It varies one way or the other.

Mr. FORD. \$10 a month?

Mr. HALL. Right.

Mr. FORD. And how much for gas?

Mr. HALL. It's \$12.50 every 2 months, according to how you use it.

Mr. FORD. And altogether you run between \$100 and \$120 a month for housing?

Mr. HALL. Yes. That's right.

Mr. FORD. And how much money do you make—how much money did you make last year?

Mr. HALL. How do I know? I have no idea. I make \$4 or \$5 a day. And next day \$3. Next day I go out and make nothing. I can't hardly keep count of it.

Mr. FORD. Are you current with your rent?

Mr. HALL. No.

Mr. FORD. Are you behind?

Mr. HALL. Yes.

Mr. FORD. Do you work for or through a crew leader?

Mr. HALL. Yes.

Mr. FORD. And what is his name?

Mr. HALL. All I know is Tony.

Mr. FORD. Are you paid directly by a person that you work for, or are you paid by the crew leader?

Mr. HALL. I am paid by the person I work for, but the crew leader tells me how much I make.

Mr. FORD. Are you paid by cash?

Mr. HALL. By cash.

Mr. FORD. Are you paying social security?

Mr. HALL. Yes. But, he never gets no number.

Mr. FORD. Do you get a slip with your cash to show how much of your social security you paid?

Mr. HALL. Sure don't.

Mr. FORD. Would you give us a little note that Mrs. Branson can use authorizing us to ask the Social Security Administration in Baltimore to tell us what the condition of your social security account is?

Mr. HALL. Right.

Mr. FORD. Do you know your social security number?

Mr. HALL. Sure.

Mr. FORD. If you'll step over when you're through, they can write out a little note on that. You don't have to do this, but I have to have your authorization in order for them to open your file.

Mr. HALL. I will do anything to help.

Mr. FORD. I'd like to ask the Social Security Administration how much money has been paid into your account in recent years and have them contact you and see how that agrees with your recollection of what has been taken from you for social security.

Mr. HALL. All right.

Mr. FORD. And I might say to you without any attempt to intimidate anybody, there is a simple little card that can be obtained from the post office that is already addressed. All you have to do is put your name and social security number on it, and a return address, and drop it in the mail. And, the Social Security Administration is obliged to check your account and tell you what is there. So, you might encourage some of your neighbors to do that and let us know what comes out of it.

Thank you very much, Mr. Hall.

Mr. HALL. One more thing, sir. They come to us and say that we do too fast driving. So, they put a hump in the road so high, about half of this, or so. But, anyhow, after you get over that hump, you're dragging your muffler off, or something. But, after you get over that hump, you can still pick up your speed. And, also, they have one way in and one way out. And they have one of the two gates closed, so you have to go out only one way. They see you when you go out and when you come in.

Mr. FORD. Is the camp locked at night?

Mr. HALL. That is one gate that's never open. And one stays open all the time.

Mr. FORD. You can go and come as you please?

Mr. HALL. That's right. Well, you live on this side of the camp, and if I live on the other side, you have to pass one gate and come all the way around to get out, when you could easily come along a block and a half to the highway.

Mr. FORD. Who do you understand to be your landlord?

Mr. HALL. Watkins.

Mr. FORD. Watkins?

Mr. HALL. Watkins. That's the man that is head of the camp out there.

Mr. FORD. But, you don't know who gets the money out at the camp?

Mr. HALL. We pay it to him. We don't know where it goes from there.

Mr. FORD. Do you have any more questions?

Mr. LANDREBE. I don't believe I have any questions.

Mr. FORD. We're running a little behind here, and we certainly don't want to cut anybody off, and we don't want to prevent anybody from having a chance to appear, so we're going to try to move a little faster. Rudy Juarez, please.

**STATEMENT OF RODOLFO JUAREZ, EXECUTIVE DIRECTOR,
ORGANIZED MIGRANTS IN COMMUNITY ACTION, INC. (OMCA),
ACCOMPANIED BY FRED DIAZ AND STEPHEN MAINSTER**

Mr. JUAREZ. I have this for you.

Mr. FORD. Could we have order, please.

Mr. Juarez has been kind enough to supply us with a formal statement with sufficient copies to all of the interested parties here, so they can have them.

Without objection, the statement of Mr. Juarez will be set forth in the hearing record in full at this point. And, you may proceed to explain it or proceed as you feel best, sir.
[The statement referred to follows.]

STATEMENT OF RODOLFO JUAREZ, EXECUTIVE DIRECTOR, ORGANIZED MIGRANTS IN COMMUNITY ACTION

My name is Rodolfo Juarez, Executive Director of Organized Migrants in Community Action. On behalf of those beside me I would like to thank Congressman Lehman for this opportunity. We want to ask the Congressman first of all to take into consideration the fact that since we ourselves are involved in delivering services to our people, we are not fully prepared with a statistical statement; but everyone of us here today will try to be as specific as possible in relating to you the situation as we saw it. We ask that you be patient with us and we will try to answer as many questions as we can. We would like to begin first by giving you a brief description of how we first became aware of a situation which we had no knowledge of or experience in.

Farmworkers began coming to our office telling us that there was something going on in the camp; what exactly, they did not know, but felt that something should be done. Their statements were as follows: There are many women, children, and men in the camp who are sick with diarrhea and other symptoms, who are going to both clinics, Goudis and Homestead, but are not being taken care of because the clinics are over-crowded and under staffed. All they were given was a bottle of medicine which is not helping at all.

On February 26, 1973, we received a call from the Miami office of the Migrant Services Foundation in reference to a patient who had been trying to get admitted into Lankring Hospital and was being refused because he did not have the money required. He finally managed to borrow \$200.00 and was admitted. Later Dr. Saslaw determined his illness as being typhoid. Keeping in mind the statements of the people and information provided to us by the people of the camp, out of curiosity, we called Dr. Saslaw to ask him what typhoid was. He informed us that typhoid was nothing to worry about, and that a few cases were reported in Dade County every year.

Not getting any further with him or not knowing what else to ask, we then called a meeting with Mr. Fred Diaz, Director of the Migrant Health Clinic, Martin Luther King, in Homestead, and found that he too was making immediate plans with his personnel to investigate the problems in the South Dade Labor Camp. The following day, February 27, late in the afternoon, an emergency meeting was called by Mr. Diaz and we were invited to attend. We found out that there was definitely a typhoid epidemic at the camp and OMICA was requested to provide some assistance in informing the people of the situation.

We were informed by Mr. Diaz that doctors and nurses would be present at 8:00 P.M. at the recreation hall of the South Dade Labor Camp and that we should assist them in informing the people so that examinations could be made. However, when we got to the camp, after having informed the people that everyone who felt sick should go to the recreation hall to be examined, we found that no doctors or nurses had come. Mr. Diaz was there to explain that doctors and nurses could not come because they were unable to bring the equipment. He explained that they would be available the following morning, February 28, at 9:00 A.M.

The next morning, after the doctors and nurses were set up for the examinations, the recreation hall was tremendously over-crowded. There were at least 200 people needing to see a doctor. When we saw that the sick people were being sent back home, we then confronted Mr. Diaz and the doctors as to why these people, as sick as they were, were not being hospitalized. Very few of those seen on that particular day were hospitalized; to be exact, about two or three.

The following day the same thing happened. Now the people were angry and many of them refused to come to be examined, claiming nothing would be done and they would end up being sent home anyway. When we again approached the doctors and Mr. Diaz as to why they were not being hospitalized, Mr. Diaz commented that he was trying to do everything within his power to get them into the hospital but there were no beds available. The following day, a Saturday, Mr. Diaz' statement to me was as follows: "Randy, I have been doing everything that I can possibly do and still I have not been able to convince these people that there is an emergency in this camp; therefore, they have not

made any hospital beds available to us." I asked Mr. Diaz why we couldn't get hospital beds or more doctors and his answer was that he had not been able to get assistance during the week, much less on a weekend, when Dr. Saslaw and others could be reached. It was up to Dr. Saslaw to declare an emergency so that hospital beds could be made available.

On Sunday, when Dr. Saslaw was finally reached and finally decided to make arrangements for hospital beds at Jackson Memorial Hospital, we were faced with the tremendous problem of getting the people to come back to be examined and admitted to the hospital.

While all this and many more problems were going on in the camp, there was yet no effort on behalf of the Homestead Housing Authority or any other agency to provide an adequate supply of water to the labor camp, even though the water at the camp was found to be the cause of the typhoid. Mr. David Salazar, stationed at the Homestead Air Force Base, with the assistance of the Red Cross, was able to assist us with water to be distributed by OMICA to the camp residents. Outside of that, there was no other water supply available, until two weeks later when the City of Homestead finally installed a water line with two faucets to service 2,000 people.

Once hospital beds were made available at Jackson Memorial Hospital, other problems arose, mainly lack of communication between patients and hospital personnel, fear of contamination among hospital personnel, and insufficient medical staff. Prior to and during this period, we in OMICA had been criticizing the lack of response on the part of the County officials and irresponsibility of the Homestead Housing Authority. Because of our criticisms and demands, the various agencies in the community began to fully respond to the people's needs. It was then the Manager of Dade County called a meeting among the different surrounding agencies and appointed Mr. Rollason, of the Redland Christian Migrant Association, and OMICA, to be responsible for the coordination of all county, state, and volunteer agencies, since these two particular organizations had been fully involved since the beginning of the outbreak. At the request of OMICA, 25 people were made available to the RCMA organization and OMICA to deal with the children which were left home alone due to the hospitalization of their parents. Also, two vehicles and drivers were provided and nine people which would be hired by the County and supervised by OMICA to serve as liaisons between the hospital and OMICA to deal with the problems of those hospitalized.

Since then, Organized Migrants in Community Action and the Redland Christian Migrant Association, have been dealing with additional problems not recognized or attended by the state and county agencies in an effort to assist the farmworkers of that particular labor camp. Even though commitments were made by all agencies involved to assist our people until there was no further need, many of them have led themselves to believe that the situation is under control and that all the problems have been solved. Thus, treating our people, especially those directly affected, as they would treat a normal and regular problem in the community.

We would like to go on record as publicly commending the staff of the Martin Luther King Clinica Campesina in Homestead, the staff of the South Dade Clinic at Goudis, Mr. David Salazar, the RCMA staff, especially Mr. Rollason, the Red Cross, and those farmworkers who voluntarily and without any compensation worked long hours with the above mentioned people, for their tremendous will-ness and cooperation rendered to our people.

Also, we would like to commend Mr. Ray Goode, County Manager, for the assistance provided, especially in transportation, liaisons between hospitals and OMICA, and for the 25 people provided for daycare.

Also, the Homestead Air Force Base for providing water and transportation to the hospitals.

We sincerely appreciate the assistance provided by County Welfare, United Fund, Food Stamp Office, and Community Action Migrant Program, for providing food vouchers, and a most unique service provided by a group of nurses, directed by Miss Ruelman of the Health Department. We would also like to remind all these agencies that the situation is not over and that their services must continue to be provided.

I would also like to go on record as saying that the South Dade community should feel disgraced that a situation like this was allowed to occur because of

an irresponsible Homestead Housing Authority and an inactive County health official.

We would also like to request that this committee give special attention to the fact that while local and federal agencies have provided assistance to those affected, the local Homestead Housing Authority continues to operate as nothing has happened, demanding back rent while no money is available and refusing to cooperate with their tenants. Further, the housing authority personnel have gotten worse in terms of their attitudes towards the tenants, by making statements such as: we don't give a damn about what has happened, and refusing to accept ongoing rent money provided by the County Welfare Departments; thus demanding that the back rent be paid as well.

We demand that the Homestead Housing Authority be instructed by this committee and by the Farmers' Home Administration, to put a freeze on the rent of at least a month until those directly affected are able to get back on their feet.

BELOW IS AN EXAMPLE OF A TYPICAL CASE

Keeping in mind that for the month of February these people were unemployed because of lack of work, and that County Welfare does not assist with back rent.

Francisco Moreno, South Dade Camp No. 158, wife and four children.

Mr. Moreno was hospitalized on 2/28/73; discharged 3/15/73; re-admitted 3/20/73; discharged 3/23/73; re-admitted 4/2/73; presently hospitalized.

Mrs. Moreno and two children were also hospitalized for one week.

Before she was hospitalized, Mrs. Moreno applied to the County Welfare for assistance; her husband was in the hospital. She received \$174.00 for the month of March, and \$20.00 from OMICA.

Out of this money \$43.00 went to food stamps; \$65.00 went to rent; \$30.00 medical bills, incurred by the typhoid; leaving her \$6.00. She is still two weeks behind in her rent to the Housing Authority, two car payments of \$30.00 each. Meanwhile, the rent continues to accumulate and their main means of support, their vehicles, will be repossessed.

Further, we wish to emphasize the fact that Organized Migrants in Community Action has long been fighting for and demanding that the farmworkers be given the opportunity to participate in the implementation and development of programs geared to assist them. We feel that only because of the close relationship between the migrant farmworkers' organization, OMICA, RCMA, the migrant clinic, and the CHI we were able to rapidly assist in the typhoid emergency, and immediately coordinate ourselves to deal with the situation.

We feel that because of the migrant seasonal farmworker problems faced in the community of Dade County, there will be those agencies that will be seeking additional funds for additional programs to provide services and assistance to the migrant and seasonal farmworkers of this county.

We would like to request that conditions be established to guarantee that the input of migrant and seasonal farmworkers be developed. Only when we are directly involved with these particular programs can we, the migrant workers, assure ourselves that these programs will be effective. We feel that an example can be made out of the typhoid situation where a grass-roots organization, RCMA, and a federally funded migrant clinic, which farmworkers are part of, were able to immediately get together and face the emergency.

If these groups had not been working so closely together and if we had depended upon the County Health Department and the Homestead Housing Authority, to react, we would have been loading corpses instead of serving sick people.

May we mention that outside of the labor camp there were people also affected with typhoid. This again proves one more of OMICA's criticisms against the crowd-leader system. The poor methods of providing water and sanitary conditions in the fields for farmworkers. Surely, when farmworkers are forced to drink out of the same cup, the spread of disease cannot be avoided.

We in OMICA would also like to go on record as saying that President Nixon's methods of dealing with the nation's economic problems is certainly ridiculous. While we agree with the fact that there are some federally funded programs which deserve to be diminished, this committee should direct itself to the President and demand that housing programs which provide housing for farmworkers be continued so that we can bring about the creation of housing, so badly needed in this community, and throughout the state. Further, these housing projects should not be administered by such irresponsible housing authorities.

The closing of migrant labor camps certainly is not going to solve our problems; on the contrary, it will force our people into crowded, unsanitary living conditions which already exist.

Thank you.

Mr. Alvarez, Thank you, Mr. Chairman.

First I want to thank all of you for giving us the opportunity to be here. And, realizing that you are behind schedule, as you said before, I'll try to go through this statement as briefly as possible.

I brought some people with me who will also be telling you about some of the problems they're faced with. And we thought it might be worth while to enlighten you or give you a little description as to what happened as we saw the situation with the typhoid at the South Dade Labor Camp.

Farmworkers began coming to our office telling us that there was something going on in the camp, that there were men and women and children sick at the camp with diarrhea and lots of fever. And, they were going to both clinics at Goulds and Homestead, but they were just being sent home with some medicine. And, this medicine was not doing any good. And, they were standing in a long line because the clinics were crowded and, of course, these clinics are very understaffed. And, these people try to do the best possible, but there is a tremendous number of people in south Dade in need of these services.

On February 26 we received a call from the Miami office of the Migrant Services Foundation, and we were told that we might be helpful in assisting a man who was trying to get into Larkin Hospital but was being refused because he didn't have the funds necessary or required for them to be admitted into the hospital.

I found out later this man had been able to borrow \$200 from here and there from various persons that were able to bring up this amount, and was admitted to that particular hospital, and he was later found to be—he was found to be stricken by typhoid.

Because of this we found Dr. Saslow at the county health department, and we asked him what typhoid was, because I myself didn't know what it was all about. He told us that it was something, not to worry about it, a few cases were here every year. He said it was not something to worry about. He said they had in past years reported some typhoid cases in Dade County. But, keeping in mind the statements from the people who were coming to our office and telling us there were a lot of sick people, we still went on to the migrant health clinic, the Martin Luther King Clinic in Homestead, and we asked the director of that clinic, and found out that he, too, was concerned. And, he was trying to prepare himself to go into the labor camp and try to find out about this type of disease.

And we were told that we might be faced with a typhoid epidemic at the South Dade Labor Camp. And I think it was on the 27th that Mr. Fred Diaz called an emergency meeting, and we were asked to attend that meeting. And we were informed there was definitely a typhoid epidemic. And we were asked to assist him in informing the people to go to the recreation hall at South Dade Labor Camp and doctors and nurses would be there so they could be examined and everybody feeling sick and having a fever should come. And, we should inform the people or people with sick children, and doctors and nurses would be there later that day.

But, after doing this, we found that doctors and nurses hadn't come there. And, the explanation was because of not being able to get any equipment down, so they were not able to bring their doctors down.

So, on the 28th, the next day, I believe, that doctors came in and nurses. And, by 10 o'clock they were ready to begin examining the people. But, by that time the recreation hall was heavily crowded. There must have been 200 people there sick with children lying on the floor, and some women were being placed on this bed or cot or whatever you call them. And we found out even though these people were very sick, and the women were very worried about the children—in fact, there were very small children, 4-, 5-, 6-month-old babies that were sick. And we found out people were being sent back home with just aspirin or whatever it was that were given them.

And we kept asking those doctors and Mr. Fred Diaz why our people were being sent back home and not being treated. And their response was they had not been able to get anyone to provide hospital beds. And there were no hospital beds available for our people. And this was one of the problems.

So, I think it was on a Saturday when finally Mr. Diaz and others were there, and these people were angry. They threw their hands in the air saying, you know, we've done everything we could and didn't get any assistance during the week, much less the weekend. And these people don't seem to understand we're faced with an epidemic here and don't want to make any hospital beds available.

And, finally, I think it was Sunday, even though there were some—there was some confusion whether or not hospital beds were available, some people were sent to the hospital by these doctors. And they began sending people to the hospital to Jackson Memorial, and to Children's Variety Hospital. And by this time people were very angry. They knew that since it's always been the experience of migrant seasonal farmworkers, the fact they go to the hospitals or to the doctors and don't get treated, or they're turned away—they didn't want to come, because the days before they had been standing there crowded all day without any food or water. And, they were worried about their children. So it was hard for us to get them to come back.

So finally we were able to convince them to come, and they could come. And it was hard. Because in one way you had the doctors that were there, and Mr. Fred Diaz and his staff, trying to do the best they could to treat these people and to examine them. And on the other side you had people angry. And therefore you had 2 days trying to get attention and nothing. When Dr. Saslow was finally reached, they did make arrangements to send the people to the hospital. And yet there was no effort by the Homestead Housing Authority or other agencies to supply any water to the camp.

Mr. David Salazar from Homestead Air Force Base, with the assistance of the Red Cross, did help us get some water from local dairies, and water was distributed to the camp residents.

And, lack of communication between patients and the hospital at Jackson was seen because personnel had fear of touching our people, or fear of getting close to them because of being contaminated by typhoid. But, we are grateful to them.

And, it was then that the county manager called a meeting among the different county agencies and asked Mr. Rollason and many others

to coordinate the county, State and volunteer welfare agencies who came into the camp. Through OMICA, 25 people were made available to the RCMA organization and OMICA for the children who lived without any care since their parents had been hospitalized, plus nine people who were hired as liaisons between the hospital and OMICA and these other people. And, people in OMICA didn't know English and don't know how to talk to the nurses there. And, they saw the children being left alone because the nurses were scared of them, and the children were given a tray. And, if these kids were able to eat from the tray, all right. But, otherwise they were left unfed. So, the liaisons that were put in the hospital.

And, finally things began to get a little better for our people. Since then, OMICA and others have been dealing with additional problems that have not been recognized by the county and Federal agencies, and have been unattended by them. And, we tried to assist our people in these problems.

These particular agencies, for example, have been led to believe that the situation is over with, that the typhoid thing is controlled, and, therefore, they're beginning to handle our people as if nothing has happened. So we are faced with a tremendous problem in the community in that particular labor camp.

We have people, for example, with both parents and children are hospitalized and their rent continues to accumulate, and if they get assistance from the county welfare for rent or other things, the Homestead Housing Authority, even though the county welfare does not provide assistance for back rent—and keep in mind that also for the month of February most of our people were unemployed in South Dade so, many didn't work—on top of being stricken by typhoid, it's hard for our people. And, they began getting assistance from the county welfare department, and most of that assistance is going to the Homestead Housing Authority, which is the main cause of our problems. And, yet they continue to go as though nothing had happened. And they're asking people, even though money is not available for back rent, most of our money we receive goes for back rent.

You take, for example, if there is a farmworker family who is 3 or 4 weeks behind in rent, and got behind there because of the typhoid and because they were unable to work, if they got \$85 or a hundred dollars from the county welfare department to assist them, most of this money would go to the housing authority.

And, one of the things that we can't understand is how can the Homestead Housing Authority do this. Nobody seems to care or try to do anything about the Homestead Housing Authority, since they were responsible for this happening, plus the health department along with them, they're still getting paid for their rent. And, we feel some effort should be made to require that the Homestead Housing Authority at least put a freeze on the rent so those directly stricken by the typhoid at least be given an opportunity to get back on their feet.

And, nobody is assisting them with their car payments. You've heard one man say how important it was for having a vehicle to travel with to go to the different parts of the country to find jobs.

Now, what are our people going to do when their vehicles are repossessed because they are unable to work and pay for these vehicles?

I have an example here. Mr. Francis Morino at South Dade Camp. He received \$174 and twenty from OMICA, I believe. And, paid \$45 for food stamps, paid \$65 for back rent. Paid \$80 in medical bills accumulated because they were unable to be hospitalized, and no medical services were available in the beginning. And, they went around scared with their children.

And, wives and husbands were trying to find some medical assistance. And this is where some of the people accumulated some bills that the county might not be able to cover.

This particular person accumulated \$80 there. So by the time he paid everything, he had \$6 left for the whole month, plus his rent will continue to accumulate. His car will be repossessed.

And, this is—we are not talking about one particular family. Here's just one example, but most of our people are faced with the situation in South Dade Labor Camp.

I guess all of us appreciate the assistance that the county has been able to provide. And we are certainly grateful after the wheels began rolling and assistance came to the South Dade Labor Camp. We are grateful to Ray Goode, and those programs listed in my statement for having provided these services.

But, I think that we feel, because of the migrant seasonal farmworker problems in Dade County that there will be agencies like before in years past, who will be seeking additional funds to bring additional programs into our community. And, one of the things that we have been emphasizing on and demanding for farmworkers, is that farmworkers be given the opportunity to participate in these programs, be part of the policymaking board, part of their planning and part of the development of this program. So, the migrant and seasonal farmworkers can be a part of these programs and assure themselves that these programs will be effective for themselves.

In the past there have been programs established, and our people are not even aware of what these programs consist of. And, this is one of the reasons why we are asking that community participation on these programs be established.

We have a manpower program, for example, in Dade County, that we went through a lot of hassle to gain. And that is the manpower training program that was implemented here by the State. Those people at the State level have refused to meet with us or refused to provide any opportunity for farmworkers or other organizations to have any input on these programs. And as a result of this, we have a lot of harassment on these plans. There is a lot of difference in the way it is operated here compared to Broward or Palm Beach. And everything there is nice and dandy. Reimbursements are fine and on time. There is no problem for the farmworkers or those enrolled in the program, and they're being paid. They're not having as many problems as we are. Even though the State claims it's part of a State institution now, which is FIU, Florida International University, but now they're talking about cutting this off, too. There is no assurance or no guarantee that this program is going to continue. And this program has helped a lot, because some of those people stricken in south Dade and now are people who have been unemployed, they're dependent on this program. Because at least they're learning basic education. They're being taught how to speak English. They

are being informed about resources in the community. And I think these are programs that should continue.

I don't agree at all with the methods that President Nixon is using to deal with the problems of the Nation. I don't agree with the way that has been presented or talked about that they are going to deal with the labor camps. I think that measures should be taken or perhaps should continue, to provide housing for the migrant farmworkers in the State, or in any other State where migrant farmworkers go to work. We don't seek anything for free. We want to be able to support our own families. I myself was raised as a migrant farmworker. All my life until 5 or 6 years ago, then I got out of it. I was lucky to stay in one place, and I began to organize an association which would have an opportunity to talk to you and deal with situations and local problems in the community. But there are many others who are still in the migrant stream, living in pigpens provided by the farmers. And these are being used as a lever to force people to work for different contractors.

And Homestead Housing Authority, for example, gets half their money as grants free. Federal money given to them. Yet they cannot afford to at least freeze the rents so our people can get on their feet.

And you have Homestead Housing Authority requiring they be supervised by the State and by the very nature of the farmers that they work for—and this, too, is a leverage for the contractors. And if this particular worker goes to the Housing Authority and applies for a house, he's asked to go to the farmowner or to the contractor and say that he works for them. And all the contractor has to do is call the Housing Authority if he quits, and he harasses them, and finally he makes them move, because he is harassed continuously and told he can no longer live there. So he has to move to another county. And, he can't find any housing here, so he's forced to work for certain contractors in this way.

And I have been in Dade County and in Florida for a great many years. I have been in Florida for close to about 13 years on and off, and now in Dade County for about 4 years. And everywhere I went to with migrants, everywhere I have lived, it's the same thing.

And now I don't know what to feel, mainly because we have gone and presented statements such as the one I'm presenting here to you—we've gone and declared the type of problems that our people are faced with, and yet committees such as this fail to make much of a change. The contractor regulations are not enforced. The county health department fails to enforce the code of the county. The truant officers are not there to insure our children going to school. Our people are constantly being held in peonage. Social security is sometimes deducted and not reported. There are no toilet facilities out in the fields. There is nothing. The farmworker in general is excluded from the National Labor Relations Act. He doesn't have any workmen's compensation. There is no unemployment insurance and no medical benefits. Nothing.

If we try to speak up, if we try to point a finger at a certain contractor—I know how it feels to have to stand up and say that particular contractor has cheated me out of this, or cheated me out of that, when I know nothing is going to happen. There's no protection provided to myself, and I know I'm going to end up in that community

probably beaten up by that same contractor, or probably beaten up by the people he hires to do that.

So how can people have the courage or the will to stand before people like yourselves or law enforcement officers of the community and say these things. And so this is why I wrote this last paragraph when I asked from this committee that at least once this is over and you all have returned to Washington or wherever you all came from that we be provided with a statement or something to show what it is you did. What did you make? What did you enforce? This I'd like to know. Otherwise, you know, it enrages me also to have a person like this man, for example, who asks in this day and age whether our people are American citizens.

This is why—I never went to school, but I am glad I didn't, because if the school has not taught our people that the United States is composed of various types of people—blacks, Chinese, Italians, and everything else—then it hasn't done its job. Because if you have to stand here and find out whether we are American citizens, then education don't do much to you.

Mr. Ford. Let's try not to put this on a personal basis, because you misunderstood that. All of us here could very well be serving our own selfish interests by being somewhere else, and it is not without considerable amount of readjusting our own priorities that we are here.

Whether you agree with any one of us or not, the very fact that we are here indicates that we are willing to make some effort to try to determine the nature of the problem and how to solve it.

But, let's not point the finger in this direction. Let's point the finger in the other direction. You give me a list of the names and the best description you can give of all the labor contractors that are currently being recognized by this country labor camp, and I'll see to it that the list is checked by both the State and Federal Government to see if they are registered and if they are complying with the laws and requirements with regard to reporting. You get together the social security cards with social security numbers on them, and if you can't get them from the Post Office, my office will supply them to you. You submit them to me in a batch, and I will send them directly to Baltimore and get back to you as soon as possible what each social security account is.

I will guarantee you, if you have people that will make specific statements to investigators that they know money was held for social security and it does not show up on their accounts, there will be a representative of the Federal Government with authority to enforce that law that they can report it to.

I realize the difficulty of following up on any kind of complaint where the complainants are mobile and are not going to be in one place long enough to see what happens. We're all painfully aware how difficult it is to maintain a system that fairness requires, an opportunity to defend themselves, and all the other basic rights that we don't take away from anyone, no matter what side of the question they are on. It doesn't mean much to anyone who doesn't have access to resources to defend their rights.

And I'm told there are things underway with regard to the people that feel there is some direct responsibility on the part of some people in authority, for neglecting these conditions that led to this. There are

remedies. I am told they are being pursued. But that's not something I can judge. You make a valid charge to us and we are here to hear it.

This is a valid charge against the Congress that one of our obligations, after we pass a law, is to oversee it, to conduct oversight hearings, such as this to determine whether or not the people under the Constitution, who are appointed by and work for the President, are enforcing the law. We no more want to see anyone winking at these laws and not enforcing them than you would want to watch a policeman not do anything about traffic violations.

You give us specifics and you'll get specific answers to them.

Mr. JUVAREZ. Mr. Chairman—

Mr. Ford. Let me finish, now.

You have given us a very challenging statement and a very good statement. I'm not trying to talk you out of that. You stay tough. But, you're talking to people who want to see something happen. I can't deal with this. You have to have something I can nail down so I can then in turn direct questions to a responsible person who can tell me he is either not doing his job or give a reason why the problem cannot be solved.

You give me the specifics I ask for and you can be sure the committee will respond and get these things answered.

The people in the Labor Department who have responsibility for enforcing the Federal law will have an opportunity to appear before the committee in Washington.

Our normal procedure would be to request the migrant workers to come to Washington and look into the situation that we already have. We didn't have time to do that before we came. Shortly after this, in Washington, we'll call a hearing to follow up.

So, if you have specific questions, you get them quickly to us and we'll have these people in Washington respond to specific questions and cases.

Mr. JUVAREZ. You asked the young man that was here if he was willing to sign a little paper, or Mr. Williams—

Mr. Ford. I asked two people. I asked one to give me permission to look at his children's school record—

Mr. JUVAREZ. One of the things, since you asked that, and since we are with the people in the labor camp—we could very well get a lot of people to do this for you, especially people working directly with contractors and crew leaders in this camp or any other camp. And, we could get these small papers to you, and that would give you the right to investigate social security, and you would find out that many of these people's social security is not being deducted. And, also you might find out where, if social security is deducted, it might not ever be registered.

Mr. Ford. I take note in your formal statement toward the end that you caution against any action that might lead to the closing of these camps because that would only lead to worsening of the conditions under which these people are expected to serve.

Mr. JUVAREZ. Yes.

Mr. Ford. We are mindful of that, too. It's not our intention to put these people out of business and tearing down their houses. Particularly in the case here, since the taxpayers in my district have an

investment in this camp, we want to see how the Federal money is used. You can be assured that both Mr. Landgrebe and I share a very serious concern about finding out how the Federal dollars are spent. We will pursue this beyond the perimeters of this hearing today.

We have people today who might be able to give us further information, and I invite you to continue giving information to our staff. Any specific information you have that might help us get to the facts as they relate to enforcement of present Federal laws and the issues involving changing those Federal laws.

I don't see why it should be very difficult for the Federal Government to enforce a law with no teeth in it, like this crew leader law—it must have been written by a crew leader. I hate to admit this, but it looks to me like it would be almost impossible to get a conviction unless you had a confession.

But, first I have to find out whether anybody has tried to enforce it. We haven't seen evidence of that yet.

(One final thing. Does your organization receive OEO funds?)

Mr. Jvarex. No, sir. This organization has been in existence for 4 years, and only depended on private funds and fundraising campaigns ourselves.

Mr. Ford. You have no public funds.

Mr. Jvarex. No, sir. Public funds, no. This year we were able to contract with others for supportive services.

Mr. Ford. You have been directly involved with people in typhoid epidemics such as those I've already talked to?

Mr. Jvarex. Yes.

Mr. Ford. This committee also has for years tried to hold together what is left of the poverty program. Although almost all of the medical assistance funds in that program have disappeared from the budget, there is still a provision being made for medical programs for migrant workers and Indians.

Are you aware of any Federal funds that have been made available through the Office of Economic Opportunity for medical assistance in this current emergency and typhoid emergency?

Mr. Jvarex. Not that I know of, no sir.

Mr. Ford. So far what you have described to me is a situation where the only public help you have is from Mr. Goode, who I might at this point thank for the cooperation to this committee and for furnishing this room as well. You had cooperation from him and from Dade County?

Mr. Jvarex. Well, the Federal Government does have funds for the migrant workers, including the Martin Luther King Clinic and the Goulds Clinic, which is South Dade Clinic at Goulds. And, there are migrant funds in those cities.

Mr. Ford. Are they providing funds so your people can go to those clinics and get attention and be hospitalized if the tests are positive and not have to come up with their own money?

Mr. Jvarex. Yes; yes.

Mr. Ford. All right, I understand we have someone from the clinic.

Mr. Diaz. Would you like to comment on that?

Mr. Diaz. Yes, sir.

Mr. Ford. Then we are going to have you in a moment.

But, just in context with this, is any Federal money coming in to assist in providing diagnosis or treatment of the typhoid cases?

Mr. Diaz. At the time, community health felt Dade, Inc., has gotten a mandate to participate as much as possible in the health care of these victims. And, also we have received a grant approximately of \$676,000 for migrant use. C.H.I. was the one with Rudy Juarez, and his group was the one actually helping in this epidemic with very slight cooperation at the start from the regular public officials who had the responsibility in their health department in the county and so forth. And, we did this ourselves. But, we did run into a lot of circumstances that made it quite worse as far as being able to give the care. We do give follow-up care where the public health department misses some of these people who do not actually get caught at home. And, in our clinics we try to catch as many of them as we can.

We are submitting before you also a complete record of what has happened and how we saw it and some of the problems we had in this epidemic, and also to give an idea of the epidemic handling.

Mr. Ford. We will get into this later.

Did you want to add something?

Mr. Jvarex. Yes. I mentioned in my statement, also, that the community did make available 25 people to provide day care for the children who were left without parents because their parents were hospitalized.

One of the things I want to point out is that in this particular camp in South Dade, we do have a day care program there administered by the Migrant Workers Association. And I think Mr. Rollason is here. And, these programs are being cut back, too. And, these are programs we definitely need, because migrant farmworkers here in these camps, this is the only way to keep these children in the camp. That is, so the parents can go into the fields. They will not have to leave children with a 12- or 13-year-old to take care of their children. That 12- or 13-year-old child can then go to school.

But, if the day care program and these other programs are cut off, that means the 12- or 13-year-old children have to take care of the children at home, they have to stay home because of this situation.

Mr. Landgrebe. Thank you very much, Mr. Juarez. I am sorry you misconstrued my ignorance to be prejudice.

As a Congressman coming down here, we get the same pay as if we hadn't come down here at all. It is pleasant, but it does take time away from our Washington duties. But, this is how I find out really what is going on. When I asked you about aliens, it was a serious question. In Indiana for many years we've had Mexican farm fieldworkers. And I don't think they were bad people; we needed them. They harvested there. And as far as I know, they were law-abiding people and went back to Mexico after the work was done.

So, I am getting a little education today on the migrant worker and the cycle he goes through in a year's time.

So, with that very brief apology, I'd like to ask you, are there aliens in Florida working in the fields, and does your organization represent any of them?

Mr. Jvarex. No, we do not. There is, like in every other State, aliens being brought from Mexico and there are aliens being brought into

the State of Florida by contractors. In fact, we ourselves have been involved sometimes in contacting the Immigration Department to try to help. One of the problems is when they do come, they use these people to keep the wages down. And, they use these people to force the people to work for less and not to complain about the way the people are treated.

Mr. LANDGREBE. The competition for jobs?

Mr. JUAREZ. Yes. And at the same time they exploit these people from Mexico, because continuously they are told that you are illegal. If you don't like it, I'll report you and you're just going to be deported. And so they do all kinds of things to them.

Mr. LANDGREBE. Are there legal aliens brought into Florida in the peak seasons to do any of the harvesting?

Mr. JUAREZ. Not really.

Mr. LANDGREBE. Is there such a thing as a legal alien?

Mr. FORD. Like you have people coming here for sugar?

Mr. JUAREZ. Sure, I guess it depends what it is. Citrus, sugar, and the vegetable belts, those are different things in the State. And, with the sugar, with the Jamaicans coming from Jamaica, this is hurting our people in Belle Glade and around that area.

One year the employment office, the sugar offices—1 year we complained that they put out advertisements for employing workers in the sugar fields. And, we found out when we asked them that sure, they had one poster out for all these counties around. It was one poster asking for local workers to work in the sugar cane fields. And also the majority of the people in that area, they're not going to work for the wages these people pay the Jamaicans. It is hard work and it is dirty. It's very hot. You have to be there all day, I tried it a few days myself, and I didn't like it.

Mr. LANDGREBE. Let's quickly get back on the track. You point out that on February 27 an emergency meeting was held. Returning to the first page of testimony, you said "Farmworkers began coming to our office telling us that there was something going on in the camp." There was something wrong with the camp. But, finally on February 27 there was an emergency meeting called by Mr. Diaz.

How long do you suppose it was after this emergency meeting was called that the first report came to you that there were sick people in this camp? Was this a week or 2 days or what?

Mr. JUAREZ. No, this was 2 days before it.

Mr. LANDGREBE. There was an emergency meeting held. We found out there was a definite typhoid epidemic at the camp, and OMICA was requested to provide some assistance in informing the people of the situation.

Now, Mr. Diaz, is the camp clinic a federally operated migrant health clinic?

Mr. JUAREZ. Yes, sir.

Mr. LANDGREBE. And obviously that federally operated health clinic along with your organization was not able to cope at all with this situation?

Mr. JUAREZ. No.

Mr. LANDGREBE. It was just too big a problem?

Mr. JUAREZ. We did our best. It was just the Redland Christian Migrant Association, the Christian Migrant Workers Association, and

the staff of volunteers from the labor camp, and two doctors or three doctors that the migrant clinic has. And, the clinic was, you know, doing its best.

Mr. LANDGREBE. Just for my own enlightenment—and you'll probably shoot me down for being so plain ignorant—but were any of these organizations considering setting up an emergency-type treatment center away from the hospital?

Mr. JUAREZ. That is what happened.

Mr. LANDGREBE. Where you could set up a special type of treatment for these people?

Mr. JUAREZ. This is what happened at that particular labor camp. When we all went in, the Martin Luther King Clinic, under the direction of Mr. Diaz, set up an emergency clinic to begin treating the people and examining them. But, when they got no support from the local hospitals or the county hospitals at that time, there was nothing they could do. They were screaming and doing everything on the phone and all that, trying to get hospital beds, and they couldn't get any.

Mr. LANDGREBE. Well, is typhoid the type of illness that requires all of the expensive outlay of a regular hospital, or was it possible to set up an emergency-type hospital with cots and the things that it takes specifically to treat typhoid patients? And then could you get doctors to come from the neighboring hospitals to direct that operation?

Mr. JUAREZ. I think those questions could be best answered by Fred Diaz.

But, one of the things is, a few months before this, there was a plane crash. And when that plane crashed, immediately there were many hospital beds made available for those people. And, you know, I would think and assume with a typhoid epidemic and children being exposed to typhoid and all this, as sick as they were, the county offices should have recognized it as an emergency situation and should have been making hospitals available for these people to be hospitalized so not the whole family was stricken.

Sometimes you'd have three or four children stricken, and the other children were there with them, and if we didn't separate the children or put them in the hospital, the others would get sick also. Then, this has happened.

Mr. LANDGREBE. Do you know how much money Dade County has received in revenue sharing to date?

Mr. JUAREZ. I don't know.

Mr. LANDGREBE. It is a substantial amount of money. Have you found out what they decided to do with their revenue share?

Mr. JUAREZ. No.

Mr. LANDGREBE. I am going to conclude with a brief statement.

I have a real compassion, particularly for children, and if a child has typhoid, he is obviously very ill, with 105 fever. And, it's difficult for me to understand why the local county and Federal and State agencies didn't move together fast and set up some kind of temporary facility. If the hospital beds were full, then temporary facilities should have been set up to relieve these people, whether they were migratory workers or people on the Gold Coast.

Mr. JUAREZ. Well, migrant workers, even though they want to move to other counties, have been asked to stay in this camp. But, how can they stay there? Their rent keeps accumulating, and even though they feel sick, they know they have to work, because nobody helps them to meet the other responsibilities they have.

They have never been subject to welfare or any of that stuff, so they're not used to it. They'd rather move and migrate, plus the bad treatment they received at the Jackson Memorial Hospital.

Mr. LAYDORER. That is all the more reason they ought to be taken care of. They are not leeches. When they have a problem, they need to be given some help. This is an epidemic.

Thank you.

Mr. Ford. This is Mr. Jolly, who is arranging to meet with your people.

We're running very far behind, and I do want to get some of the local officials in to find out about this.

Mr. MAINSTER. I work with OMICA on the OMICA staff, and also the migrant manpower program, and also on the service contract. And, we're just now on the topic of treating these people and making sure they get adequate treatment and making sure about it if they leave the area—and adequate funds to do the job, a tremendous amount is needed. I have here some papers given to me. Gentlemen, this is a release of quarantine for three children in a family for which the Public Health Service performed their followup studies. There were three consecutive rectal swab cultures taken, and they were proven free from typhoid and give a release from quarantine, which means they are no longer on the list of those needing the services and needing aid from public health or other officials. Yet, these three children are back in the hospital now. So, what would happen if this family was released from quarantine and they left the area, and they go to a new area where there is no public health facilities for them and there are no migrant clinic funds with Federal funds, and they're in an area where they have to pay for their own medical services and they might have typhoid and they might need a tremendous amount of help?

One suggestion might be that anybody who has any typhoid be given some type of card they could carry with them saying this person is cleared of typhoid. But if he comes to a private doctor or private hospital, don't worry who pays for this, set up some type of billing to the health services in Washington or to have Federal funds available to take care of this person. We have a family right now with which the wife is pregnant and is to deliver her baby next Monday, and they paid a private doctor \$250 for private doctors rather than go to Jackson Memorial Hospital. They paid \$150 before—a day before the man went to a hospital. So, he missed a week before he went in and 2 weeks after, and a week after he was out. And the private bill is \$400 for his wife. So, to deliver a baby at a private hospital, James Archer Smith Hospital, this was incurred.

And, from what I understand, many private hospitals will find it very difficult to take medicare patients. So, here is a person that is on welfare right now. He's a typhoid victim, and way behind in his bills. And, I believe some of his welfare payments are to go to pay his back car payments to avoid repossession. And, now he faces the

medical factor that if his wife is to deliver her baby in James Archer Smith Hospital, it's very possible they would charge them the entire \$400 for the baby. And, he's not qualified for medicare.

I want to bring these facts to your attention because they are important.

If a person needs the help and qualifies for help, and yet private health establishments and private local hospitals are not willing to take migrant farmworkers and not willing to work with some of the poor people that qualify for medical programs, this is something to also look into.

Mr. Ford. Are you preparing any followup yourself to see about these people later?

Mr. MAINSTER. Well, we work very closely with the clinic staff. And, we have a list of every single one of the patients that was hospitalized and the date they were discharged, and the house number. And, we thought we could use the social workers in the camp. And, they are camp workers and they live in the camp themselves. They live with these people that we're trying to follow up. We're trying to follow up these 150 families and trying to advise them and help them and try to get them into the community agencies that can help them.

Mr. Ford. It appears that this epidemic could very well turn out to be an expense to Dade County and to the Federal Government many times the expense of some pretty sophisticated medical attention necessary at the moment. Because as I see the picture develop, we have examples that Mr. Juarez gave us and from what you're telling us of people who, under normal circumstances, leave here with bills paid up in a short time and go some place else to work. But, because he's been ill, his bills have fallen behind and he will lose his transportation. When he finally does get physically on his feet, he probably is going to have to stay here because he's immobile and he may end up being a strain on the public as a welfare case for a long period to come.

In effect, this is fighting a permanent obligation that may not be fulfilled, but it is a problem that exists in the community in any event. I hope we can get the attention of some people who will understand that the people involved here now are valuable and pay dividends here and elsewhere. I am concerned with how the Public Health people can follow up on this without prejudicing the future of these workers.

If they fan out to various parts of the country, and if the word gets out, by the time they get to Michigan, there's going to be a temptation on the part of some people operating camps to exclude these people because of the fear they may be bringing something with them that might turn out to be a local problem. We don't want to stigmatize these people because they happen to be in this camp. It is posing a dilemma.

Mr. MAINSTER. Yes. And yet if the children are really sick or the parents, and they go to another area and they need help, we need to try to find out how to help them without stigmatizing them.

And, also if we can find out how to help these people and treat the patients in their own area, there also would be benefits.

Mr. Ford. Thank you.

Mr. Segor, executive director of the Migrant Services Foundation. Without objection, a prepared statement Mr. Segor has been kind

enough to send us in advance will be put in the record. And, you may proceed to comment on it. You may amplify and explain it.

STATEMENT OF JOSEPH SEGOR, EXECUTIVE DIRECTOR, MIGRANT SERVICES FOUNDATION

Mr. Segor. Thank you very much. I appreciate the invitation of the Chair and the committee that allows me to speak today.
[The statement referred to follows:]

STATEMENT OF JOSEPH C. SEGOR, EXECUTIVE DIRECTOR, MIGRANT SERVICES FOUNDATION, INC.

Mr. Chairman, members of the subcommittee, my name is Joseph C. Segor. I am the Executive Director of the Migrant Services Foundation, Inc. In that capacity I provide legal and other technical services to farmworkers, primarily through their organizations.

I have worked with farmworkers and studied their problems since mid-1966 when I helped prepare the proposal that led to the creation of Florida Rural Legal Services, Inc. From the beginning of my interest in this field I became aware of two salient facts, that more than any other, characterize the situation of farmworkers.

The first fact is their powerlessness. Farmworkers, until only very recently, have been almost totally without political or economic power. This has been true not only in relation to their employers, but also relative to nearly every other group in our society. With the advent of the United Farm Workers Union and a small number of community groups, the balance has recently begun to shift. Nevertheless, the imbalance still remains extremely large.

The second fact that dominates the agricultural labor scene is the exemption of agribusiness from the responsibilities that our society normally places upon employers. I know of no other industry that has been able to isolate itself so successfully from the main trends in labor welfare and labor relations as has agribusiness. There can be little doubt that the success of this flight from responsibility has been the direct result of the power imbalance of which I previously spoke.

Much has been said today and on previous occasions about farmworker powerlessness¹ and I am sure you will hear even more about it from subsequent witnesses. Therefore, the remainder of my remarks will be limited to a brief analysis of the means by which agribusiness irresponsibility has been institutionalized into the law, with particular emphasis on how the crew leader or labor contractor has been the major instrumentality through which this abdication of responsibility has taken place.

For the most part, crew leaders² are farmworkers grown large. They are generally of the same ethnic background as their crews and usually started out as ordinary farm laborers. Through some complex of circumstances they have been able to achieve leadership positions and thereby become the spokesmen, leader and father-figure for a group of workers.³ Important factors in the rise of crew leaders are family ties and the accumulation of capital. Provision of transportation and of loans to tide workers over rough times are two of the most important services provided by crew leaders aside from their primary function of arranging for jobs. They therefore require funds to purchase trucks and buses and to use as loan capital.

¹ See, Migrant and Seasonal Farmworker Powerlessness, Hearings before the Subcommittee on Migrant Labor of the Committee on Labor and Public Welfare, United States Senate, 91st Congress, First and Second Sessions, parts I through 5c.

² I will throughout these remarks use the term crew leader, rather than labor contractor. In Florida, such usage is common. Common understanding is that a labor contractor is a person who contracts with the owner of crops to supply harvest or other types of needed labor. A crew leader is a person who has a crew on behalf of whom he may contract. The crew leader becomes a labor contractor if he contracts with the owner of the crops. He is a crew leader if he does not have a crew of his own. Both the Federal, 7 U.S.C. §§ 2024, et seq. and, the Florida, 450 F.S. Part III, Farm Labor Contractor Laws make "Labor Contractor" the generic term.
³ For a description of different types of black crew leaders in the Eastern Migrant Stream see, W. Friedland and D. Nelson, Migrant Labor as a Form of Inherent Social Organization and as a Channel of Geographical Mobility, New York State School of Industrial and Labor Relations, Cornell University, Ithaca, N.Y., May 1967.

Not every crew leader abuses his workers or his position, but violations of law and of fair dealing are common. Crew leaders have on a fairly wide-spread scale, embezzled funds, manipulated payroll records, taken unauthorized deductions from workers' pay, failed to forward Social Security money to the government, violated Child Labor Laws, solicited for prostitution, illegally sold alcoholic beverages, transported workers in unsafe and uninsured vehicles, knowingly hired and in some cases imported illegal aliens, mistreated their crews about the terms of their employment contract, concealed their own profit from their crews and held their workers in bondage.

Attempts to reform the crew leader system, when made at all, have been anaemic and have met with virtually no success. Yet, it is the crew leader upon whom legislative reformers focus their attention. This is no accident.

Recently, Walter Kautz, President of the Florida Farm Bureau Federation, was quoted⁴ as saying that the Bureau deplores, "... any and all violations of the law by crew leaders..." He said that the farmer's image was harmed by reports of slavery at a South Dade migrant camp.

Kautz further stated: "... we cannot condone the lack of law enforcement to allow the negation of law enforcement responsibility to make farmers look like the culprit."

It is my belief that agribusiness not only looks like the culprit, but is the culprit. Agribusiness has used its very considerable economic and political power to insure that farmworkers remain powerless, to deny them the benefits of social legislation and to establish the crew leader as the scapegoat for the harm their actions cause to agricultural workers.

It is a perversity of our institutions that the law, which is supposed to guarantee the rights of the poor and weak, is so often the means by which those rights are denied. No group has been the victim of this perversity more than farmworkers.

Basically, the laws that injure farmworkers fall into three categories. Those that exclude agricultural workers, together: those that exclude agribusiness or some part thereof, but cover crew leaders; and those that place all or most of the burden on the crew leader. I will briefly deal with each of these categories.

1. Laws that exclude agribusiness workers altogether.

(a) National Labor Relations Act, 29 U.S.C. §§ 151, et seq.

The NLRA was one of the major products of "New Deal" attempts to regulate and control social and economic conflicts through national legislation. As originally introduced it would have applied to agriculture as well as any other industry in interstate commerce. However, when the bill was reported out of the Senate Committee on Education and Labor, the definition of "employee" had been redefined to exclude "agricultural laborers." The legislative history does not explain the exclusion but Senator Wagner, the Bill's sponsor, admitted in private that the opposition of the farm block made farmworker coverage impossible.⁵ This political reality also led to farmworkers being excluded from the Social Security Act of 1935.⁶

(b.) Unemployment Tax Act, 26 U.S.C. § 3306 (c) (1).

For the purpose of the Unemployment Tax Act, "employment" does not include an "agricultural laborer". Although it would be permissible for Florida to provide unemployment compensation to farmworkers, it has not done so. As does the Federal law, the Florida Unemployment Compensation Statute states that the term "employment" shall not include "agricultural labor".⁷ The law contains a definition of "agricultural labor" that in its attempt to be all-encompassing includes, "... clearing land or brush and other debris left by a hurricane, if the major part of such service is performed on a farm."

(c.) Child Labor, F.S. 450, et seq.

F.S. 450.011 provides that, "... except as provided in § 450.061,⁸ no provision of this chapter shall apply to a minor employed or engaged in ... farm work during the hours when the public schools are not in session." The result

⁴ Miami News, March 29, 1973.

⁵ In citing statutes I will refer only to the laws of the United States and of Florida. In the time allowed to prepare this testimony it was impossible to study the laws of other States. For a discussion of many State laws see, Legal Problems of Agricultural Labor, 2 U. Cal. of Davis L. Rev. (1970).

⁶ See, Hearings Before the Subcommittee on Migrant Labor of the Senate Committee on Labor and Public Welfare on S1864, S1865, S1866, S1867, S1868, 89th Cong. 1st and 2nd Sess. 483 (1966) (Testimony of Benjamin Aaron, Professor of Law and Director of the Institute of Industrial Relations, University of California, at Los Angeles).
⁷ It was not until 1936 that farmworkers achieved limited coverage under the Act.
⁸ F.S. 443.03 (2).

⁹ Minors under sixteen cannot be employed in such hazardous occupations as working in connection with power-driven machinery and spraying pesticides.

of this exclusion is that farmworker children under the age of twelve can be employed,¹⁰ their hours of work are not limited or regulated,¹¹ they are not guaranteed adequate restrooms and toilet facilities,¹² and their employers are not required to obtain an employment certificate.¹³

^{2. Laws that exclude agribusiness, or some part thereof, but cover crew leaders.¹⁴}

(a) Social Security Act, 42 U.S.C. § 301, et seq., § 410(n) defines a crew leader as, . . . an individual who furnishes individuals to perform agricultural labor for another person, if such individual pays (either on his own behalf or on behalf of such person) the individuals so furnished by him for the agricultural labor performed by them and if such individual has not entered into a written agreement with such person whereby such individual has been designated as an employee of such person; and such individuals furnished by the crew leader to perform agricultural labor for another person shall be deemed to be employees of such crew leader. A crew leader shall, with respect to services performed in furnishing individuals to perform agricultural labor for another person and service performed as a member of the crew, be deemed not to be an employee of such other person.

The result of this definition is that absent a written contract to the contrary, the crew leader is responsible for the collection and payment of the Social Security tax and not the agribusiness employer. This is true no matter what the realities of the business situation may be and is exactly the opposite of the result that obtains under the Fair Labor Standards Act.¹⁵

(b) Insurance Contributions Act, 26 U.S.C. § 3121 (o).

The same definition of "crew leader" applies as under the Social Security Act.

(c) Florida Workmen's Compensation Act, F.S. 440.

Under this Act the word "employment" means, "all private employment in which three or more employees are employed by the same employer."¹⁶ However, there is a complicated exemption formula that pertains to "agricultural labor performed on a farm in the employ of a bona fide farmer or association of farmers . . ." Having a certain number of permanent employees or seasonal employees who work for certain periods of time. The exemption does not apply to crew leaders. They are covered by the standard definition of employment. Most crew leaders do not know that they are covered by the law and very few carry Workmen's compensation insurance.¹⁷ Very little effort has been made to inform the crew leaders about their responsibility under the statute or to advise them that if they do not buy the insurance they become personally responsible for the payment of benefits¹⁸ or, if sued in tort, they lose their common law defenses, including the defense of contributory negligence.¹⁹

(d) Florida Motor Vehicle Code, F.S. 316.

This statute provides that every carrier of migrant farmworkers maintain all motor vehicles and accessories in accordance with enumerated standards. A carrier of migrant farmworkers is defined as . . . Any person who transports or who contracts or arranges for the transportation for migrant farmworkers to or from their employment by motor vehicle other than a passenger automobile or station wagon, except a migrant farmworker transporting himself or his immediate family, and except the owner, the manager or a full-time employee of the owner or manager of the crops where such migrant farmworker is employed.

The result of this definition is that growers are completely exempted from the safety provisions of the code. This allows the giant sugar producers, who

¹⁰ F.S. 450.021.

¹¹ F.S. 450.081.

¹² F.S. 450.091.

¹³ F.S. 450.111.

¹⁴ Many statutes discriminate against farmworkers by establishing levels of coverage that differ from those of other workers. Examples are, Insurance Contribution Act, 26 U.S.C. § 3121(a), (8) (B); (amount of wages and days of employment); Fair Labor Standards Act, 29 U.S.C. § 213(a) (6), (minimum wage does not apply to certain farmers or farmworkers, lower minimum wage, maximum hours do not apply, child labor similar to Florida); Florida Workmen's Compensation Act, F.S. 440.02(1), (definition of employment different).

¹⁵ 29 U.S.C. § 201, et seq. See, *Hodgson v. Griffen and Brand of McAllen, Inc.*, 471 F.2d 285 (CA 5th 1973), where an enlightened court examined the employment situation and upheld the finding of the District Court that the grower was a joint employer. An injunction prohibiting the grower from violating the minimum wage record-keeping and child labor provisions of the Fair Labor Standards Act was also affirmed.

¹⁶ F.S. 440.02 (b) 2.

¹⁷ Certainly less than 5% and quite possibly less than 1% carry the insurance.

¹⁸ F.S. 440.10(1) and F.S. 440.11.

¹⁹ F.S. 440.06 and F.S. 440.11.

employ over 8,000 nonresident alien sugar cane cutters to cart their indentured servants around packed together standing up in open trucks or in closed vans designed for the transportation of cattle and horses.

While agribusiness escapes the statute by means of an exemption the crew leaders escape it because of non-enforcement. Even if the law were enforced against the crew leaders reason cries out against a situation whereby the life or health of a farmworker might depend on who owns the vehicle that transports him.

3. *Statutes that place the burden on the crew leader.*

A. Federal Farm Labor Contractor Registration Law, 7 U.S.C. § 2041, et seq. The Congress has solemnly declared that . . . the channels and instrumentalities of interstate commerce are being used by certain irresponsible contractors for the services of the migrant agricultural laborers who exploit producers of agricultural products, migrant agricultural laborers, and the public generally, and that, as a result of the use of the channels and instrumentalities of interstate commerce by such irresponsible contractors, the flow of interstate commerce has been impeded, obstructed, and restrained.²⁰

Under this statute crew leaders must register with the U.S. Department of Labor and must comply with certain requirements including informing workers in writing of the terms of the contract with the grower and the maintenance of certain financial records. Laudable as this may seem, it is no more than a ritualistic bow in the direction of good conscience. It places the burden of good labor practices on the person in the system that is least likely to be able to comply. Responsibility ought to be given to those who have the ability to shoulder it. In this case the agribusinesses that require agricultural labor should be the instrumentalities for carrying out the social policies embodied in the Act.

If the Congress is serious about the enforcement of its policy, this consideration alone requires that the burden be shifted. Crew leaders move about the country, they are often hard to find. Agribusiness is tied to the land, it can be easily located and it has the human and financial resources necessary to protect the workers.

The maximum penalty under the Act is a paltry \$500.00. In many instances such a fine would be no more than a license to violate the Act.

(b) Florida Farm Labor Registration Law, F.S. 450 Part III.

This statute is very similar to the Federal Registration Law but contains one notable improvement. It is unlawful for any person to contract with a crew leader until the crew leader displays to him a current certificate of registration. The Florida law also provides, in addition to a \$500.00 fine, a possible maximum penalty of 60 days imprisonment. Despite the improvement over the Federal Act contained in Florida's prohibition against contracting with unregistered crew leaders, the legislative emphasis is still in the wrong place. A registered crew leader can cheat his workers without the true agribusiness employer incurring liability. The crew leader has the burden of maintaining financial records and giving wage receipts. These responsibilities properly belong to agribusiness. The system will not work and the workers will continue to suffer so long as this responsibility is evaded.

4. *Suggested legislative changes.*

Since the thrust of my remarks has been to criticize the avoidance of responsibility by agribusiness, it is only fair that I suggest a remedy.

My colleagues at Florida Rural Legal Services, Inc. have prepared the following rough language for a proposed statute that would place the burden of social legislation as it pertains to farmworkers where it rightly belongs.

For purposes of the Fair Labor Standards Act, Internal Revenue Act, Social Security Act (and other Acts) any person who contracts with any farm labor contractor as defined in 7 U.S.C. § 2042(b) for the employment of agricultural labor shall be primarily responsible for compliance with the provisions of those Acts as they relate to agricultural labor.

Nothing herein is intended to relieve any farm labor contractor from his responsibilities under the above enumerated Acts.

I have not had the opportunity to determine whether the Federal government can impose upon the States a similar requirement with regard to their social legislation. I urge that this question be studied and, if the answer is in the affirmative, an appropriate statute should be drafted and enacted.

I also suggest that crew leaders and their employers be required to post bond to secure the payment of wages and other financial obligations to workers required by law.

²⁰ 7 U.S.C. § 2041 (a).

Thank you for allowing me to appear before the Subcommittee today. I hope, though frankly I do not expect, that something more will come of the testimony that is heard today than has resulted from the volumes of testimony presented to various committees of the Congress in the past. I know that the wheels of Congress grind slowly, unfortunately for farmworkers they do not grind exceedingly fine.

As a lawyer I thought I would try to concentrate my remarks on an analysis of the Federal and State laws that affect the farmworker. And, I have been working with farmworkers for a number of years now, and, pretty much from the beginning of that association with the farmworkers, I have noticed salient facts that stand out in my mind.

One is their relative powerlessness in society, both in relation to their employers, and even in relation to other civil groups in our society. And the result of that powerlessness is the other fact, which has been the ability of agribusiness to avoid the responsibility of other businessmen in other fields. I don't know of any other industry that's been able to isolate itself from these responsibilities to the same extent as businessmen in other fields have been required to shoulder them in our society. And, avoidance of responsibility has been built into the law, both the laws passed by the Congress, and the laws passed by the various State legislatures.

And, I think there was a very big statement that appeared in the Miami News, our evening newspaper, back a week or so ago, and the president of the Farm Bureau Federation and the president of the Florida Farm Bureau Federation was quoted as saying that the Bureau deploras "any and all violations of the law by crew leaders." He said that the farmers' image was harmed by reports of slavery at a South Dade migrant camp.

Mr. Walter Kautz further stated:

We cannot condone the lack of law enforcement to allow the negation of law enforcement responsibility to make farmers look like the culprit.

And, I have to say that it is my belief that agribusiness is the culprit. And, ultimately the responsibility for much that happens to the farmworkers in this country is the result of active policies that have been carried out by agribusiness for more than 30 years.

Basically we can analyze the laws injuring farmworkers into three types: Those that exclude agricultural workers altogether; those that put responsibility on the crew leaders; and, those that put the entire responsibility upon the crew leader. And, I'd like to go quickly through and analyze some of these laws.

The classic law that excluded farmworkers altogether is the National Labor Relations Act. And, that act has that exclusion built into it, as Senator Wagner said in private, the reason farmworkers were excluded is the opposition of the farm bloc which had the votes in those States, made that exclusion necessary.

And, we have also their exclusion from the Social Security Act. Further, we have the Unemployment Tax Act which provides for unemployment insurance. This is a key piece of legislation, and yet agricultural workers are excluded from unemployment compensation and the States are not required by Congress to exclude agricultural workers, but, I think except for Hawaii, if my memory is correct, all the States have chosen to exclude agricultural workers.

The Florida Legislature was so intent upon making sure that agricultural workers were excluded that its law includes "clearing land or brush and other debris left by a hurricane, if the major part of such service is performed on a farm."

Then we have the child labor law and the provision is there that the law shall not apply to a minor employed or engaged in farmwork during the hours when the public schools are not in session. The result of this law is it is the only law applying in the State involving the school attendance law. So, they don't have the protection other children have in regard to age at which other children work. Farmworker children under the age of 12 can be employed. Their hours of work are not limited or regulated and they are not guaranteed adequate rest-rooms or toilet facilities.

They theoretically can work from 3:30 when they get out of school to 6 o'clock the next morning.

This does not necessarily happen that they work throughout the night, but it is a theoretical possibility.

Now, we can take a look at the laws that cover the crew leaders.

One of the prime offenders there is the National Social Security Act. That act defines in chapter 410,

A crew leader as an individual who furnishes individuals to perform agricultural labor for another person, if such individual pays—either on his own behalf or on behalf of such person—the individual so furnished by him the agricultural labor performed by them and if such individual has not entered into a written agreement with such person whereby such individual has been designated as an employee of such person; and such individuals furnished by the crew leader to perform agricultural labor for another person shall be deemed to be employees of such crew leader.

So that means that the crew leader is one responsible for the social security.

I know of no contract to the contrary other than union contracts. So the businessman who really has facilities and the ability, the financial ability, and who furthermore is tied to the land, must find crew leaders for work. But, the people who can be held responsible can legally avoid that responsibility.

We have the same with the Insurance Contribution Act, which handles the social security fund.

Again getting back to the State, and I'm using only Florida because I'm most familiar with those laws, but what I say about Florida applies to other States of the Union, that the Florida Workmen's Compensation Act excludes employment by or with a bona fide farmer organization or farmer.

Then there is a definition as to the size, having to do with the number of employees. Yet the Florida workmen's compensation law is very simple. Everyone must be covered where there are three or more employees.

So, we have an anomalous situation with a farmer who has a million dollar credit at the bank being able to avoid workmen's compensation coverage, whereas the crew leader is held responsible. According to this law, the crew leader if he doesn't have the insurance, becomes personally responsible for paying benefits, or, if sued in tort, they lose their common law defenses including that defense of contributory negligence.

One of the worst ones on the State level is the Florida Motor Vehicle Code. And, there they have a provision that says that any person who transports or who contracts or arranges for the transporta-

tion for migrant farmworkers to or from their employment by motor vehicle other than a passenger automobile or station wagon, except a migrant farmworker transporting himself or his immediate family, and except the owner, the manager or a full-time employee of the owner or manager of the crops where such migrant farmworker is employed—in other words, the owners of crops are exempt from the motor vehicle safety act.

That means the life or the health of a migrant farmworker can very well be determined by who owns the vehicle he's in.

You have heard before about the sugar industry. Well, there are some sugar producers employing over 8,000 nonresident alien sugarcane cutters carting their indentured servants as close as you can get them packed in an open truck, and driven around on U.S. 27, which is known as the, or one of the most dangerous highways in the country. And, others have transported them driven in vans designed for horses and cattle with no seats in them, although if they were covered by the code, they would have seats in the inside.

Mr. Forb. Let me tell you some personal experiences.

When the bracero program was in operation, there were some minimum standards required in such things as safety of transportation for aliens who are here under the bracero program during the time they were going to and coming from employment.

And, in my State of Michigan as a young and ambitious State senator, I introduced a piece of legislation to put the same safety standards for our State into effect for American citizens who are migrant workers. I discovered I was called a Socialist and other things that I have since become used to. If the farmer or crew leader attempts to transport a Mexican citizen on an open, flatbed truck on the highway, he would be promptly subjected to arrest and prosecution. If the farmworker was a third or fourth or fifth generation American and he fell off that truck, there was no responsibility.

It is very difficult for me to understand how we can go so long without being able to feel any conscience pangs about this, and correct those situations where we treat those who are not American citizens better than those who are.

Maybe the problem now is going to come into focus with some additional protagonists on these issues, and the agribusiness, as you have described it, will start to think of the migrant workers as I think the automobile industry has finally gotten to think of its workers, as a resource to be protected and nurtured so it is always available for support of the industry.

I visualize what you are describing here with these excursions as a series of policies at the Federal and State level that is dictating to us that we are going to transfer one very large number of highly motivated job seekers into not very highly motivated welfare cases.

I wanted to interrupt you to say that this is a little different approach we've had from witnesses in the past, and I appreciate this kind of perspective on it. One of the legislative directions that I personally hope we can take in this committee is a commission similar to the U.S. Civil Rights Commission that could provide a forum for representing, in a way that will become understandable to the American people, these problems as they are applied to the whole country.

It would be easy for some of us to point a finger at Florida saying you are a backward State because you don't do these things, if we were

not painfully aware of the fact that other States aren't doing any better.

While I know of people who really get turned off when you say that only the Federal Government can solve the problem, the President is saying that the Federal Government can't solve problems, it has to be State and local. I think what you're doing here is making a very strong case for the fact it is not reasonable for the State and local government to answer these problems. It is going to have to be a Federal answer.

Mr. Spector. I think that the retreat of the Federal Government from responsibility is tragic, and I think also that the Federal Government has, as I've been pointing out, been quite irresponsible for these activities.

And, I have been analyzing what is on the books. I haven't talked about how these laws that are on the books haven't been enforced by the State and the Federal Government. But I have been through as many hassles with the Federal Government people as with the State government.

From the point of view of the State government, and as a lawyer in my work, I think I would like to hassle more with the Federal Government area than with 67 local governments. And, that is, if I want to deal with a problem, at least I have one agency that I can yell and scream at and sue. And it becomes almost impossible to focus responsibility in local areas without a Federal presence.

But I'd like to see the farmworkers getting together themselves and trying to work out through contractual relationships their own destinies.

If I have a contract, as Walter Williams was saying, that there has to be water in the fields, and the company doesn't supply it, I'll have a right to it and I'll find out that it is enforceable and that the company can be taken to court. So, if we pass a pretty good health sanitation law and there is no inspection, what do you do? I am not arguing against those laws. We need them, but they're not the whole answer and I certainly don't put all my faith in the government at any level.

I do support the strong movement that we have. It is an important ingredient. But without the Federal Government, I think the area couldn't be covered. And social legislation like the Social Security Act where you're getting down to welfare, where there is no one that can help, and where there is no access to private resources, perhaps Federal programs can serve the people's interests.

I'd like to point out two crew leader acts that we propose, one Federal and one State. And again I'd like to focus the responsibility on the guy who needs it to be regulated. He needs to be regulated out of existence, in my opinion. And that is the crew leader, because I don't think the system really can work otherwise.

And, the law is, where you can focus responsibility on the crew leader as any person who contracts with any farm labor contract as defined in 7 U.S.C. chapter 2042 (c) for the employment of agricultural labor shall be primarily responsible for compliance with the provisions of those acts as they relate to agricultural labor. So, if a farm leader employs a crew leader who isn't registered, he is subject to the same penalties of the act as the crew leader. And, I think we only have about 40 crew leaders registered under the act in Florida, and obviously there must be a lot of employers facing penalties. But, I don't expect to

see those penalties enforced. So, it took 2 years for them to get out emergency regulations under our Crew Leader Registration Act. And, I sat down for 3 months trying to get regulations written with the appropriate individual, and I pointed out a long list of reasons why regulations were needed, and even made suggestions on how to write them. And, only a month or 2 ago they were saying that we didn't need them. And, we finally got them through after 2 years of struggle.

So, throwing things back at various levels of government is not entirely the answer. But, I have a suggestion for Federal legislation which the committee might consider, and that is that you pass a law which involves the presumption in the Social Security Act to the effect that it would make an employer of a crew leader responsible, thus going back to the agribusinessman, the person, making a person primarily responsible for complying with the Federal statute. And, in the time I've had in front of this committee to testify, I haven't been able to research the situation to find out who in the Federal Government has the power to impose such a regulation upon the States when they begin to regulate in this field. But, if that is researched and is feasible, I suggest that also be done. So, what we have under the Fair Labor Standards Act and similar acts would be required of crew leaders and their employers, and their financial obligations to workers would be required under this law. And, the Federal Government ought to enforce it. When the Fair Labor Standards Act was reported by this committee to the floor, it was passed, but subsequently bottled up at the end of the session, so then it couldn't go to conference with the Senate.

And, I attached an amendment to this act, which was not opposed in committee and not opposed in principle on the floor, making the employer responsible and liable whether or not a person he was hiring was illegal or here as an illegal alien. Of course, maybe the reason it didn't get passed is that it's so very simple people didn't understand it.

Mr. Ford. I see you're collaborating with some good people. And, maybe you can give us specifics on this—

Mr. Seagr. We will try to do so. And I understand the administration has supported coverage of farm workers under unemployment compensation and would certainly urge this committee to do everything it can to get that coverage. I think it's an important coverage for farmworkers, because of quirks of nature and the other problems of agriculture. Farm workers are often subjected to lengthy periods of unemployment, and by golly, if there is any group of society that should have been covered from the beginning under the Unemployment Insurance Act, and who need it the most, farmworkers certainly should be covered.

You have heard the testimony that they are hardworking people. And, these various laws are designed to protect the people from things that they can't protect themselves from, such as food and drink, and so forth, to protect the consumer and the farmworkers. They need that protection very badly.

So, I hope the Members of Congress support that action. And, I understand it wasn't passed the last time because, as I understand, the lack of information about the economic effects of such a requirement, and that information has been compiled, and I've had the opportunity to attend several meetings with people of this State at the University of Florida who did the study for our State. And I think the conclusion

is that it is economically feasible both for Florida and for the other States surveyed.

Mr. Ford. You've raised the question whether or not Congress could justify it, and there is a precedent. The building trades people in the District of Columbia are covered for Workmen's Compensation by the Longshoremen and Harbor Workers Act, because the District of Columbia, not being a State, has no Workmen's Compensation law. So, last year when we changed the benefits for Longshoremen and Harbor Workers, we appropriately set up the most generous workmen's compensation schedule in the country. While many of my colleagues weren't watching it too closely, we automatically blanketed the building trades into the best deal anybody has in the country.

The precedent is there for having the Federal Government assume the responsibility. We can understand why a State like Florida should not be expected to take the burden unfairly for labor resource used by other States actually more working months of the year than itself.

Mr. Seagr. I think it is fair that the National Government do it. I have urged the State government to do it on its own, because it is economically feasible, but it really should be done federally.

But, to digress, you have heard the way the crew leaders used this publicly funded and operated Housing Authority as if it was their own camp by controlling dwellings in it. And, if that is against the official policy of the Authority, I've had many instances that were referred to me where this has occurred. And, I've heard of poor people being thrown out of a house by a crew leader. And, I have a receipt for rent in one of the camps by the Housing Authority signed by a crew leader. And I thought you would like to have a copy of it.

Mr. Ford. I think that is the kind of thing we will follow up on.

Mr. LANDREBE. You have made a fine presentation, and you show your obvious concern in improving the quality of life for the migrant workers, including the matter of unemployment compensation.

Now, in this day when the headlines and a major concern of most people is the cost of food on the shelf, can we improve living conditions for the migrant worker? Can we improve his salary? Can we offer fringe benefits—which, I submit, are enjoyed by so many that it almost seems unfair to exclude anyone. But, food prices are already high. At least, people who should understand the situation seem really concerned. So, how can we improve the lot of the migrant worker without increasing the cost of food? Or should we perhaps increase the cost of food?

Mr. Seagr. That would be a very unpopular thing for me to advocate. To increase the cost of food in the middle of a meat boycott. I am not an economist, and Dr. Barry can do this better than I can, probably. I have read material on this subject, and of course it concerns me. There is not much sense in putting the industry you work for out of business, and farmworkers certainly don't want to advocate putting themselves out of business because that is their jobs too.

But, the percentage of the cost of food that applies at the grower level, is in the case of the crops like vegetables and citrus, less than half of the cost at the retail level. And, I think it sometimes is only 20 percent or 30 percent of the cost at the retail level. So, much of the housewife's expense is not attributable to the grower and certainly not to the agricultural laborer who's only a varying percentage of the cost

to the grower. The grower's cost of maintenance of equipment and everything else is a very small part of this. I've heard statements that you could double wages of harvest laborers and still not make an appreciable dent at the retail level. But, I think we either have to do it there or subsidize it for all the people, because what we're seeing now is this small group of people picking crops subsidizing the cost of food at the retail level. And, that is unfair.

Mr. LANDGREBE. You are saying that agribusiness is keeping too big a share for itself? Or are these crew leaders, who are coming under suspicion here today, taking an unwarranted share of the pie for their activities?

Mr. SEGOR. What I am trying to say is, it's possible to really improve the lot of the migrant worker without forcing up prices unnecessarily. I am not talking about if it is necessary—there a man would be entitled to a living wage, and if we have to push the prices as a result, that's the way it has to be. But, if there is siphoning off of what the worker should have, in terms of profits, I think there certainly should be adjustments someplace. And, again I am not an economist who can pick apart every segment of the agricultural industry. Because there is a difference between the guy who's handling tomatoes and the guy in a citrus grove, and to analyze that properly. I am not an economist. I will say that some of the people must siphon off and some of them might not. But, the issue as I see it, whether it is the farmer siphoning the profits off, and I'm not sure of that either, if the farmer is doing it, he doesn't control all of the prices, although there are some who can. But, the independent farmer and particularly the small farmer, who's fast drawing out, he has a difficult proposition. And the agricultural business is the culprit. I think their legislative policies are both unwise and unwarranted. And in some cases they're very vindictive. Because I think Representative Ford believes that there is really more to gain with farmworkers cooperating than in the struggle they've had through the years, and struggling for farmworkers' benefits.

Mr. FORD. Between 1978 and 1980, about 200,000 migrants and other seasonal farmworkers will no longer be needed to harvest fruit and vegetables, according to a detailed study. This came out of Michigan State University. They have come to this conclusion, and they expect that the impact will be most severe in Oregon, in Michigan, California, and Texas. It will involve tomatoes, grapes, cherries, and so on. They believe 800,000 fewer farmworkers will be needed by 1975 than were employed in 1968.

What this tells me is, since my State is one mentioned here, that the cost of this new sophisticated machinery that will replace 800,000 jobs in that period of time is more likely to have an impact on the cost of cherries, beans, tomatoes, and so on when they get to the market basket than anything anybody has proposed in the way of increased benefits for farmworkers. Increase cost of the farmer is not involved in the direction of increased labor costs, but in the bigger capital investment and all of the expenditures involved in maintaining that capital investment.

So, if there are farmers that believed for a long time that they're going to protect their profits by resisting benefits for the labor portion of this, they'd better take a look where their economics are really going.

Mr. SEGOR. And that leads to another question which I had not gotten into in my testimony in which I am active in to some degree.

We have publicly been subsidizing the creation of this automatic equipment without at the same time taking care of the people who are going to be displaced by that equipment. And who often have no other skill other than the ability to pick the crops. And I have gone into that with our own universities in Florida, which have a very large group of agricultural individuals. And they have developed the new MHI tomato for machine harvesting.

And, I said, you have developed that, and what attention have you given to what happens to those picking those crops down here in south Dade County? And they passed it by and said that it isn't their responsibility.

And, yet these people receive a lot of money from public sources, and I think they ought to be required to have some responsibility to pay attention to this, and use that brainpower up there to deal with these problems.

We have a little community farmworker organization that has a few dollars to provide social services to the manpower program and a few dollars for economic development to get these people into their own businesses. And yet they have thousands and thousands of people who cannot handle this. And, if it isn't handled, I just don't know. They'll have to be in it. But, something needs to be applied to these resources, and they are being misallocated right now. And we can wait a while for the development of the machines until we develop the human resources' capability, and we are way out in this, and way behind in human resources. That is all I have, Mr. Chairman.

Mr. FORD. Thank you very much. I hope you will stay in contact with our staff on these other things.

Mr. SEGOR. I will.

Mr. FORD. We have Mr. Max Rothman, who is executive director of the Florida rural legal services program.

STATEMENT OF MAX ROTHMAN, EXECUTIVE DIRECTOR, FLORIDA RURAL LEGAL SERVICES PROGRAM

Mr. ROTHMAN. Mr. Chairman, Congressman Landgrebe, thank you very much for the invitation to appear before you today.

We have heard some rather incredible testimony here this morning from Mr. Segor and Mr. Medina and Mr. Juarez and various farmworkers that have appeared before you, and I will see if I can add a little more incredible testimony.

[The statement referred to follows:]

STATEMENT OF MAX B. ROTHMAN, EXECUTIVE DIRECTOR, FLORIDA RURAL LEGAL SERVICES, INC.

"It is a basic tenet of a democratic society that the protection of individual rights cannot turn on a matter of income or social class, since justice then becomes a luxury, available to a privileged few."

Unfortunately, this statement quite accurately reflects the current situation throughout rural Florida. According to the Levinson Report on availability of Legal Services in Florida, 41 counties, heavily rural, are without any existing legal services or legal aid program whatsoever. The situation is no better throughout the United States. Neither federal, state or local governments, nor the various bar associations, have been willing or able to support programs

capable of delivering effective legal assistance to the vast majority of farmworkers and rural poor. In fact, Florida Rural Legal Services, Inc., the only federally-funded legal services program serving rural Florida, has remained at the same budgetary level for more than four years, has already closed one of its branch offices and is faced with the very probability of additional cutbacks in the near future. This is occurring at a time when the entire Legal Services Program is under unprecedented attack and the future of independent programs remains very much in doubt.

The experience of Florida Rural Legal Services, Inc., is indicative of the vast scope of this problem. The program, with an annual budget of \$515,000, maintains five offices, 21 attorneys, and 10 para-legals responsible for servicing the legal needs of farmworkers and the rural poor in a seven-county area of South Florida. The Florida Department of Commerce estimates there are between 50,000 and 60,000 farmworkers, not to mention other rural poor, in these seven counties. Most of these farmworkers, according to state and Federal statistics, are eligible for free legal services. Yet, although Florida Rural Legal Services, Inc., has been averaging 5,000 to 6,000 new matters per year, the vast majority of eligible persons remain without available counsel. Obviously, the situation throughout the rest of rural Florida, where another 50,000 farmworkers and thousands of other rural poor reside, is much worse.

Much has been written about the "culture of poverty." If anything, this phrase describes the condition of so many farmworkers, a condition incapable of measurement by mere statistical characterization. It is a feeling of hopelessness instilled in successive generations of those trapped in a circle of economic degradation and disintegration. This vicious cycle is even further ingrained in the case of racial minorities. The overt manifestations of this condition—crime and violence, lack of confidence in government and public officials—have been witnessed in ghetto after ghetto throughout urban America as millions have abandoned the farm in a futile quest of economic gain and security.

The systematic attempt to provide legal services to the victims and also-rans of modern technological America is of quite recent origin. Until creation of the National Legal Services Program, the response of the formal legal system and the rural bar was essentially one of neglect. Cost of private attorneys has typically been prohibitive; furthermore, private attorneys simply do not exist in many isolated pockets of rural poverty. If attorneys are located in rural areas, they are not untypically objects of cultural distrust. They are quite accurately perceived as pillars of the establishment, counsel for farmers, landlords, businesses and the state. For whatever reasons, it is clear that farmworkers and the rural poor remain essentially without access to lawyers or the legal tools necessary to function effectively within their environment.

Indeed, it has been one of the great failures of the American system of justice that most farmworkers and other poor people do not view the law as an instrumentality for the orderly regulation of social conduct. For them, the law has consistently been a negative experience; a policeman, a criminal charge, a judge in black robe. The law has been a garnishment writ, a bill collection letter or a repossession of goods. The law is always on the other side, a tool of the ruling class and a pressure that must be resisted one way or another. In a word, farmworkers have typically participated in the legal system only when absolutely forced to by some outside party.

It is virtually impossible to determine whether and to what extent legal services programs have helped legitimize courts and other legal institutions in the minds of the poor. At a minimum, many programs do perform a "safety valve" function and help minimize the poor's alienation and distrust of many establishment institutions. Unquestionably, poverty lawyers, while at times challenging existing laws and practices, nonetheless are contributing to the overall stability of society and to confidence in its legal system.

Florida Rural Legal Services, Inc., and other similar programs serve farmworkers in a wide variety of substantive fields. These workers encounter legal difficulties in the following areas: divorce and other family problems; housing (particularly landlord-tenant and housing authority cases); consumer and employment (particularly wage claims and sales contracts; administrative (including welfare, social security and all other government agencies); schools (student's rights); and penal (misdemeanors, provision of counsel, etc.). In fact, the list is virtually endless. Furthermore, Legal Services Programs help attract other federal and state resources, such as housing and employment projects, to rural areas. Basically, farmworkers and the rural poor have the same variety of legal problems as the rest of society but are much more likely to suffer hard-

ship as a consequence of them. The legal services attorney then becomes the only link for many poor with the law, the only promise for a satisfactory resolution of their problems.

Finally, it is important to acknowledge the educational role of the poverty lawyer. In rural Florida, with a below-poverty-average income for all residents, this role is basic to the overall success of any particular program. Legal services lawyers become experts in poverty law, with the same obligation as private attorneys to educate their clients concerning their rights and obligations. Many potential problems are avoided through these educational efforts. Legal services lawyers help remove some of the mystery that has traditionally surrounded the law and the legal system. The system becomes more available and therefore immensely more effective.

Gentlemen, programs of Legal Services for farmworkers and the poor throughout this country are confronted with imminent destruction as a national force. Refunding applications for programs in rural outputs as well as urban ghettos are manipulated in Washington with little concern for resulting dislocation and demoralization. Back-up Centers such as the Migrant Legal Action Program, an extremely important national force in the struggle to provide minimum legal safeguards for farmworkers, are being terminated without hearings, forcing them into unnecessary and time-consuming litigation. The administration ponders a revenue-sharing scheme for legal services rather than creation of an independent Legal Services Corporation, a plan designed to introduce local politics into the programs and relegate them to a constant struggle for survival. In the meantime, farmworkers and their families remain victims of typhoid epidemics and conditions of near-slavery. We simply urge this Sub-Committee to help farmworkers eliminate lawlessness on the farm and, finally, to provide them with the legal protections to which all other workers have long been entitled.

Mr. ROYMAN. I would like to briefly summarize my written statement now.

I might add when the initial peonage cases broke in Homestead, we contacted the Department of Labor in Atlanta, and they had knowledge of it. And, this was 2 days after the facts had widespread publicity. And, this indicates to me that the situation would be under investigation both for purposes of Fair Labor Standards Act and the Farm Labor Contractor Registration Act. And, I have not heard back from them to this date, and there probably will be litigation arising out of this peonage investigation in Homestead. And, there are perhaps two or three others, in addition to those heard earlier. But, that's not for me to state.

The Florida rural legal services program services 5,000 to 6,000 new matters per year, and still cannot provide services to the poor who would be eligible for free legal services. This means that not more than 10 or 15 percent of those requiring such services get it. Farmworkers are indeed the most tragic vestige of the culture of poverty, yet traditionally have been shortchanged by the system of justice in this country for all farmworkers, who see the legal system as a force to be resisted. But, they are beginning to see how some attorneys can use the law effectively to solve their problems.

The Florida rural legal services program and other programs help in divorce and family problems; housing, including landlord-tenant and housing authority cases; wage claims and sales contracts; domestic relations, and many other legal problems. They are gradually educating them about their rights and their obligations. I might mention that numerous potential problems are avoided through these efforts. This contributes significantly to the overall stability of the society in which we all live. But, legal service programs and other programs specifically designed to assist farmworkers are under unprecedented

attack in Washington. If, as reported, legal service programs are to be revenue shared through block funds to the States, the national effort to provide farmworkers and other poor with minimum legal protection will cease. Programs will be sacrificed at the altar of local politics and forced into constant struggle for survival.

As I mentioned, I would be most willing to assist the subcommittee with anything they desire, and I'd like to thank you for the opportunity to appear here today.

Mr. Ford, I note you make reference to Professor Levinson's report on the availability of legal services in Florida.

Mr. ROTTMAN. Yes, sir.

Mr. Ford, I conducted hearings almost a year and a half or so ago at the time he finished that study. Professor Levinson helped us, as you're no doubt aware, concerning our prime jurisdiction over the legal services program. My recollection of the entire experience we had here was that the organized bar of Florida was surprisingly strong in its support for what was developing here in legal services. We were trying to tell those people here, as well as people from up North in fact, that we were doing something for the rural people. When you contrast the reception we've had here with what we encountered in California with rural legal services, it is quite a difference. So, while you have been laboring under very difficult circumstances, you have had groups in other parts of the country that have had it a little tougher.

Can you tell us briefly what your current status is with your legal service program? What are you now told in terms of your expenses for this year?

Mr. ROTTMAN. Our present grant terminates as of September 30, 1973, so we weren't caught in this most recent series of difficulties in Washington.

However, we were authorized late last fall to close one of our offices in Fort Myers in Lee County, and also have been forced to reduce the numbers of positions in this program because of the fact that the program stayed at the same budgetary level as it was when it began. And, all of our costs have skyrocketed.

And, a person in the National Office of Legal Services yesterday informed me that the Director, the Acting Director told the staff the day before that he personally doesn't have any idea whatsoever what the Administration's plans are going to be for legal services.

Our greatest concern at the present time is, as we get closer and closer to the date that our funds run out, not only does staff begin to get edgy and look for different employments, but our activities begin to slow down significantly. And, it is extremely difficult to recruit in order to prepare our program for the coming season.

So, this is another problem that is currently facing us. Quite frankly, whether the program will continue as it has in the past, I don't know. We are preparing our funding application for the Office of Legal Services, and when I asked our Regional Office in Atlanta last week what steps I might take to protect ourselves—since they might be out of business by this month—they have no idea. And, we are drifting in the wilderness as it were, without any ideas whatsoever, not only whether we will be in existence next year, but if we are, who do we direct our attention to in terms of directing our application.

Mr. Ford, Mr. Towell, a ranking Republican on our subcommittee, introduced a bill, which I think I am cosponsoring with him, to try

to get a fail-safe situation during this year while we negotiate further. That was reported in the Miami Herald yesterday.

So there is bipartisan support at the committee level for maintaining you until we find out what the administration wants to do. We have some indication they're going to support some form of a legal service corporation. The budget, I think, has \$71.5 million in it for that.

And, counsel points out to me, if we fail to enact that corporation, it may be a question whether there is a commitment to spend that money.

Mr. ROTTMAN. I am sure you are aware the Migrant Legal Act would be a tremendous assistance to our programs and would be a help not to have to operate on a month-to-month basis, and have their effectiveness seriously curtailed. And, our whole network is very much under attack at the present time.

Mr. LANDREBE. I have listened with interest to your statement and the dialog. And, I am one of the members of the committee in the Congress who is supporting the Congress in phasing out this legal services program, and I am basing it on personal observations and testimony that we have taken that indicate in some areas of the country this money was being used to foment revolutions. So, it's pretty stupid for a country to go in debt to provide legal services to create legal revolution in our country. We have enough problems without that.

Now, the principle behind this program is good and I have no opposition to poor people having legal services, of course. But, how much money was sent back to Tallahassee, Fla., to the State government under the Revenue Sharing Act just prior to election last year?

Mr. ROTTMAN. I don't have the precise figure.

Mr. LANDREBE. The State of Florida received over \$40 million. And, why can't revenue sharing be considered for some of these human resource programs? Have you gone to Tallahassee and applied with your State Representatives for funds to cover some of this? The President's reasoning, and Howard Phillips' reasoning, is that these programs, if they are good, should be funded by their local and State government. They can supervise them and make sure the money goes where it ought to go—that is, to help poor people who ought to have legal services but don't have legal services available to them.

I am sorry about making sort of a speech, but I really think you ought to make a plea for some of this money from the State level.

Mr. ROTTMAN. I'd like to comment on that.

First of all, I'm not sure what you're referring to when you say legal service program fomenting revolution, but, the general accounting office has reported that legal service program spend over 99 percent of their time and their resources representing individual legal matters. And, in fact, the law reforms are class-action cases—which Mr. Phillips seems to take some issue with—have, in fact, represented less than 1 percent of our time and resources across the country.

Mr. Ford, I've always been very critical of those facts as one of those people who helped put this program together. I expected you to do a lot more of that than you have done.

Mr. ROTTMAN. We have tried to be more aggressive in handling these problems, yes.

Mr. Ford. I agree with Mr. Landgrebe that there are some stories that would lead him to the conclusion he has drawn with respect to some activities. I have held more hearings on legal services across the country than anybody in the Congress. I would be less than candid as a supporter of the program if I didn't say this, but you have a number of highly motivated conscientious young people, and if you turn them loose with the weapons they got with their education, sometimes their enthusiasm outweighs what we would consider to be mature judgment on the part of a lawyer. They get themselves in hot water. Things have happened. But, now you are covered by a special kind of Hatch Act. It is a Hatch Act plus. The reason was to insulate against you people making such a mistake in the future. I think we can continue to ferret these specific kinds of instances that happen that bother people, and tighten it up.

Mr. ROTTMAN. Most of those instances, I think, that you're referring to, I believe have taken place as long ago as 3 or 4 years. It is difficult to believe that we are engaging significantly in revolutionary activities.

Mr. LANDGREBE. These are rare examples, yes.

Mr. ROTTMAN. When the accounting office, the General Accounting Office, says that we have an 80-percent success rate across the country, we're just bringing these cases in, and the courts are making the decisions. And, it is extremely difficult to—

Mr. LANDGREBE. Assume you're getting 100 percent scoring. You're not fomenting revolutions. This makes it all the more reasonable for you to go up to the State government and say that since the guys in the Federal Government have sent you millions of dollars in revenue sharing, why not give a chunk of it to carry out this much needed program, rather than build a new women's prison?

Mr. ROTTMAN. I have two final comments. One, we have gone to the State of Florida a month ago and set up a new program that attempts to bring legal services. And, we didn't hear anything. Counties previously without legal services or legal aid programs should have them. But, I personally appeared before the Broward County Commission in Fort Lauderdale about 3 weeks ago supporting the Broward County Bar's proposal for a legal aid agency, supporting an increase in the filing fees. While I supported the concept, we took specific exception to a revision in the ordinance that would have prohibited attorneys from any legislation directed against any Federal or State or local entity. And, suffice it to say that they didn't let me continue my presentation and they cut me off in the middle. And, it was strongly indicated that the local government should not get in the business of funding programs that turn around and sue them. And, this is precisely the type of thing we face when we go to the local authorities for funding.

They want to protect the independence of attorneys and not fund these programs. Now we are engaged in an attempt to secure funding from the State of Florida to expand the existing programs, but I certainly believe that a strong national commitment and a strong national effort is absolutely essential to continue the national struggle to provide legal protection for the poor. And, I can't think of any group more specifically included in this group than the farmworkers whose problems are more than any other groups in this country. It is a national problem because of the migrancy conditions involved.

Mr. LANDGREBE. Have you taken any action against crew leaders? Mr. ROTTMAN. We have one case under litigation right now, and we have intentions to file at least two and possibly more cases. That is, within the next 2 weeks.

Thank you very much.

Mr. Ford. And I would like to thank you very much.

Without objection, the prepared statement of Dr. Barry will be placed in the record at this time. You may proceed, Doctor.
[The statement referred to follows.]

STATEMENT OF D. MARSHALL BARRY, PH. D., ASSISTANT PROFESSOR OF ECONOMICS,
NEW COLLEGE, SARASOTA, FLA.

The legal requirements which must be fulfilled prior to the certification of foreign agricultural workers for employment in the United States are set forth in the United States Labor Department directive 35 F.R. 12395, 8/4/70, Section 602.10 through 602.10b. This document contains an explicit definition of the "reasonable effort" required to find American farm workers prior to the certification of foreign workers to fill available employment opportunities in the United States.

Most important in this explicit definition of "reasonable effort" is the requirement that full use of local and day haul workers and the interstate clearance system to find Americans be undertaken. The timing of such efforts is also prescribed since the growers must file their request for alien workers at least 30 days prior to their recruitment in order to permit the Manpower Administration to determine the availability of American workers.

In the material supplied by the Department of Labor to the United Farm Workers (A.F.L.-C.I.O.) containing all proof of "reasonable effort," there are clear violations of both the intent and letter of the laws which protect American workers. Mr. George Soren for the Florida Fruit and Vegetable Association (letter dated 6/14/72) and Mr. Fred C. Sikes for the Florida Sugar Producers Association (letter dated 6/16/72) wrote to the State of Florida Department of Commerce requesting certification for alien workers to cut and plant sugar cane for the 1972-73 season. In neither letter was there any proof of "reasonable effort" to find and recruit Americans for the current or past seasons. Documentation consisted entirely of references to the "past experience" of the companies. The law, of course, requires current and continuing effort. In short, before the companies had made their first attempt to find Americans to fill American jobs, they resorted to the request for Aliens and assumed no Americans would be found.

Scarcely two weeks later, Mr. Samuel Ashdown, Deputy Secretary and Employment Security Administrator for the Florida Department of Commerce, endorsed these requests in a letter to Mr. William U. Norwood, the Regional Manpower Administrator for the U.S. Department of Labor in Atlanta. Mr. Ashdown, (letter dated 6/28/72) apparently quoting from the sugar cane growers' letters, also based his request upon "past experience" without any proof of current attempts to find American workers to fill the positions, the vast majority of which would not be available for several months. Once again, while the request for certification had cleared the state level and reached Atlanta, no actual attempts had yet been made to find Americans.

Finally, Mr. William U. Norwood in a telegram dated July 11, 1972, endorsed the certification requests of the growers to the Manpower Administration in Washington, D.C. on the basis of "past experience" of the industry. Once again an apparent quote from the original requests of the agribusinesses. Once again there had been no positive recruitment which could be considered a "reasonable effort" to find Americans for these jobs. In fact, the first documented recruitment visit by the industry representatives to an office of the Rural Manpower Service occurred on August 2, 1972, after minuscule publicity in media which would have little likelihood of reaching American farmworkers. Nonetheless, one week later on August 9, 1972, Mr. Norwood certified the first increment of Jamaicans (285) to work in the sugar fields of Florida. Since the Labor Department directive requires a minimum of 30 days of effort, this act clearly is a gross violation. The intent of the immigration laws to protect American jobs for Americans naturally is thwarted when the agency designated as the protector of our workers becomes a mechanism for the achievement of the agribusiness' objective.

The law also requires a continuing effort to find Americans after the certification of aliens. The industry documentation of this effort presents the clearest picture of the facade of recruitment. The story is one of a few poorly placed ads followed by a few hours of interviewing by industry representatives at Rural Manpower offices. Prior to the lawsuit last fall, none had occurred outside of south Florida. Prodded by the suit, they extended their facade to central and north Florida, but refrained from utilizing the interstate clearance system of the Rural Manpower Service until late in the trial. Finally, the collusion between the Department of Labor and the agribusineses is best proven by the fact that documentation of even these feeble, one day stands at Rural Manpower Service offices was *not* sent to the Regional Manpower Administrator until August 17, 1972—*eight days after* his certification of the initial increment of alien workers.

One can only hope that had he bothered to await the industry's evidence of "reasonable effort" prior to rubber stamping their request, Mr. Norwood would have noted that newspaper ads for American cane cutters were sandwiched in between ads such as one for an Avon Lady, an *experienced* Fruit End Loader, *experienced* meat wrapper, etc. primarily in classified sections of major newspapers. He might also have noted that the interviews were scheduled in advance to last less than one day per Rural Manpower Service office. It seems absurd to expect that approximately 9,000 cane cutters could be hired in so short a scheduled interview. Once again the spectre of a facade arises. He might also have noted that the promised use of the interstate clearance system (Mr. Ashdown in letter dated 6/28/72) had not been utilized. Also, the local crew leaders who found American workers to cut seed cane were no longer employed when the aliens arrived.

Rather than continue to raise further proof of the facade, it will suffice to quote extensively from the *Review of the Rural Manpower Service, 1972*, a report which was authored and researched by the Special Review Staff of the Manpower Administration of the U.S. Department of Labor. This quote also bears on the further requirement for certification that foreign workers not depress wages and working conditions of American workers, on which point more will be said later in this paper.

"In evaluating this problem, the Special Review Staff concludes (pp. 35-38): "The effect of foreign workers on the earnings in sugar cane is difficult to ascertain because of the method of computing pay which is on a non-uniform task rate basis. The system operates as follows: A 'Scratch Boss' unilaterally decides what the rate will be for cutting a particular row of sugar cane. He determines the rate by sizing up a row of cane and estimating the time it would take to complete the row based on its length, width, density and other factors. Pay is not based on a uniform rate per foot or per ton cut, and may vary between rows a short distance removed from one another. This method allows for variations in average hourly earnings. Union and other worker representatives interviewed in Florida claimed that sugar cane earnings are depressed by the fact that the work force in this crop is dominated almost exclusively by foreign workers. *The earnings were so poor, they claimed, that domestic workers would not take the jobs when offered to them.* The claim concerning an adverse effect on sugar cane workers' earnings cannot be verified finally one way or the other due to lack of a standardized pay scale system that allows for comparability. Regional Office and National Office RMS staff both expressed concern over this situation in that there have been complaints about earnings in sugar cane while the present pay system does allow for verification of the earnings on any comparable basis.

"Efforts at recruiting domestic workers appear to be largely pro forma. The State farm labor director of one supply State said that interstate 'criteria orders' (orders which must be filed before foreign workers can be certified) were routinely refused by his agency and were returned to the State where they originated. The reasons given for returning the orders, he said, were not the real reasons. While it might be indicated that the employment period was too short, the distance to the job was too far, wages or living conditions were unsuitable, or no workers were available, the more compelling reason was that the orders were made to satisfy criteria for certification of foreign workers, and were never intended to be filled in the first place. He indicated that in the past when such orders were filed, employers would call his agency and ask why referrals were made on the orders when obviously they were only criteria orders. He added that in some cases when workers were referred they would be laid off or would quit because of low wages or poor working conditions, and then would return to his State where their complaints and bitterness at being referred became an embarrassment to the State agency.

"In the same vein, a farm labor contractor interviewed in the same State said he was reluctant to take crews to areas where foreign workers traditionally have been employed, because he has found working conditions to be particularly bad in those areas and he has trouble keeping a crew together. *It was reported to the review team that workers who have been in those areas before will not respond to recruitment efforts because they know they are not wanted.*

"Foreign workers can be attracted by an employer, however, in spite of wages and working conditions that are refused by domestic workers. This is true because the wages and working condition in the foreign areas where the workers come from are even less desirable by comparison than those in the U.S. The U.S. currency is desired by foreign workers because of the relatively greater purchasing power it has in the worker's home country. Hence, foreign workers, once they are here and working, tend to avoid complaining or agitating about conditions on the job, as they fear repatriation. A self-reinforcing cycle is thus created: foreign workers tend to depress wages; depressed wages discourage domestic workers from taking the jobs; and inability to recruit domestic workers is used to justify the use of foreign workers. The result is the continuation and expansion of the use of foreign workers despite an oversupply of domestic workers.

"Foreign workers now account for only about one percent of the total seasonal worker employment and are restricted to very few crop activities, primarily planting and harvesting sugar cane and picking citrus fruit in Florida, harvesting potatoes in Maine, and picking apples in New England, New York, Virginia and West Virginia. The number of foreign workers used in each State for apple harvest is insignificant when compared to the total employment within the State. This crop is not dominated by foreign workers in any area. Sugar cane harvest in Florida is dominated by foreign workers, and some adjustments would be required if foreign workers were no longer available.

"Nationally, the unemployment rate is 5.8 percent (September 1971) for all workers and 8.1 percent for agricultural wage and salary workers. Among the ten States in which temporary foreign agricultural workers were employed in 1971, September rates of unemployment for all workers ranged from 3.2 percent for Virginia up to 8.3 percent for Connecticut. The total unemployed in 1971 for these ten States was over one million persons, while the total number of foreign workers in 1970 was only 17,500. Florida, largest user of foreign workers under the program (approximately 9,000) is now faced with the problem of oversupply, and has discontinued any interstate recruitment to meet peak season labor needs for this year."

Naturally, the rhetorical question is how can the certification by the Regional Manpower Administrator be justified under the laws of our nation when even the U.S. Department of Labor has documented the facade of a "reasonable effort." Further, the Department of Labor had admitted its inability to determine if there is an adverse wage effect. To certify without certainty that there is no adverse effect in American workers' wages and working conditions is, therefore, a further violation by the government. Finally, the facade is certainly proven by the RMS admitting that Florida is a farm labor surplus state. It no longer recruits through the interstate clearance system because it realizes that there is an excess supply of farm workers in Florida. However, the Manpower Administrator certified a "reasonable effort" had been made to find Americans by the RMS and the agribusineses when they were unable to produce even one American cane cutter, American cook or American burner from the recognized excess supply of American farm workers in Florida.

Even were there no farm workers in Florida unemployed at the time of certification, the existence of under- and unemployed agricultural workers elsewhere in this nation is both acknowledged and documented by the Department of Labor. For example, in the Manpower Administration's *Rural Manpower Developments* there are regular articles documenting both the reduction in average man months of employment per year per farmworker (showing rising underemployment) and the reduction in employment opportunities due to mechanization, herbicides, and population intrusion into formerly agricultural areas. In fact, it is the conclusion of the Manpower Administration that unemployment among farm workers will continue to rise and that the possibility of successful retraining and resettlement for farm workers is low. Among the migratory element of the farm labor force, a similar problem exists as there has been a drop in the peak employment of migrants between 1969 and 1971 of 78,100 according to the Manpower Administration (*Rural Manpower Developments*, June, 1972, p. 15).

Needless to say, this *mobile* reserve of unemployed farm workers represented nearly ten times the number needed for work in sugar. While the 78,100 could be enumerated, for an article on the employment crisis, not one could be found or was located through the interstate clearance system for employment in sugar.

Further documentation by the Labor Department in previous years of this unemployment problem among farm workers abounds. See, for example, the statement by Secretary of Labor, George P. Shultz in the U.S. Senate *Hearings on Migrant and Seasonal Farmworkers' Powerlessness*, p. 4268. The existence of unemployed Americans to do work currently monopolized by aliens is also documented by the events following the termination of the Bracero Program (P.L. 78). In the year after the end of P.L. 78, several *hundred thousand American* farm workers were found by farmers in the southwest who previously had justified Braceros on the argument that Americans were not available to do the work. It is not surprising that the growers "discovered" the American workers when there was no alternative and cheaper labor supply. Of course, wages and working conditions had to be upgraded to attract American workers, but this desired result was the objective of the immigration acts as conceived beginning with the Chinese Exclusion Act of the 19th century.

If the exposure of the facade of "reasonable effect" needs additional data, the In-Season-Farm Labor Reports of the Rural Manpower Services should be discussed. These data are recorded in numerous labor market areas in each and every state in which agricultural employment has any importance. From these bi-weekly reports, the employment of domestic farm labor varies *seasonally* from a peak of more than one million jobs in the summer to a trough of approximately one quarter million in February. In short, during the peak employment of alien workers in sugar cane in Florida, the Department of Labor knows the location of nearly 750,000 *unemployed American farm workers*. In fact the peak employment of foreign workers regularly occurs during the peak unemployment of Americans while there are *no* foreign workers certified for agricultural employment during the months of peak employment of domestic farm workers. Clearly, if the immigration laws were being followed, requests for foreign workers would be based on a shortage of Americans only during the months of peak demand for farm labor. Certainly, were law and order to prevail, the interstate recruitment system would have been able to find less than 10,000 out of the *identified* 750,000 (+) unemployed American farm workers during the winter. Given the level of funding of the RMS, it is certainly not an excessive demand to expect it to locate only 1.19% of those seasonally unemployed during the sugar season. And yet, the RMS supported the agriculturalness assertion that no Americans could be found before the first recruitment attempt in Florida and without any attempt to use the interstate clearance system.

Clearly, "FACADE" is not an inappropriate term to describe this lamentable situation. The only place they looked, even superficially, for farm workers prior to the arrival of the first aliens was in South Florida. Due to climatic considerations, this was obviously the least likely place to find farm workers in need of work in August. Given the proven superiority of American business, the fact that they chose the poorest prospect for their search is strong evidence of what the Special Review Staff of the Manpower Administration indicated as *pro-forma*, or what is referred to in this paper as a facade.

Even within the State of Florida, the RMS In-Season Farm Labor Reports can be used to locate under- and unemployed farm workers available for work in sugar. Given the Rural Manpower Service's own estimate of 150,000 farm workers in Florida, these In-Season Farm Labor Reports evidence an under-employment level of approximately 50% in the state's farm labor force. Using RMS data, it can be shown that the peak employment is approximately 70,000 jobs on any of the 26 enumeration days during the year. Further, the citrus industry alone is using at a peak several thousand *fewer* farm workers, even given the record crop, this year than last. However, the certification for alien sugar workers still stands and nearly one-fourth of the jobs for farm workers in south Florida are held by aliens.

Finally, in 1971 the Secretary of Labor announced a new Migrant Manpower Program with the following comment:

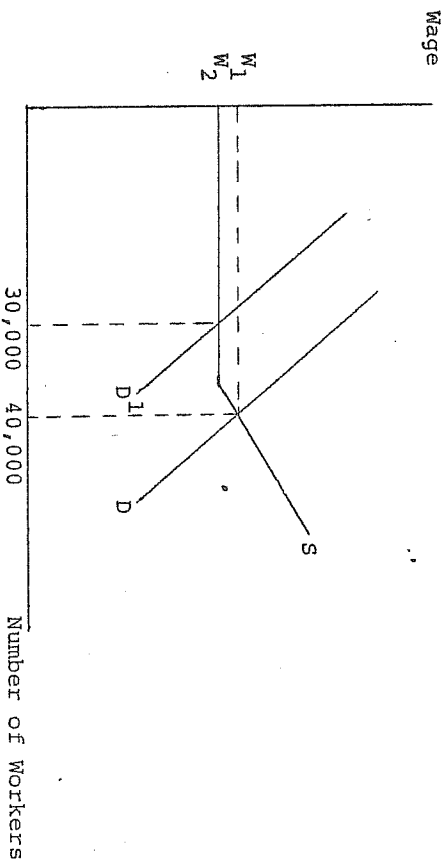
"Thousands of migratory families are facing a situation which borders on disaster. The meager pitance that many formerly earned for doing farm labor is no longer an assured source of income. It is the immediacy and paths of the migrant problem which has determined the goal of the program that is being proposed. To assist the victims of mechanization, to end forced migration, and to provide new and more meaningful options that will guarantee greater oppor-

tunities for migrant workers and their families—these are the overriding considerations."

The \$20.2 million program he proposed would have assisted only 5,800 migrant workers. Certainly, the acknowledgement of a facade and de-certification of aliens would help many more farm workers at *no cost* to the taxpayers. From a cost-benefit perspective, no other action could possibly have a higher yield. The second major requirement of our national law relating to certification of foreign agricultural workers is the requirement that the Regional Manpower Administrator determine that the employment of temporary foreign labor " . . . will not adversely affect the wages and working conditions of domestic workers." It is beyond the power of my imagination to understand how trained, professional labor economists in the Manpower Administration can honestly believe that the wages and working conditions of South Florida farm workers would not be adversely affected by reducing their available employment by approximately 25 percent of the maximum employment reported for this area in the In-Season Farm Labor Reports.

It is an elementary problem in Economic theory to predict the impact of a 25% job reduction in a labor area on the wages and working conditions of the farm labor force. The last time the U.S.A. experienced a 25% reduction in jobs was during the *great depression*, a time unanimously viewed as one in which wages and working conditions were seriously eroded.

Using the following diagram, this common sense conclusion is presented:



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Where S = Supply of labor.

D = Demand for domestic labor in Sugar and other South Florida crops.

D₁ = Demand for domestic labor with 10,000 jobs filled by foreign workers.

W₁ = Equilibrium wage with all jobs available to domestic farm workers.

W₂ = Equilibrium wage for domestic workers with 10,000 jobs restricted to foreign workers.

In short, not only are wages and employment reduced for domestic workers, but the number of domestic workers who are involuntarily unemployed is increased. Whenever there is a large supply of unemployed workers seeking employment, working conditions deteriorate simply because a farmer will discharge any worker who complains about eroding working conditions and will be able to replace him easily with a hungry and desperate farm worker. This situation accounts for the U.S.D.A. statistics which show a continued decline in the average number of days worked per farm workers in our country. With rising surpluses of labor, each man works fewer days with a resulting fall in real income. As mechanization accelerates, the problem becomes more severe.

Further, from data taken from the actual paychecks of British West Indies cane cutters, it is clear that the daily rate of pay to these alien workers is less

than the rate of pay in farm work for Americans in South Florida. For example, average data for one producer's organization shows an average daily wage per worker, after deductions for meals, of approximately \$10 per day. This amount is considerably less than the daily rate of piece-rate pay in South Florida vegetables. In fact, it is below the minimum hourly wage for an eight hour day in agriculture (\$1.30 per hour) as set by the Federal Government. Needless to say, this fact further discriminates against a successful recruitment of Americans in these jobs. Once again, the intent and letter of the law are violated and the aliens have a twofold impact in the depression of wages and working conditions for Americans. First, by taking nearly 25% of the South Florida agricultural employment opportunities, the foreign workers depress the wages and working conditions for the domestic work force. Second, by being hired for less than the alternative wage level in other crops in South Florida but for more than the alternative wage in their homeland, the West Indians insure the continued lack of a reasonable effort by the profit-oriented sugar agribusinesses. In direct violation of the law, the sugar interests are annually generating their recruitment facade which as planned, does not find American workers to work in employment which pays less than the prevailing wage in the area of employment. While the wage in non-sugar employment is depressed by the presence of the alien workers, it is still higher than in sugar employment. Of course, if the growers had received from the pool of 750,000 unemployed Americans outside of South Florida during the winter, the workers would have been found and the facade clearly destroyed.

Another impediment to the successful recruitment of American farm workers is the absence of family housing in the offer of employment by the sugar cane growers. The fact that family housing is a basic requirement for successful recruiting, i.e., where it is not intended to be a facade, is accepted by most of the sugar producers. For example, A. Duda has family trailers for the Texas-based workers whom he employs in vegetables in the Belle Glade area. The United States Sugar Corporation provides family housing for tractor drivers, all of which must be American workers. It is a striking fact that only barracks are supplied for the sugar cane jobs which are filled by aliens, especially given the acknowledgement by these growers that successful recruiting of American workers requires family housing.

In conclusion, an example of a successful replacement of foreign farm workers by a Florida industry will evidence immediate success where a "reasonable effort" is exerted. During the 1960's the Florida citrus industry was certified for a large number of West Indian pickers on the basis of a claim that Americans were not available. During the decade according to Mr. Clark M. Ghiselin, Executive Director of the Citrus Industrial Council, the industry realized that there were large pockets of unemployed Americans in the South East who would provide a less expensive supply of labor. The first superficial attempts to utilize the interstate clearance system of the RMS met with no success *at all*. The citrus industry, since it really wanted American workers, visited the RMS offices in other states to discover why there was no success. When it was discovered that there were negative images about working conditions in Florida, the industry flew to Florida officials from the state agencies to overcome this problem. As a result of this reasonable effort, the citrus industry was able to replace all of its alien workers. To ensure continued success, they flew down state agency personnel to interview workers they had referred to Florida to see that conditions were satisfactory.

However, at the *same* time at which this success was being recorded in citrus, the sugar interests—Department of Labor collusion was generating the facade and myth of the nonavailability of American workers. As a result of superficial recruitment which was restricted to the worst possible labor areas, the drop in demand for alien employment in citrus was offset by the increasing use of foreign workers in sugar. To date the sugar industry has never been required to duplicate the success blueprint of action which has been provided by the Florida citrus industry. Law and order would seem to demand such performance.

STATEMENT OF DR. MARSHALL BARRY, ECONOMIST, ASSISTANT

PROFESSOR, NEW COLLEGE, SARASOTA, FLA.

Dr. Barry: Thank you.

I come before you today as a scholar of farmworkers' problems in Florida with approximately 4 years of work involving research into

the economics of farmworkers for the United Farm Workers. For the past several years my students, who number over 350 by now, have been in every county in Florida with more than 500 workers employed in agricultural activities. And, I appreciate the opportunity to submit more information, and I would like to go through some case-by-case studies of information we discovered of subverting of Federal moneys and laws in the State, and often with the collusion of Government employees.

I would like first to begin by commenting on other testimony and questions from the panel. And, in the case of Rural Legal Services, which was mentioned as having programs which should be somewhat curtailed in operation because of revolutionary activities; it appears to me any organization that could have prevented by legal operation the outbreak of typhoid and outbreak of slavery by class actions against Government agencies who are not protecting health and other services, should certainly be applauded by all citizens as reducing hardship of these people and other problems involved with these people.

Just to give you an example here, I have here a newspaper clipping from the Tampa Tribune of March 16 of this year headed: U.S. Dollar Gyration laid to Swiss Food Firm.

It reads:

The dollar weakened yesterday after strengthening earlier in the week, but the reason for these gyrations had less to do with the monetary crisis than with the needs of a single company for dollars.

The company was Nestle, the giant multinational food corporation of Vevy, Switzerland, which had just made an American investment and had to pay for it. A company spokesman confirmed that Nestle had just acquired the Stouffer's frozen foods division of Litton Industries and said that payment was due "around this time."

The activities of Nestle demonstrate the power of multinational companies to influence the currency markets. In addition, small central banks from oil-rich Arab countries, from Communist countries and from other nations deal in the markets along with private banks and other investor-speculators.

As you can see, in the State of Florida we have other giant multinational corporations such as Libby's and there are many others, which operate on the European dollar market with sufficient force to cause a depression of the U.S. dollar.

So, we have people from the United States using workers and paying workers at a poverty level but with a firm large enough to control the U.S. dollar internationally.

So, that is an unfair match.

Mr. Ford. What is the other?

Dr. Barry. The other comment is who is gaining profits from the rising price of foodstuffs in the recent past.

According to the article in the Tampa Tribune of March, 1972, out of \$102 amount, the middleman accounts for \$17. You can see the increased benefits go to the farmer and it was much greater than to the middleman. So, the increment of profit is accruing to agribusiness of the type that control the U.S. dollar. So, what is happening is, since we know the farmworkers' wages did not go up at all in the State of Florida, nor did they nationally, and yet we find that the food prices are going up and the share of food prices is predominantly to agribusiness—this year we have a 10 percent increase in the cost of food

prices for the American consumer, and certainly no 10-percent increase in the wage scale for these people.

I will submit that. Welfare has been discussed also in today's hearing. And, here Secretary Schultz recently pointed out in evaluating the distribution of farm subsidies and who gets the benefits—he reached the conclusion the total subsidies range, for farmers, between \$9 and \$10 billion compared to the welfare programs, which cost some \$9 billion, less than the aid going to farmers. So, the fact we have agribusiness getting as much as all the Federal and State and local welfare services together. And yet it's called a subsidy when it goes to the agribusiness. It is called welfare for poor people. As an economist, I can't distinguish between those two words. It appears as though the rich are getting paid for doing nothing just as some of the poor are perhaps getting paid to do nothing.

And, the other comment has to do with the sugar industry in the State of Florida. According to the reports I have received, they have received this year from their production, based on growers' statistics, the mind you, \$41 million, which includes some \$7 million from the consumer, because it's two times higher than the world price. I think you should know that the sugar price is based on the event that depressed sugar prices in 1917, for an event that occurred around World War I, and the price of sugar fluctuated wildly in every direction. And, now housewives are paying twice for sugar, and today they pay a third again as much as elsewhere for sugar. And the problem is, and in addition to having paid as much as in the welfare program, the State of Florida is using Jamaicans to harvest the sugarcane crops. So, what we have is not only the failure to provide jobs, but also the failure to provide decent living conditions for farm laborers.

Let me say, if I may, I have heard the enlightened person that says that Mexicans, Mexican-Americans, the best people to pick lettuce, because they are my size and people from Jamaica are the best people to pick cane, because they are the size of our other counsel here. And, this is said not in jest, but in seriousness as an explanation why you have to bring them in rather than the local people.

Now, what is the impact of that? How many do they bring in here? One of the companies brought in machines here, but in the past they've had 10,000 men paying something like \$10 million in wages that would otherwise go to American workers.

Mr. Ford. Is it an annual in-and-out migration, or what?

Dr. BARRY. It is an annual in-and-out migration. They have some resident aliens that have been able to get permanent visas, but basically most of the workers go back every year.

Mr. Ford. The Labor Department allows them to come in on the theory you can't recruit local labor?

Dr. BARRY. They are allowing them in. The word of the agribusiness people is proof of reasonable effort, or at least accepted as such, because in testimony under oath at a Federal hearing last fall, the Federal Administrator said that he had received one letter asking for Jamaicans to work in sugarcane.

He sustained under oath in the transcript of that testimony that there were only two original letters written in June by the industry and a submission letter written scarcely 2 weeks later by the State

agency endorsing the growers' request. There was no proof whatsoever of any recruitment effort at all when in July it was decided to let them come in and take these jobs. It was discovered that they claimed they couldn't find an American cook to cook the Jamaican food. And the job description for the cook insisted that the cook be able to cook Jamaican food. So, if you're trying to find American workers, why are you looking for a cook who cooks Jamaican food? And, once again, this is a self-fulfilling prophecy. A person was here testifying in the Manpower Administration hearing talking about the pro forma effort of the Department to get manpower to send in to the fields. When they got people to go out through some error, they later came out saying, "What the devil did you send these people out for?" It was a pro forma certification at best.

Mr. Ford. Is it limited to just the sugar industry, or is it spreading? Dr. BARRY. That is a big thing, too, it used to be utilized by the citrus industry in Florida, but now it is spreading. Incidentally, for people who've never picked oranges before, when you give them an opportunity to pick oranges, it's a physically demanding job, because an average worker can pick oranges for a while while he's standing on a ladder with a bag around his neck—he's going up and down a ladder, and it is not easy.

The thing that sent me off this morning is an article in this morning's Miami Herald which states "Two cane-cutter camps shut; full automation seen soon." And, what happened is the Department of Labor sent down inspectors to these cane growers and found the cane camps didn't meet the requirements. And, it was found necessary to close them down. But, the last certification for farmworkers expired on the 2d of April, and here it is the 5th of April, and they, on the 5th of April to close the camps for which no workers are certified anyway. So, that's great. People will see this and say that is really enforcing the law. And, if you get that article and read it, they talk about U.S. Secretary of Labor Brennan shutting down two camps for Jamaican cane-cutters, labeling living conditions there "deplorable and disgusting," that human beings shouldn't have to live under such conditions.

The Labor Department found floors rotting and cracking underneath. Newspapers and rags plugging the big cracks in the walls. Steps and porches were in similar disrepair.

However, there was no way in the world that camp couldn't have been in that condition when the Department of Labor was supposed to certify that camp as meeting the code as far as living conditions are concerned. There is no way that camp could deteriorate that much in 4 months, unless they bring their own termite and wrecking crews—there's no way it could.

And, the final thing I wanted to comment on was when those Department of Labor people came into the area, not one of them contacted the people in the area to find out about violations, so, they were prevented from finding about the surveys that Mr. Medina mentioned in his testimony.

Mr. Ford. Without objection, the article appearing in the Friday edition of the Miami Herald, the section entitled "Around Florida," will be inserted into the Record. And, I promise you I am going to

find out about it. I'll communicate with Mr. Brennan and ask him about this.

[The document referred to follows:]

[From the Miami Herald, Apr. 6, 1973]

MIGRANTS' EMPLOYERS CLAIM THEY CAN'T PROVIDE HOUSING

(By Jerry Schwartz)

IMMOKALEE.—Like the pickers they hire to harvest their crops, the farmers, of this area, are, in a sense, migrants.

Each year they must look for new fields in which to grow their tomatoes, cucumbers, pepper, squash and watermelon in sandy loam that is free of the weeds and plant bugs produced by previous farming and fertilizing.

And while some grants of Agribusiness, such as A. Pruda and son, own thousands of acres, most farmers rent small plots of 400 to 600 acres for a year at a time from development and holding companies.

The result is a situation in which the farmers who need the migrants to bring in their crops have neither the land base nor, they say, the money to build housing for the 10,000 to 20,000 farmworkers who come here to pick each fall.

"If just wouldn't pay," says Collier County Agriculture Agent Don Landers, who says that although tomatoes could yield a farmer as much as \$1,000 an acre in the best years, most farmers experience three bad years out of every five. Sometimes he says they lose as much as \$2,000 an acre.

And if farmers were forced to provide housing for the workers, says David C. (Doc) Brown, a veteran farmer and Freshman Collier County commissioner, "it would put them out of business."

"We're not in the construction business," says Norman Herren, executive vice president of the mammoth Collier Development Co. "We don't have a construction company. We're in the land management business. We don't build for anyone."

Anyway, says Herren—whose company leases about 7,500 to 8,000 acres a year for farming—the people ought to live in Immokalee, "where they have services and the stores and where their kids can go to school."

And indeed, that is where most of the farmworkers in the area live. The environment treated is one of monumental dinginess. Driving through the center of Immokalee, you get the impression the town has three primary industries: jacking plants, Mexican restaurants and slums.

D. Marshall Barry, a professor at New College in Sarasota, says figures he took from a Florida Farm Bureau publication show the average annual profit for a farm in Collier County to be \$57,746 and for a farm in Lee County to be \$19,665. (Barry compiled the figures to testify on behalf of the United Farm Workers, AFL-CIO, against a right-to-work bill in the Florida Legislature.)

And George Lytton, a South Dade grower whose combine farms tomatoes on 2,000 acres of leased land near Homestead, says he feels "morally obligated" to provide housing for the migrants who harvest his crops—even though he figures he'll lose about \$12,500 this year on the operation of the Far South Migrant Camp he has leased for that purpose. (The Health Department, meanwhile, has criticized the camp.)

Around Immokalee, however, the farmers generally don't provide housing and the handovers who lease them the land disclaim any responsibility for doing so.
Not all the farmworkers' quarters here are substandard. Among the exceptions is the complex of 20 modern house trailers owned by Capt. Joe Hunter, the commander of the sheriff's substation in Immokalee. The trailers rent for \$30 a week.

At the other end of the spectrum are places like the Zanzibar and Red Star camps, both owned by Alphonso Campbell. The Zanzibar camp was described in a letter to Campbell from the County Health Department Oct. 5 of last year as being "in deplorable condition with sagging beams and many holes in the outside walls."

The letter said the Zanzibar couldn't get a permit to open as a migrant labor camp until it was fixed up.

Such threats around here generally appear to be taken lightly, however, since they are seldom backed with action. The Zanzibar wasn't fixed up. It didn't get a license. But it is still operating, although it has now been warned again.

In most cases, enforcement of housing and sanitary codes is lax—even to the point that of the 75 or so camps in the Immokalee area, only 44 are licensed by health officials.

"If you close them down," said James L. King, the county health department's sanitarian, "you get criticized."

The criticism comes in a phrase that has become almost a litany in discussions of why substandard migrant camps aren't closed down: "If you close them down, where will the people live?"

Among the apparently increasing number of persons who reject this argument is Edward Trombeta, the Florida Secretary of Community Affairs.

"They say, 'Where do you put the people?' I tell you this—in an emergency, things always seem to get done. There is always a National Guard army they could live in."

There is, however, not much else—nor any prospect of there being much else.

[From the Miami Herald, Apr. 6, 1973]

HOUSING LABELED HORRID

(By Tom Smith)

U.S. Secretary of Labor Peter J. Brennan shut down two camps for Jamaican cane cutters Thursday, labeling living conditions there "deplorable and disgusting."

Brennan said the A.F. Saunders Labor Camp, south of Clewiston, and the Shawnee Camp, east of Clewiston, were ordered closed because of "serious deficiencies in housing conditions for alien workers."

He ordered the U.S. Manpower Administration to ask the Immigration and Naturalization Service "to take immediate action to remove all workers from these camps." Immigration officials said they would heed the request.

About 500 workers have been housed at the two camps this winter. The Saunders camp is leased by the Glades Sugar Growers Association also known as the Moore Haven Sugar Co-op.

A third camp, operated by East Beach Farms near Pahokee, also would have been declared "unacceptable," Brennan said, if any workers had still been there. The camp, however, already had closed.

Ironically, the Shawnee Camp, owned by Shawnee Farms Inc., also was in the process of closing down for the season, which is almost over. Some of the Jamaicans already had shipped out Wednesday with most of the rest leaving today.

The camp closings followed a two-week investigation by a team of six investigators from the Labor Department.

"The conditions reported to me by my investigative chief were deplorable and disgusting," Brennan said Thursday. "Human beings should not have to live and work under such conditions."

The Labor Department found "floors rotting and cracking underneath . . . newspapers and rags plugging the big cracks in the walls . . . steps and porches in similar disrepair," according to information officer Jack Hashian.

The Labor Department investigators inspected 25 camps in South Florida, most of them in Palm Beach, Glades and Hendry counties. Camps with correctable deficiencies were ordered to shape up their housing for workers immediately.

Dr. Barry. When you communicate with Mr. Brennan, sir, if he's outraged and has a deplorable feeling and a disgusted feeling, that is just the type of situation we have constantly with the farmworkers in the communities. The worst conditions imaginable. And, the Department of Labor should really get into discussing such violations. Mr. Ford. We intend to give them an opportunity to educate us on what they are doing and what reasons they have for the difficulty they seem to be having in dealing with these problems. When that happens in Washington, I'm sure there are some people right here who will be present to ask the proper questions and participate in this situation. You can be sure we fully intend to do that. It's our intention to help the Labor Department. And, if they are not getting money

or support over there to do it, we'll help them before jumping down their throats, of course.

Dr. BARRY. But, the problem is they have significant help already from these firms in the agribusiness community. It doesn't appear to me when the farm labor office is furnished in every part of this Nation with names and know where the farmworkers are, nearly a million during the height of the season in the summertime, they know how many are transients and how many are interstate and intrastate, how many are Chicanos and blacks, and everything else throughout the Nation, and there are about 17 in the State of Florida—these stations, they know where these workers are in the season in Florida. So, they know where 750,000 farmworkers are at any time but can't even find one to work in the sugarcane industry. All they had to do was find 1.19 percent that they could identify from their own data, and they could have filled the quota for the sugarcane cutters in south Florida. So, that's not a matter of their not being available. That is a matter of effort.

Mr. FORN. How about this situation in Jamaica; are there companies that make a business of providing laborers in Florida?

Dr. BARRY. That is handled through the British West Indies organization and the Jamaican Government. I think the Jamaican Government is involved, yes.

Mr. FORN. Okay.

Dr. BARRY. It is not a matter of funding, really. It is a matter of intent. And, it reeks of the lack of intent.

So, that is basically what I wanted to discuss today for the record, and make a more detailed analysis of the lack of reasonable effort. This is what I found in the past when dealing with the Labor Department in good faith as a novice, a person who is an academic and not a union organizer, a person not trying to cause trouble in the community, but interested in change. And, when I found out about a specific violation, they don't correct it, they smooth it over, they rationalize it and escape from having to do something about it.

Mr. FORN. We have been down this road with them before. When we eliminated the Bracero program, they told us we were going to bankrupt all the farmers. So I personally worked to get grants to put together a kind of OEO Crew Leader program to take some minority unemployed, particularly young people with no potential of employment at all up in the metropolitan areas, and help out. We were absolutely assured by every responsible person that we had destroyed the industry. You would be interested now how that industry has grown since we destroyed it several years ago. There is a great deal of panic about these things. I've had an experience of seeing how responsible people and newspaper editors in our State berated us for our irresponsibility and hasty actions for cutting off this labor supply; and for some reason, once the Bracero disappeared, somebody else came in to take his place.

Dr. BARRY. In a matter of 2 years, over 200,000 workers were taken out of the market, and workers presented themselves to take their places in the Southwest.

Mr. FORN. I think our friends in Congress and in organized labor are changing their beliefs, and we have friends who are free traders in this movement now. Now there is some thinking about self-interest

that is beginning to reflect itself in directions that Congress hasn't had in the past.

And with the employment situation the way it is in most of our industrial States, many Congressmen are viewing things like this in a much different way than they might have in the past. And, I expect it's not because of the great concern for this particular problem, but because there is an overriding concern in the country that we may be coming into a period where we can see the hope of doing something about foreign exports. I hope we can do something about it. You are in danger of being an isolationist when you start talking about cutting off anything of this kind.

For example, there are known to be around 25,000 Canadians in my congressional district, and if they wanted to, they could take out citizenship papers and deal with any problems that way easily enough. You cannot change anything much if you crack down on aliens working in the auto plants in this area. And I always hasten to say that, with 25,000 of anybody, you don't want them too mad at you. But we do have problems there, and there are people now starting to talk about problems with the illegal aliens in a lot different way than before.

We have been emotionally hoisted on the idea, particularly when you look at the way some countries were treated. Our immigration policies discriminated so badly against particular kinds of people that there grew up a very strong liberal mind that you should resist restricted enforcement of the rule that kept people from fulfilling their dream of coming to America, and getting a job. This is pretty hard to wrestle with. That is the kind of thinking that makes it difficult for people to handle when we start talking about strict enforcement. We are faced with really tough decisions these days. We can't put off any longer these considerations. I appreciate very much your taking the time to come here today.

We understand what this means to you on a personal basis today to be here, and I hope that we can ask staff to maintain contact with you to try to build on the work you've already done, in particular, with respect to the offshore labor problem.

Dr. BARRY. Thank you, sir. I will be happy to help.

Mr. LANPHERE. Dr. Barry, I'm sorry that I missed most of your testimony, but I just mention that we had a gentleman appear here this morning who said that he had tried cutting cane, and it's a hot and dirty job, and he didn't like it.

Now, what do we do? This isn't like the situation in Puerto Rico where there is 20-percent unemployment and yet people don't want to work in the cane fields. How do you get them to work in the cane fields?

Dr. BARRY. The question in Puerto Rico is more complex than people not working there. The people are living there; South Jamaican Sugar Co. is now the Gulf and Western subsidiary, moving from Puerto Rico over to the mainland, so they're still producing.

But, what bothers me is that this is a problem, in that you can find a case in a world as large as ours for anything. And I know people personally who believe the world is flat. It doesn't prove the case that the world is flat by referencing one individual who believes that to be the case. I believe with three-quarters of a million unemployed farmworkers, and where they are located is known by the Rural Manpower

Service, they have never been contacted until months after this situation existed that I have documented, and not until a lawsuit was put in about sending work notices out was anything done about it. So, I think we have no way of knowing that 10,000 out of 750,000 Americans wouldn't cut sugarcane. I think if the working conditions and everything wasn't so deplorable, it would be different. You can say people wouldn't be a college professor if it paid \$5 a week, but people would if it was commensurate with the demand of their education and it it were a challenge.

If you go down to the Belle Glades area, you'll see celery workers bending up and down by a mule. Now, that is real stiff, very difficult labor, but they get a lot more than I've been able to see personally from the pay stubs of Jamaicans. What they're paid comes out to an average in these cases of \$10 a day below the prevailing wage scale. These people have to live in housing like the ones that have been exposed to the press, so there is no injury to the employers by the Government at all. You know, you have to drive around in open trucks, and in most cases there is no drinking water in the fields, or anything.

And, I feel if a decent job was provided that it would be different, which I think is the purpose of the law for protection of working conditions and to pay people to take these jobs, then you'd easily find 10,000 Americans to do that. Because, if you have jobs offering regular employment and good wages and working conditions, decent, things would be fine.

Mr. LANDBREBE. Very frankly, there are a lot of good jobs in America going begging today.

Dr. BARRY. A lot of good jobs, but not for people with an average of 6 or 7 years of education.

Mr. LANDBREBE. I am not trying to prove your statements are not true. I am trying to develop some thinking here. My honest thinking is that, and I've mentioned this before, our welfare programs are our biggest competitor in the area of jobs and employment today.

For example, in the welfare offices of Lafayette, Ind.,—a man by the name of Jerry Stempo operates a business in Lafayette. He went to the welfare office. He saw 30 people sitting or standing in the room. He asked each one of them, "Do you want a job?" Without anyone saying what does it pay and what are the fringe benefits and what are the retirement benefits, or anything, they said no, we don't want a job—each and every one.

And, for another example, take my own transportation business. I have three moving vans. And, at one time we didn't have one man who would hustle furniture at union wages, in northern Indiana. So, not only do we have welfare, but we also have an expanding economy today that is giving a great opportunity to lots of marginal workers—or who would have been marginal in years past.

But I'm really not debating this with you.

This is just something I wanted to get into the record.

Dr. BARRY. I wish you were here earlier during the first part of my testimony. In that testimony I indicated that the welfare in every State is equal to the total amount of subsidies to the growers for doing nothing. And, most of the agribusiness is equal to all the welfare payments, including Medicaid and other benefits. And, I have friends with pastureland and who have bought pastureland on payments for never

doing anything with the land when they never planned on doing it in the first place. There are land developers who are holding land only until the next subdivision catches up, because they can get subsidies for not doing anything with it. And, I can't see any functional difference between the word subsidy and the word welfare.

Mr. LANDBREBE. I don't have to squirm at that because I haven't been voting the subsidies.

But, for the sake of rebuttal if nothing else, I think the farmer is able to take care of himself at the present prices. Let me say, again for the record, say that in April of 1972, the farmers in Indiana were selling hogs on the hoof for exactly what they were getting in 1954. And, you were not working as a professor at the same rate, and I wasn't hauling freight for the same rate, as in 1954. But today that farmer is getting 39 cents on the hoof for hogs, but he's still making money. And, he doesn't need the subsidy to keep in business. Subsidies, as I interpret them, are to help stabilize prices in the market. So the Government was buying up and storing surpluses. And, it was intended to hold down surpluses, not to be a welfare program at all. If it was intended to be a welfare program, I would have gladly voted for a \$5,000 ceiling on it. But, to put a \$20,000 ceiling for subsidy payments—if we are serious about holding down production, then it's necessary to hold down big farmers.

Dr. BARRY. I think this is appropriate. The farms have split up in smaller units, and plenty of effort has been spent on this problem. You know, one family now can get seven checks rather than one, because they split their holdings up into seven, and each of them gets the maximum amount available, which is the same amount as it was last year.

Mr. LANDBREBE. I am perfectly willing to say at this time in history that farm subsidies should be eliminated. I am not proposing that we eliminate all welfare, but we have situations that make not working more attractive than working. And, we have marginal work that has to be done. And, I'm interested in the working people and I'm interested in the migrant workers, in all working people. And, I'm concerned too about simply making not working so attractive that we create problems.

Many welfare recipients do not work, and simply make a drain on the Treasury, putting us further in debt.

Dr. BARRY. I am concerned about welfare payments to poor people when 70 percent of the budgeted amounts normally go to salaries and administrative expenses to the nonpoor. Almost none of the benefits for the programs as we know them get to the people. Most of the money goes to administration and so forth.

Mr. LANDBREBE. That is exactly what we are going to do, strip out the bureaucracy so that the people that need our help get more than a bare existence.

And, I submit, there are bureaucrats who would make good cane cutters.

Dr. BARRY. I'm not sure that I'd go so far as your views or Richard Nixon about cutting out Rural Legal Services, but if you have got companies that affect the value of the American dollar in Europe here hiring farmworkers in Florida controlled by Swiss-based firms, then the only side that can employ lawyers, that can support lawyers, is the agribusiness, and not the farmworker. The farmworker is going

to get whatever lawyer he can. So, this is a revolution of the most un-American type in America, where agribusiness are installed as land barons and political czars, where there is no attempt to enforce the rights of people, no attempt is made to protect them at all.

Mr. LANGREBE. With some \$40 million of revenue sharing here, you don't think your legislature can use this wonderful program?

Dr. BARRY. The top three industries in this State are agribusiness. And, you are a politician and I am not, but I've seen enough from my trips to Tallahassee to know who controls in this area. But, what happens when these people start to enforce the particular laws on a local level? The Government here asked for an advisory body. Now, since when has an advisory body included farmworkers on it? Fifty per cent of the membership is appointed by the Governor and the others are growers in the State. Now, you get people like Wedgeworth and other growers involved, and Campbell, the vegetable growers—as I said, you've got a board trying to alleviate legal problems of the farmworkers in the arena, and it simply doesn't work. And, you can see that. There is no way in the world that program is going to function properly with the people sitting on the board controlling it who are the targets of the legal action if any such action exists. And, this is law and order involving human rights. Without Rural Legal Services and United Farm Workers involving themselves, this doesn't even exist.

Mr. LANGREBE. I wish we could go on, but if I sound belligerent, I don't mean to be—I came down looking for the truth, and for the facts.

Mr. FORD. I would like to observe that one of the most dynamic members of the Education and Labor Committee has told the story numerous times about the fact that her people, the Japanese, were brought to Hawaii to cut cane. Representative Patsy Mink was born on a plantation, a fact she considers very proudly—and the Japanese-American population of Hawaii is largely there because the sugar interests imported Japanese, not because of their size or some other factor, but because the native Hawaiian was bigger than the native Japanese.

Now they are being replaced by Filipinos. I suppose when the Filipinos get more education and politically sophisticated, they'll get the Japaneans. I smile when I hear about these things about little guys not being able to do something. Anyway, thank you very much.

I want to tell all the people here, in deference to these people, we've sent out for cheese sandwiches. And, I am going to eat it in front of you so that we don't have to take the time for lunch, because people have come here and traveled long distances to be here. Our next speaker is Dr. Barry Engerbreton.

Without objection, the prepared statement will go in the record. [The statement referred to follows:]

STATEMENT OF Dr. BARRY ENGERBRETON, ASSISTANT PROFESSOR, DEPARTMENT OF FAMILY MEDICINE, DIRECTOR OF GRADUATE MEDICAL EDUCATION, UNIVERSITY OF MIAMI

"Widely distributed throughout the world, typhoid is everywhere an index of the sanitary intelligence of a community"—Sir William Osler, M.D. 1849-1919. I would like to outline some of the major health problems of farm laborers in Dade County and the implications that these health problems have regarding the general living conditions of the farm people.

The first health problem I would like to discuss is the recent typhoid epidemic which occurred in the South Dade Labor Camp. Over two hundred farm workers have been hospitalized in the epidemic and at present one-hundred-eighty-six have been confirmed as typhoid victims. To put this in perspective, this is the largest typhoid epidemic in this country since the very early part of this century. The epidemic occurred because of poor sanitary and water conditions in the camp.

Typhoid is an illness that reflects the general living conditions of a community. Despite the implications of some, that this was an accident that could have occurred in Coral Gables or on Miami Beach, the facts are that this problem has occurred *only* in a farm labor camp. It has *not* occurred in middle class America. In my tour in Vietnam American troops were scattered in mountains and jungles throughout the country. We had no epidemics of typhoid. Very basic principles of water supply and sanitation were easily applied there.

The epidemic of typhoid here in South Florida is an ongoing monument to the living conditions of the farm laborer. Its effects will be continuing for months to come. The economic effects will probably approach one million dollars. The physical, social and emotional effects are unmeasurable, but many of our families will continue to suffer for months to come. Plague spread out of South Florida is uncertain at this time, but as with the epidemic, the farm labor people will bear the brunt of the problems produced.

The second major health problem I wish to discuss briefly is pesticides. I would like to call your attention to the records of the hearings held before this committee in October and November of 1971 on H.R. 11007. I will summarize the testimony of Dr. John Davies of the University of Miami Department of Epidemiology. He is out of the country at this time. Dr. Davies' studies in South Florida have shown that the farm labor population have blood pesticide levels from two to four times greater than middle class urban residents.

For example, in his study the total DDT concentration was an average of 34 parts per million for white upper and middle class men, 68 ppm for black lower socio-economic class men and 130 to 160 ppm for farm laborers.

The most obvious cause for this at first glance would appear to be the exposure of the farm people to pesticides in the fields. This undoubtedly plays an important part, however, Dr. Davies has shown another significant factor is the household use of pesticides. Housing conditions with abundant fly and roach populations, poor garbage collection and lack of screens, leads to increased use of household pesticides and consequent increase in human blood and fat levels of DDT and other pesticides. The implications of increased levels of pesticides in human beings over long periods of time is as yet largely unknown, although some ill effects have been well documented in other animals. It is safe to say we are watching an ongoing human experiment on the chronic effects of pesticides in man.

There are many other health problems of the farm people, but the two I have mentioned are probably the best documented. In each case, the problems are a direct reflection of the living conditions of our patients.

The tax dollar pays for the health care provided. The health care is necessary because living conditions are poor. But most importantly, my patients are suffering today, in a time when it would seem our society is well able to prevent this suffering.

Typhoid Epidemic in South Dade, Florida—Jane Olson and Lynn P. Carmichael, M.D.—unpublished manuscript.

The Pesticide Problem of the Agricultural Worker—John Davies, M.D., M.P.H.—unpublished paper. Hearing before the Subcommittee on Agricultural Labor. Ninety-second Congress—Oct. 7, 19, 28, Nov. 4, 1971.

STATEMENT OF BARRY ENGERBRETON, M.D., ASSISTANT PROFESSOR, DEPARTMENT OF FAMILY MEDICINE, DIRECTOR OF GRADUATE MEDICAL EDUCATION, UNIVERSITY OF MIAMI

Dr. ENGERBRETON. Thank you. What I planned to do was to read, or go over very briefly this prepared statement and then answer any questions you have. If you want, I will let you read this. It's only two pages, and then perhaps I'll answer any questions you might have.

Mr. Ford. Go ahead with anything you want to add to this.

Dr. ENGBERTSON. I'll just take a minute and let you read this first. Mr. Ford, I wondered if you could talk with us a little bit. Typhoid is a thing that you get shots for in the service. At least for most of us. It has been under control in the society that most of us live in during most of our life in this country for so long that, even at my age, I have very little understanding what it is and what it does.

I have read about instances historically. Could you give us a breakdown on what this disease is and how long it lasts and what it does?

Dr. ENGBERTSON. Briefly, typhoid is an infectious illness carried by a bacterial organism. There are several modes of spread, the most common one in the country is generally direct personal contact. And, this would be in a situation where one has the infection and passes it on through unsanitary conditions at home, not washing their hands, eating after someone else, with the same dishes, and this kind of thing.

Mr. Ford. Like drinking out of the same cup?

Dr. ENGBERTSON. Yes. And, this kind of thing would spread only with people from direct contact.

And, only five cases a year generally are spread in this manner here. And the other form of spread is through contamination of something like a water supply. But, generally it's like this case here at the South Dade labor camp, where the water supply was contaminated, and everyone drinking the water has the opportunity of getting the infection.

And, you mentioned that typhoid has not been a problem in this country, which is correct. The main reason for that is the sanitation protection in this country are generally in pretty good standing. Water supplies are chlorinated, which will kill the bacteria, and the sewage is generally processed hopefully to also kill the bacteria before it gets into the water supply.

And, you mentioned briefly immunizations, but the immunization is not an effective one.

In other words, if 100 people get their shots, and I don't know the exact percentages, but probably only 75 are protected, and the other 25 can still get the illness even with the injection. But, the reason typhoid is not a problem in Vietnam was that the Military had well-established procedures for water and sewage control even in very remote areas. And, everyone knows this and they have people specifically assigned to water supplies. So, with a minimum amount of effort, these kinds of procedures can be instituted and typhoid will not be a problem even in an area like Vietnam, where it is endemic among people.

Mr. Ford. There are a number of societies where it is a regular sort of thing, and you either die young or you survive a number of diseases that we are not exposed to anymore. That is why we get full of shots every time we leave the United States. This causes some people to suggest that a typhoid epidemic, if it's given an opportunity to spread, could be more devastating than in lesser developed countries in terms of its virulence and general effect. How long does it take to get over typhoid?

Dr. ENGBERTSON. I treated the illness usually runs about 2 weeks from the time of onset of symptoms. In other words, from when you

first get sick until you get over the illness, if it's untreated, it is about 2 weeks. A small percentage will get various types of complications if untreated again, and some of these will be fatal. If you get over the illness, then you can become a carrier of the illness. And, you may have it in your system, specifically in your bowel, and not be ill from it, but pass it on to others.

Mr. Ford. How many confirmed cases of typhoid do you have now in Dade County?

Dr. ENGBERTSON. There were, as of yesterday, 186 confirmed cases.

Mr. Ford. What percentage of people who contract typhoid would continue to be the kind of carrier you are describing?

Dr. ENGBERTSON. The carrier rate, interestingly enough, goes up with treatment while the complication rate goes down. So, in Dade County we have no deaths or serious complications because we had treatment. But, for some reason, we don't understand this, but the number of carriers goes up with treatment. And, in this past epidemic, the reported carrier rate is around 15 to 20 percent.

You might expect somewhere between 20 and 40 carriers out of this epidemic, assuming that the same characteristics hold for this epidemic.

The public health department, and I believe you'll have someone speaking tomorrow from the public health department, is in the process of surveying all of the confirmed cases on a followup basis to look for carriers, and then, when a carrier is found, treatment is reinstated so that hopefully it can eradicate the organism from the system.

I think we are still too early in the history of this epidemic to say how many carriers we have, but I am sure it is a fair number.

Mr. Ford. Would it be possible for a carrier or a person to have relapses?

Dr. ENGBERTSON. We are seeing relapses, sure.

Mr. Ford. Supposing someone leaves here in the opinion of the local health people, cured, or over their illness, and he subsequently has a relapse while he is picking lettuce in Colorado? Could he pass the disease through that lettuce?

Dr. ENGBERTSON. This question has come up before, and I think the reality is that we don't have real good documentation. But, probably the organism will not be transmissible or not last for any extended period of time. So, probably he could not pass it on that way. In theory, if we found a carrier, and there was another poorly functioning water system, that type of thing could occur again, but hopefully this same situation does not take place that way again.

Mr. Ford. What were the estimates on Typhoid Mary?

Dr. ENGBERTSON. What do you mean?

Mr. Ford. How many people were infected?

Dr. ENGBERTSON. I think it was 30-some in 1 year, but not this kind of an epidemic. And, that was back in the days before antibiotics. And, it was very difficult to eradicate the carriers without treatment.

Mr. Ford. So, these people are not likely to be a danger to the general public, but could be a danger to people near them in the labor camps?

Dr. ENGBERTSON. That's right. And, I think again, this is something we don't really know for sure. And, the health department is giving

out a little card—I don't know the wording, but being clear of typhoid as a carrier. And, this is given before one leaves the community.

We have already had at least one relapse, however, of a patient that was supposedly cleared. So, I think there is possibility, and I don't really think anyone can dispute this, but people from this camp with typhoid could leave this part of the county still carrying the illness. The chances, though, for this kind of outbreak in the epidemic depend as I mentioned before on running into the same type of sanitary and water problems that existed in the South Dade labor camp.

Mr. Ford. As a result of this outbreak here, was there any special treatment given to any of the crops that they had been handling, any steps taken in that direction?

Dr. ENGERBERTSON. Not to my knowledge.

Again, the opinion of everyone that was involved, including the people in Atlanta and so on, was that this probably was not a problem because the organism would die fairly rapidly if it was left exposed and if it would be on fruits and vegetables. Of course, as far as we know, we have had no cases documented that occurred through this method.

Mr. Ford. We have heard this morning that when the first cases of typhoid were identified that it took some time for people to get medical attention. There was clear indication that only those who had some financial resources were able to get it quickly. There are Federal health funds that we thought would be available for this sort of thing. To what extent, in your observation, have these resources been put to work?

Dr. ENGERBERTSON. Are you speaking specifically of the Migrant Health Act funds?

Mr. Ford. Yes.

Dr. ENGERBERTSON. OK. Well, the Martin Luther Health Center, which is funded through the Migrant Health Act, was very intimately involved in the problem from the very beginning, along with the other major agency in the area, which is the South Dade Community Health Center. Both of these are currently under a general governing body called Community Health, Inc. This organization and the two centers were very intimately involved in the epidemic from the very beginning.

As a matter of fact, much of the things that happened came from the people in these organizations pushing for action. In other words, the setting up of the clinic in the camp, the pressure on the hospital system to admit the patients and so on came primarily from people in these health organizations. I think in reality these funded programs functioned quite well in the epidemic.

I have a document which was prepared for Dr. Paul B. Tallon in HEW, who is the Director of the Community Services Department or Division, whatever they call it, of HEW, and it was prepared at his request documenting the history of these organizations and the functioning of these organizations in the epidemic. It is fairly extensive. The problem is that it is not really ready for distribution or even publication yet. I just got it last night and in going over it there are some factual errors in it.

Mr. Ford. Would you like to submit it after you finish it?

Dr. ENGERBERTSON. Yes. I think it documents the chronological sequence of the epidemic, the functions of the different organizations

in the epidemic, the problems that you alluded to, and sort of concludes what I was saying. As a matter of fact, I feel personally that those organizations functioned quite well.

I might add that these two health facilities currently are seeing between them 7,000 patients a month—7,000 patient visits per month. So that the whole typhoid epidemic was carried on at the same time that their routine 7,000 patient visits a month of health care was being carried out. So that in reality I think under the circumstances that part of the functioning was quite good.

Mr. Ford. You have talked in your brief summary here about a second area of farmworker exposure to illness through pesticides. Would you like to elaborate on that?

Dr. ENGERBERTSON. Yes. I referred you to a document in the presentation of Dr. Davies before this committee in 1971. I have reference to that in the back. I happen to know from reading over the thing—I don't think any of you people were on that committee at that time—at least that is my understanding—so that testimony is in the record, but probably—

Mr. Ford. We have it as a part of the continued proceedings.

Dr. ENGERBERTSON. Right. Very briefly, what he found here in his studies here in south Florida was that almost everyone, it seems, has had some exposure to DDT, and has some levels of DDT.

As I mentioned, the migrant farmworker has the highest level of any group of people in this part of the country. Their levels of DDT were quite high.

Probably there are two reasons for it. One is the use of DDT and other pesticides in their occupation, but also Dr. Davies feels pretty strongly that it comes from the household use of pesticides, and he has got documentation of that in there. One of them is he went to the Island of Bimini where there is no agricultural use of pesticides on the small Island of Bimini, and the urban poor, who also have relations between the migrants and the urban poor, who also have relatively high levels. This puzzled him, so he began to search for where could the DDT be coming from. One of the places he found it in significant levels was in their homes. From this he concluded, in questioning the people, yes, they use a lot of household pesticides.

This kind of problem occurred, as you probably know, in people who have a lot of problems with insects, flies, and so on, in their houses. The things that will lead to this are lack of screening and so on to keep insects out, and garbage that is not disposed of which attracts insects. You know, in general poor housing conditions lead to big insect populations and then to the use of pesticides by the people to control the insects.

So it appears there are two causes of the exposure to the pesticides for the migrants, one being occupational and the other being in the home.

The big unanswered question is what does this mean? We know that in Eagles and Brown Pelicans that it causes reproductive problems, and the eggs don't hatch. This is part of the reason for the decrease in these two species of birds in this country. We don't really know what it means in humans.

The other reference there, which is not yet published, he did some laboratory studies and found some changes in the blood, primarily

elevation of cholesterol. He feels this may be because people with a lot of cholesterol carry or pick up the pesticide in the cholesterol, because it is known that pesticides are stored in fat. There is the other possibility, which is not proven yet, that possibly pesticides could elevate cholesterol, but that is pure speculation.

So that in general the chronic effect of pesticide poisoning on relatively low levels—in other words, not high enough to make you acutely ill—is really unknown. Everyone is concerned about it. Of course we have the animal studies, but we don't really know what it does to humans.

Mr. FORN. What were the effects, when you get to the level described here, found in this study in farmworkers in South Dade County?

Dr. ENGBERTSON. That level again, as far as we know, produces no acute illness. It takes higher levels than that. And actually the main problem with acute poisoning is another group of chemicals, organophosphates, parathion, malathion. This causes acute illness.

Most of this kind of illness occurs in people who actually handle the pesticides, the sprayers. It takes a relatively large dose and they can become ill. It is not a reportable illness, but there have been 225 cases of acute poisoning in the last, I think, 5 or 9 years in south Florida, but only nine of the documented cases have occurred in migrants. Many of them have occurred in farm laborers, but not the so-called migrant farm laborer.

The other problem, though, that we do see, which is related to acute poisoning, is contact dermatitis, essentially inflammation of the skin, which comes from exposure to the pesticide, and that we do see fairly commonly in the clinics. It is not a serious problem in the sense that you become ill and have to be hospitalized.

Mr. LANGRISH. Doctor, has the source of this infection been determined yet?

Dr. ENGBERTSON. It has.

Mr. LANGRISH. I mean in this particular case, in this outbreak here. Dr. ENGBERTSON. It has not been pinpointed exactly, because to do that you would have to grow the organism out of the contaminated source, and that is very difficult to do. But I don't think that anyone who has been involved with this—I think again the health department could probably elaborate in this—has any question that it was the water supply. No one really seriously doubts that.

Mr. LANGRISH. I wish to point out what I think is a contradiction in your comments. You state in the beginning this quotation from Sir William Osler, "Widely distributed throughout the world, typhoid is everywhere an index of the sanitary intelligence of a community." Down in the third paragraph, "Typhoid is an illness that reflects the general living conditions of a community."

And I would like to come to the defense of these migrant workers who are living in Federal-funded migrant centers. Their habits, their intelligence, has absolutely nothing to do with the fact that the water was contaminated. They were intelligent enough to put complete faith in the people.

Dr. ENGBERTSON. What the problem is, when I refer to "community," I was not really referring to just the migrant camp. I am referring, you know, to the community in general, which I would call Dade County.

Mr. LANGRISH. Would there be a typhoid epidemic here and there from just the low level of intelligence which would be reflected in filthy living habits?

Dr. ENGBERTSON. No, that is not really—Dr. Osler was originally from England. I think sanitary intelligence did not refer to IQ necessarily. I think there is more to the quotation. He is referring to—I don't even think he really means intelligence. He means the general sanitary conditions.

Mr. LANGRISH. Levels and so forth.

Dr. ENGBERTSON. Or levels, yes, something like that.

I did not intend this quotation to reflect upon the migrant community, but rather the community of South Dade.

Mr. LANGRISH. All right, I will accept that explanation.

The other is on the matter of screens and screen doors. This, I think, is a situation where we can look upon the habits of the community. It has always been a question to me why, in ghetto areas or low-income areas, people do not keep screens. I know that there are landlords who provide screens and the kids knock the screens out. It seems to me it would be more comfortable to keep the screens. It certainly would save the expenditure of money for the pesticides.

Now, I am putting an unfair question to you. I am making an observation, and you cannot really answer it. I think it is a sorry thing, though, that people, no matter what their financial status, cannot appreciate that screens are to keep out things that make life miserable. Why don't they protect the screens rather than destroy them?

Dr. ENGBERTSON. Well, I think I understand what you are getting at. I am sure there probably is some, if you want to call it, health education involved in these kind of things. It would be good if somehow people could be educated to some of the things that do lead to good health. However, I think that the lack of health education or lack of knowledge about what is proper health care is a part of the general problem of poverty and in a way, you know, when your life is concerned with getting enough to eat and a place to live, I think we sometimes may be expecting too much of people to expect them to be highly conscious of things that are health related, in which they can maybe see no relationship.

For instance, I am sure many people don't know that typhoid could possibly be carried on the feet of a fly that have been contaminated from, say, sewage and then flown in and landed in your food. I am sure there are people who are not aware of this.

Mr. LANGRISH. In other words, you are simply saying that maybe we need more health education?

Dr. ENGBERTSON. Yes; health education.

Mr. LANGRISH. It is a problem.

Dr. ENGBERTSON. Health education certainly or health care in general. I have a very strange, very vague, very uncomfortable feeling that there is developing an attitude in this country that to be poor means somehow to be ignorant and to be lazy—not to be ignorant, to be unintelligent and to be lazy. This bothers me a great deal.

I am sure there are people here in this room that can speak much more on this subject than I can, but I have spent a good deal of my time in poverty areas or low socioeconomic areas of this country—most of it here in Dade County. I include all kinds of areas. And I have

difficulty in accepting this thesis that poverty automatically equals laziness and low intelligence.

My opinion is that these people need help, but there are other people who seem to say they need to help themselves. Perhaps it is a combination. They perhaps need to help themselves and need to know how to help themselves. I think also, especially as I concluded in my last statement, that with this general status of our society today it seems somewhat incongruous to me that these kind of things can happen to people when, as you mentioned a little earlier, it is really not their fault. They really were not responsible for their water supply.

Mr. LANGRISH. Obviously you and Walker Lippmann share the same problem of trying to not only to express the question, but also find the answer for the problem of the cause of poverty or the lower income, what are the different things that contribute to poverty.

I have enjoyed your frank discussion here; I really have. Thank you.

Mr. Ford. Doctor, I would appreciate it very much if you could give us the two articles you mentioned that are in preparation. The staff is coordinating the previous material that you have cited with what is coming out of these hearings so that we can get it in a usable form.

Dr. ENGBERTSON. Fine.

Mr. Ford. Thank you very much. As a matter of fact, Senator Harrison Williams is working with us so that the Senate committee will not go back over the same thing. We are trying to work together.

Dr. ENGBERTSON. I talked to a gentleman earlier and I agreed to furnish him also a copy.

Mr. Ford. Fine. Thank you very much. Arthur Hallgren, a member of the Joint Legislative Commission on Migrant Labor, and executive vice-president of the Florida AFL-CIO.

STATEMENT OF ARTHUR HALLGREN, MEMBER, JOINT LEGISLATIVE COMMISSION ON MIGRANT LABOR, EXECUTIVE VICE PRESIDENT, FLORIDA AFL-CIO

Mr. HALLGREN. Thank you, Mr. Chairman. It is a pleasure to be here. I want to thank you for the time. I am not going to take a lot of your time. I know you have a very heavy agenda and I know also by the camera lights being turned on that undoubtedly Congressman Pepper will be here shortly.

Mr. Ford. We hope so.

Mr. HALLGREN. I am glad I reached the podium prior to the Congressman.

Mr. Ford. Senator Pepper is a great friend of the programs this committee has written. We consider it an honor to share any kind of program with him.

Mr. HALLGREN. I might add that he is my Congressman. I live in his congressional district.

Mr. Ford. You are well represented.

Mr. HALLGREN. I know that, I realize that.

I will not refer to the statement I prepared. I would rather keep, in general, my remarks and comments on some of the testimony that I have heard given here this morning.

Mr. Ford. Without objection, the statement you submitted will be inserted in the record at this point of the proceedings.

Mr. HALLGREN. Thank you.

Now, with reference to some questions raised earlier concerning welfare as opposed to the subsidies received by farm corporations—I don't have it with me, but I will make available to the committee a quantity of studies made by the AFL-CIO with reference to welfare, breaking it down to what we know to be the facts of who are the true recipients of welfare in this country, and you would be quite astounded to find out what the facts are. I think you can rest assured that they are true facts, because they were reprinted just this past Sunday in most of the major papers in this State. I don't know if they were carried in every area of this country, but they were carried in Florida.

Mr. Ford. Yes; I saw the article.

Mr. HALLGREN. I refer also to the crew chief situation. I am a member of the Joint Legislative Commission in Florida, and as such have had an opportunity to tour the State. As a result of the tour we have made specific recommendations to the Florida Legislature in reference to the migrant situation.

As a result of our reports to the legislative bodies, we were able to effect a crew leader legislation law in the State of Florida in the last session. However, we found out in a hearing just held on the 26th that out of a possible—let's see—there were 1,800, I believe, was the number of crew leaders that were alleged to be in Florida, and they had only managed to reach 39. And a representative of the citrus groves got up and stated he didn't want his people, his constituents to be in violation of the law, which they are, because the law provides that the crew leader shall be registered. He said their problem was they couldn't locate the crew leaders.

I submit to you that I don't understand how a grower or a representative of growers could conceivably get up and expect anyone to believe that they couldn't locate the crew leaders.

In making our tours around the State we found that in most instances the camps were surrounded by huge barb wire fences. We questioned the operators of some of these camps why these fences were erected. We were told that this was to keep the migrant workers from being annoyed by peddlers and salesmen, insurance people. Which again, of course, is a complete fallacy, because the barb wire, instead of facing out to keep people out, they were faced in to keep people in. Indeed, we found the gates were locked even though we were an authorized legislative commission traveling as a body. There were some camps where we could not gain access. We were denied admission to the camp. We had State senators, we had State representatives, but the growers absolutely refused to let us visit the camp involved.

They took us to some of the better ones and we did see some pretty poor ones. You heard testimony concerning them, concerning the rate of pay.

And at this same hearing we had on March 26—last Monday—it was stated by the chief of the Bureau of Employment Services in the State of Florida that the average wage being paid for picking oranges was \$3.49 per hour, and for grapefruits \$3.69 per hour, or about 40 cents per box.

When he made this statement he was alluding, of course, that this was a very good rate of pay. I don't think anybody could question that. I did ask him this question, though: I said who gets the money? Does the crew leader get the money or do the workers get the money? And he said—I will quote him exactly—"The worker gets the money unless the crew leader has made a deal with the grower."

Now, we know, as a matter of fact, that the grower does not know in most instances—as I have made as part of my statement to you—the grower does not even know who is working for him. The crew leader recruits the workers. He goes to the slave market, if you will, picks out whatever number of workers he wants, he quotes the price he is willing to pay them per box or per pound or whatever rate to be paid. They agree to get aboard his bus and ride to the farms and pick at that rate of pay. When they get off the bus, they collect from them the cost of the use of sacks or baskets that they have used during the day's work. He pays them off on the spot. In most instances he deducts social security, although many witnesses we have heard in Tallahassee, before legislative bodies up there, most of the witnesses we have heard have said that they have never been asked what their social security number was.

So we submit again that this is another way that the migrant worker is certainly being discriminated against in the area of true justice as far as payment is concerned.

So we are very much aware of the problems and, of course, the camps, you have stories that attest to that. I am sure in your travels around you will see some conditions that you just won't believe. We have visited camps that have been condemned by health officials for as long as 6 years. This was a year ago. They were condemned for as long as 6 years and they are still in operation. The conditions are absolutely deplorable and nothing has been done about it. There have been a few token camps, several of the larger companies have built model camps. Undoubtedly if you tour the center of the State you will find a very fine model camp put up by one of the large companies in the area. It is truly a nice housing situation, but it is only one out of thousands of camps or hundreds of camps around the State.

So we feel that the tokenism is there, and the only answer that I really feel can be found to the situation that the migrant worker finds himself in is the complete elimination of the crew leader system. I know of no other industry where the Government recruits the workers. They don't recruit them for manufacturers, they don't recruit them for any other industry or any other business. It is up to the supplier to go out and find his own people and record their employment record, their salaries and all of the records necessary to properly take care of the employees.

I have read some articles in recent papers where the growers say, "We are not in the building business, we can't afford to build this." This may be true. It may be a problem that the Federal Government will have to get into. But just to show you how rumors start, during the hearing we were having in Tallahassee just this past week, Senator Phil Lewis from Palm Beach County asked one of the gentlemen who was testifying on behalf of the State government, "Is it true that the Feds—" those were his words—"Is it true that the Feds have

flooded the Immokalee area with doctors? I hear rumors doctors are crawling all over Immokalee."

And the gentleman from the Health Services, Dr. Wilson Sower, said this was not true, that there were two doctors in the Immokalee area that had been sent in there, and that there was such a case load that the only ones they could handle were absolute emergency cases. They were not even seeing people on any kind of a routine basis whatsoever.

I think the same is true in medical areas as in the legal services. We hear about the migrant legal services coming in and causing all kinds of chaos and threatening to overthrow the operation, do all kinds of things.

It is also interesting to note that we right now are in the center of a rather intensive legislative battle in preventing the implementation of the so-called right to work law in the State of Florida. We have the infamous honor, I suppose, of being the first State to have such a law, ours being passed as part of the constitution in 1944. But now the Right-To-Work Committee is in here because of the attempts of the United Farm Workers to organize the growers and they are trying now very diligently to implement the right to work law and singling out specifically the agricultural workers as a target for restrictions. We feel that they are trying to do there is prevent them from organizing and thereby improving their own plight. I think this is basically the problem.

Mr. Ford. What percentage of farmworkers, migrants, or otherwise, in Florida, would you say are now organized?

Mr. Halgren. I would say—I don't have any figures—but a very, very small percentage are organized because of the intimidation of the growers. They are not allowed to talk to anyone, and as was pointed out earlier, I heard someone say that a shotgun has been pointed at them, he was asked to leave the area. This was even true of a store that was pointed out to us in one of the migrant areas, and on the side of the store was a huge sign, "No niggers, Mexicans or dogs allowed." And the owner had thought about it awhile and he crossed out dogs. They would allow dogs in the store, but they wouldn't allow niggers or Mexicans. And this was in a community made up solely, primarily of migrant workers. And we were advised not even to slow down the bus in front of that store, because the owner also had a loaded shotgun, and anybody that tried to take a picture of that sign would be in danger of being shot at by the owner. This is the kind of situation we have today in Florida.

Now, we talk about why can't we solve some of these things legislatively. We do not have a minimum wage in the State of Florida. We as organized labor lobbying for the interests of the working people in the State have tried in every session to get a minimum wage. In the last session we introduced a minimum wage of \$1 an hour, and when it went before the committee one of the rural legislators got up and said, "Mr. Chairman, I don't have a man working for me worth more than 40 cents an hour. I move the bill be tabled." And that was the end of the dollar minimum wage.

So we don't have a minimum wage for anyone who is involved in just simply intrastate work in Florida. Of course the Federal minimum wages does apply in other areas, but not to people solely em-

played in Florida. This is the kind of legislators we are facing. These are the problems we are facing.

Again I got away from my point. I noticed in the latest piece of right-to-work material that came out, of all names, that Mrs. Wedgeworth's name was mentioned as being involved in assisting the Right-To-Work Committee in their efforts to get implementation of the right to work. Mrs. Wedgeworth, of course, is the wife of George Wedgeworth, the president of the Sugar Cane Growers Association. I have offered to publicly debate Mr. Wedgeworth about the importation of farmworkers. He has refused to meet in open debate. Because we feel there again that there are workers in the United States and Florida who will cut sugarcane, who are able to cut sugarcane if the wages and conditions are proper.

I also submit to you it was just, I believe, last year that when the Jamaicans themselves staged riots. There were 500 to 700 Jamaicans that were locked up within their camp and finally quelled and then they were shipped back to Jamaica. This has been going on, as has been testified earlier, for a number of years.

Mr. Ford. It is my understanding that in Hawaii there is about a \$2.50 minimum for field hands. It is just a vague recollection that I have. The sugarcane workers, do you have any idea what they pay these people?

Mr. HARRAREN. They claim they pay them \$1.95 an hour. That is their claim. What they actually pay them, I don't know. Their records are never available.

Mr. Ford. In a State that can't get a \$1 minimum wage, it seems like \$1.95 would be a pretty attractive job.

Mr. HARRAREN. Actually they don't even try to recruit workers. They really don't try to recruit them, because the request went in to the Federal Government for Jamaican workers long before they made any attempt, and it was approved long before they made any attempt to true recruitment. As far as I can ascertain or we can ascertain the recruitment efforts in the State of Florida were limited to posting notices in the courthouse, mostly in English. It might have been in Spanish in a few places. I wouldn't swear that they were not in Spanish, but they were posted in the courthouse or some public place where normally these people wouldn't tend to go anyway, advising there were jobs available to cut cane and a recruiter was available in town for 1 day and he sat behind the desk, and then immediately went back and reported to his superiors that he wasn't able to recruit anybody. I think one or two people came in the entire day. He reported the recruitment effort as a failure. It is a complete farce. It does need some real strict conditions. We cannot get anything done with it at a local level. They will accept all kinds of Federal assistance as far as recruitment of Jamaican workers, they will accept the subsidies, the welfare payments to the farms, but they will not accept any kind of regulations.

Mr. Ford. How are these people transported here from Jamaica? Are Jamaicans the sole or principal source?

Mr. HARRAREN. They did have a contract with Pan American World Airways at one time. I don't know if Pan American Airways still has the contract, but Pan Am had the contract of transporting these people. I don't know if Pan Am still has it.

I happen to have personal knowledge of this as I was the president of the local union at Pan Am, and when our crews were assigned—I am going back some 12 years ago, because I have been in this State job for that length of time—but when I was president of that local, the crews assigned to these particular flights would renege when they were assigned because they were so overcrowded, and the conditions even aboard the aircraft were such that they were almost intolerable for the crews. And if it is permissible for the record, the crews dubbed them, "The Vomit Comets." That was how deplorable the conditions were as far as transporting these people in and out.

Mr. Ford. Are the wages deducted for the air transportation?

Mr. HARRAREN. I think that is deducted from their wages. I think they are charged for travel and I also understand—now, I can't say this for a fact, Mr. Chairman—but it is my understanding that they were only given a portion of their wages earned here in the State and the rest of it sent back to be held in trust until they are returned to the Jamaican Government and there, ostensibly, they are given their money on the premise that they don't know how to spend their money properly, that it is better to have their money sent over there. What they truly get in the end, I don't know. I am at a loss even now how to ascertain that figure.

I did, in attempting to get Mr. Wedgeworth to debate publicly—I did manage—anyway, they brought a substitute in, a little Jamaican lady from a newspaper in Jamaica—and during the course of the debate, she said that this is good for the Jamaican economy. And, I said we had nothing against helping the Jamaicans, but if they wanted foreign aid, they should go out and ask for foreign aid and not come here and displace American workers by bringing in Jamaican workers instead of Americans.

And, I submit to you there is no more demeaning job than picking up garbage. It's very difficult to recruit garbage men, because it's not a very nice job. Yet we can recruit garbage men all over the country. We have problems when they are not paid properly, but paid properly we can recruit them for picking up garbage.

And, I submit, if we can get men to go and pick up garbage, we can get people to pick up cane. And, maybe it is not the best work in the world, but if we make it an attractive enough job and the wages adequate, I am certain we can recruit workers in America and take some of the people off welfare, particularly in view of the mechanization which is going on in the agricultural areas. We know that this is happening and become a greater problem to all of us at the State level and the national level.

Mr. LANDREBE. What is the alternative to the crew leader system? Is there an alternative, or is this just strictly tightening up of the laws? Is there an alternative to it, or is this something we really have to work on and correct?

Mr. HARRAREN. I submit to you in all other areas of business and industry, workers are recruited through an employment service of some type. If it happens to be a union, like the building trades operations, they are recruited through the particular skill or trade, through their hiring hall. And, I submit to you that this is their answer in the case of the farmworker. Those that say that you have to belong to a union in order to be hired through the hiring hall, this is not true. Our

laws prohibit that. And, there has been a bill here introduced to implement the so-called Right To Work law—

Mr. FORN. Is that the hiring hall bill?

Mr. HALLGREN. His bill prohibits hiring halls in agriculture.

Mr. FORN. The objections are not to hiring halls themselves, but rather because it is a vehicle for something else?

Mr. HALLGREN. The Attorney General has ruled that a hiring hall is nondiscriminatory, and nonunion people should be received. And a hiring hall is that situation where these people can go and the grower can recruit his workers through the hiring hall, because we know the crew leader is a very unscrupulous person. For example, we have a situation, and I am not prepared to document it, but it was carried in the press that 2 years ago in the Fort Myers area a crew leader had a discussion and an argument, a violent argument with his wife, and shot her. He killed her. Murdered her. He was convicted of murder. He was sentenced. And, the agricultural interests in the area pleaded with the judge that he was indispensable as far as the agricultural interest in that area were concerned. No one else could do the job. And, they so convinced the judge, and his sentence was that the man should go to jail for so many months during the year—and this is a convicted murderer—he was released from jail to recruit migrant workers to work the fields. This is a matter of case record.

And, this is the kind of problem we have. And, when we first talked about registering the crew leaders in the State of Florida, the growers themselves were up in arms saying that we can't have this.

And, in testimony and cross-examination and discussion we extracted from them that the reason they didn't want the crew leaders to be registered was because most of them cannot stand the test of fingerprinting or mugging because they had criminal records. They're people less than the best. These are people we are entrusting the lives and finances of the less-informed people who do the farmwork.

Mr. FORN. Has your crew leader registration law in Florida required police registration?

Mr. HALLGREN. It requires the registration with the department of commerce. I don't know if they require complete examination on the point of fingerprinting. I am not sure.

By the way, it's strange, in the State of Florida we have a law that requires every local union man to be fingerprinted and have a completely clear record, every local union. And, we couldn't get it for the crew leaders.

Mr. LANDGREBE. Let's go back to something. On your thoughts on working conditions and wages, what they would have to be to get people to do anything. I agree with you up to a certain point. But doesn't the competitive situation on the world markets in the growing of sugarcane confine the sugar grower in Florida as to what he can do in the way of wages and working conditions? Isn't there a limit to what a company can pay in the way of wages and can do about working conditions?

Mr. HALLGREN. Not if the figures we've heard earlier as far as profits are concerned can be relied upon. Their profits are certainly high. Their sugar quotas are paid for not growing sugar, and this is a vehicle to keep the price of sugar high. So, I might certainly think that they could afford to pay decent wages.

Mr. LANDGREBE. I hope we agree that anybody carrying on any respectable operation is entitled to pay, a reasonable profit. But, I am probing this completely seriously. We are hearing all the time about situations where the employer pays more money but says that it will put him out of business. And, we do know there are companies that move operations to Mexico and different parts of the world to avoid this situation, the automobile industry included.

Is there any financial point beyond which a company cannot go with some of the programs we have in our country? Whether the programs are enjoined by the farmer himself or people who don't have a real yen to work, it's all added into our costs; and our balance of trade has been destroyed in the last few years. So, I am entirely serious when I say, is there a limit to what a company can do in the way of wages and working conditions before they are forced to try to get around the added expenses?

Mr. HALLGREN. I submit to you, sir, they are not going outside. They are going outside the country, but they are not going outside their company, because we find ourselves faced with multinational corporations, like Chrysler building cars in Japan and selling them in America and Buick building cars in Germany and selling cars in America—and they are not in competition with the German country and German operations.

And, our problem is right there.

Mr. LANDGREBE. There is something that makes it favorable to do that.

Mr. HALLGREN. Of course. They can leave the money in the foreign countries and not pay taxes in the United States.

This is part of the problem that the A.F. of L. and CIO have been concerned with, this manipulation of world trade. We are not in competition with Japan or Germany or Taiwan or anybody. We are in competition with the companies that move their operations there. And, you cannot buy an American-made television set. You cannot buy, the last I checked, you cannot buy an American-made recorder. They all have a brand name on them, of course.

Mr. LANDGREBE. I saw where Sony is building television tubes in California now.

Mr. HALLGREN. I tell you why that may be. Some of these displaced workers in these foreign countries, like Volkswagen, who for years led the field in compact automobile sales and was really a threat to the American automobile industry—the workers there were building a good product and the company got a lot of men who worked for peanuts. And, they have now demanded a higher wage. And, in fact I understand right now that Volkswagen has their backs to the wall because of this type of situation. And, I think we'll find the same thing in Japan. And, I believe honestly, sir, the problems we face are the problems created by the multinational corporations. And, in the case of the giant companies—not small farmers, because small farmers for all intents and purposes don't exist—they are gone—if they are small operators they must join a cooperative and have their crops picked with the cooperative or they don't have a market; the citrus mutual in Florida controls. And, they control the picking up of fruit, actually. And they decide what they pick and what they let fall to the ground.

This is fact. I follow the trade journals as well as reading the Wall Street Journal, so I know what the operation is doing.

Are there any further questions? I will be happy to answer them if so. And, I will supply the committee with information on the welfare situation.

Mr. Ford. Thank you.

I would like to observe that this argument about improving working conditions to the point where we export jobs is one I hear over and over for years on this question. If we are dealing with the minimum wage law, we touch somebody. We drive more jobs out of the country, and we have problems with occupational health and safety. Of course, this drives jobs out of the country in all of these things. One place that tampering with labor costs does provide me with little room for sympathy is the fact that the American taxpayer, even though I don't take sugar in my coffee, I have to pay for everybody else's sugar, because I have to pay for maintaining artificial prices. It is a closely controlled production, as closely controlled in production as a public utility. If you don't get quotas, you can't grow sugar. I can't get into the sugar business myself. I have to have a license to grow sugar and a license for this sugar anywhere in the world. We have to use the American tax dollar to support a price above what presumably free enterprise is, with or without what labor could produce for us. So, as long as we control it, we can put it a little higher and put that into increased wages.

Mr. Hallgren. I would think so.

Mr. Ford. I am alarmed when I hear people aren't going to buy more cars. If they don't buy cars, my people have no chance to get back to work.

Mr. Hallgren. And, if we keep the wages down, they are not going to be able to buy things. And, this proponent of the so-called Right-to-Work legislation, he is a dentist. And he wouldn't fill many teeth in his area without having these people's money available to him. But, thank you for your time, and I'll supply you with additional information. Thank you very much.

[The statement referred to follows:]

STATEMENT OF AAR HALLGREN, EXECUTIVE VICE PRESIDENT, FLORIDA AFL-CIO

GENTLEMEN: I want to thank this committee for granting me time to present what I believe, in a brief overview some of the overwhelming hardships and basic problems faced by agricultural workers in the State of Florida. I feel qualified to come before you as I have had the honor of serving on the Joint Legislative Commission on Migrant Labor for more than two years, in addition to working with many other groups attempting to assist the farm workers and migrants.

It is my considered opinion that the large Agri-business interests must be held largely responsible for many of the evils we find in the area of poor housing and discriminatory compensation and benefits for the humans they use to pick crops or work the fields or groves. The day of the *small* farmer is for all interests and purposes extinct. Large conglomerate corporations now own and operate the vast number of farms, groves and processing operations in Florida. To name but just a few Coca-Cola—Kraft Foods, Minute Maid and others, in addition to farm cooperatives which are in effect large companies in actual operation.

These companies have always resorted to using "crew leaders" to recruit labor, thereby completely *avoiding* the responsibility of hiring and properly treating the working men and women and even children on the job.

Crew leaders have complete control of these workers, hiring, firing, and the ability to keep them in complete submission even to the point of involuntary

I know of no other business or industry in which it is possible for the owner or manager of the plant to actually not be aware of who is doing the work or how they are paid, or even *if* they are being paid, but in the case of the migrant worker-crew chief relationship this is truly the case, in almost every instance. It is fact that one or two enlightened managements have agreed to sign contracts and do have payroll records for the workers, but they are being ridiculed by the majority for their progressive actions.

To prove what I am stating is not just "idle talk" or "propaganda," on March 26, 1973 in Tallahassee the Commission on Migrant Labor held a hearing at which a State official testified that the "going rate of pay" for oranges was \$3.49 per hour—grapefruit \$3.69 per hour or about 40 cents per box. I asked if the worker actually was paid this amount or the crew leader; his answer was, "The worker, unless the crew leader made a deal with the grower." Therefore, I submit to you that the only way a "crew leader" can get his share, is by making "deals" and paying the workers *only* what he can get away with, which as you have heard is very little if anything. Social Security is deducted from the workers pay, but no records are kept, transportation to and from the field is deducted, as is the use of bags or other picking equipment, and in many instances these workers end up owing the crew leader money instead of making it.

Housing is another area of the "unbelievable" in modern America. Some camps I have visited, have been condemned by health officials for as long as six years but are still in use in some areas of Florida. There are, according to official figures 11 camps in Dade County to house 65,000 migrants—8 in Broward to house 4,000—42 camps in Collier to house 18,000—13 in Hillsborough County (no figure)—95 camps in Palm Beach County (no figure) in all there are camps in 22 counties in Florida. These figures do not count "boarding" houses and other dwellings which migrants are using in order to have shelter.

The problem of the Migrant is a very real one, not confined to Dade alone, but indeed to all the rural areas of our State and Nation. I could go on for hours, but I know you have a full agenda, and appreciate the time you have allowed me today. If any member of the committee has any questions I will be happy to clarify anything I may have stated or indeed failed to state.

[Mr. Pepper's prepared statement follows:]

STATEMENT OF HON. CLAUDE PEPPER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

The recent events in Dade County, Florida, affecting the lives of migrant workers, namely the typhoid outbreak and the obvious exploitation of the workers, call for an immediate recognition on the part of the Congress that the health and welfare of migrant workers and seasonal farmworkers is a Federal responsibility. The Congress must act to provide for the inclusion of migrants in the mainstream of the protection of many Federal programs which have been enacted and are protecting the rights and providing for the needs of so many other American citizens.

Migrants are excluded from the protections of the National Labor Relations Act which would provide for and protect their collective bargaining rights which are essential to their future welfare; migrants are excluded from the benefits of Unemployment Insurance; excluded from participating in Workman's Compensation; and they are not even assured of the continuation of the Migrant Health Act of 1962 which brought hope that communities could start to provide migrant workers and their families with the health care and protection most other families in our nation are enjoying. I understand the Administrator's budget proposes the termination of the Migrant Health Act together with its built-in program direction and safeguards.

According to the Department of Health, Education and Welfare, there are approximately 1,000,000 migrants and dependents, and approximately 3,000,000 seasonal farmworkers who are eligible for coverage under Federal programs.

Yet the migrant and the seasonal farmworker continue to know the daily tragedy of substandard living conditions in worker camps with primitive facilities. His lifestyle is ignorance, isolation and exploitation. He and his family lack the benefits of social services which leave him victimized by society and disease. In 1973 health care for the migrant remains among his most critical needs. According to the Department of Health, Education and Welfare, the migrant

health program still reaches less than 10% of the eligible population and this is due largely to the inadequacy of funding levels. The first eleven years of the Migrant Health Act have demonstrated that there are ways of developing health services for the nation's migrant population. Night family health clinics started in labor camps; and the first bilingual community health worker started in a project for migrant labor in Kern County, California in 1964. Projects in some States have made impressive strides in developing one-stop comprehensive primary care services. In other States, the migrant health program has provided financial incentives to existing health facilities seeking to induce them to accept migrant patients. According to recent hearings held in the Senate Labor and Public Welfare Committee, if we were to try to provide minimum standards for health care for the migrants, it would cost some \$600 million. We must provide for the extension of the Migrant Health Act and we must provide for more adequate funding.

In addition to the extension of the Migrant Health Act, H.R. 6622, which I am co-sponsoring, we must consider other important bills which have been introduced in this session of the Congress.

These include bills to assure equal access for farmworkers to programs and procedures instituted for the protection of American working men and women; to ban oppressive child labor in agriculture; and to make farmworkers eligible for unemployment compensation.

The Congress already has amended the Elementary and Secondary Education Act to include the children of migratory agricultural workers and funds are now provided to improve education programs and offer supplemental services to these children. It is time for the Congress to act on providing for the other needs of migrants.

STATEMENT OF HON. CLAUDE PEPPER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. Pepper. Thank you, Mr. Chairman, and members of the committee. I am sorry I was attending a meeting of the Education and Labor Subcommittee at another part of our area and was delayed in getting here. And, my distinguished colleague, Mr. Lehman, asked me to express his regrets and he will be along shortly, as soon as possible. I appreciate very much your being here in this area to hold hearings in one of the most critical problems in our Congress and our country. It is certainly a critical thing in our own area.

I just have a few observations to make, Mr. Chairman. I would not deal on the specifics of the legislation before you, and the essence of our problem is not whether or not a specific provision or proposal is more germane, but whether these people should be abandoned to the Federal Government. I feel that this thing of migratory labor is primarily a concern of the Federal Government in the sense that the Federal Government has jurisdiction over movements in interstate commerce, and these migratory workers move from State to State. That is the very nature of their work. They don't have an attachment to any particular area. They do not vote, as I am aware, in any particular place. Their children don't reside long enough in particular areas to go to school there. And, as far as I am aware, we don't provide migratory schools for these children. And, the result is that as long as I can remember, the migratory labor situation in this country has been a shame upon our land.

I remember in my early days in the Senate we began to investigate this matter of the conditions under which migratory laborers worked. We visited many areas of Florida and other States in the country to see the conditions under which they labored.

And, in those days the conditions as a whole were very much more deplorable than today. There have been many improvements, and I comment those having a part in those improvements. But, the need for doing something was never more graphically illustrated than what has been found in Dade County during the past few weeks.

Of course, while this might be accidental, the contamination of water, it looks like anybody could have anticipated that the water would be contaminated when the conditions surrounding the various supplies of water were known to be what they were.

In addition to that, tales of coercion upon these workers of virtual slavery were such as to move our local officials here to arrest a number of people in charge of those work farms or so-called labor camps, and charge them with serious crimes and lodge them in prison.

But, that is to my mind just symptomatic of the callous disregard of the rights and interests of those people that the State and Federal Government has exhibited too long in the past. And, I am delighted and encouraged to see this distinguished committee here, because I know you will not gloss over the facts. You will find the truth, and upon the truth you will make recommendations that you think are in the best interest of our great country.

Now, I realize there is an area here in which the State and Federal Government could both function. And, if the State government were doing all needed to be done, there wouldn't be a reason for the Federal Government to do anything. No doubt it is an area in which there should be intimate and cordial cooperation between the Federal and State and local areas.

And, our Governor has been down in the area where these labor camps are located, these migratory workers in these various camps, and he's indicated publicly according to the press that he didn't like what he saw.

Now, the Legislature of Florida is already in session. It started, I believe, on Tuesday of this week. Now, it may well be that the Governor will be making recommendations to the Florida Legislature. I hope he will and I believe he will, on account of having seen the sordid conditions he observed in these areas. And, I hope this distinguished committee will review the Federal part of this program and its regulations and will see to it that the quality of life that every American should be able to enjoy is insured to these migratory people.

I presume most of them are Americans. We do have some laborers here from offshore, but as usual, they come in here under contract, and we have specific obligations to them. And, they are probably better cared for than our own people who are in the migratory system of our population. But, we must see to it that the benefit and the value of this labor is acknowledged and that we are willing to pay fair prices for it and that these people who work get the protection that American workers are generally entitled to enjoy, which would seem to be to include the right of collective bargaining; and that they have certain other safeguards which workers in this country generally enjoy. They should not be separated from protection because they happen to be working on farms and are rendering a valuable service on the field.

It would seem to me that we would also—that we should also certainly assure that health care shall be available to all these people and that if we cannot afford to give them health care, let's try to find other work for them to do, because children of tender age that are in those homes and farms are in need. And, they are Americans, and that should mean a lot to be an American in this country. It gives the right to enjoy certain privileges that should not be taken away by anybody. So, they ought to be assured of adequate health care and spared from the tragedy of a large volume of typhoid.

I have seen the statement issued by the distinguished chairman of this committee referring to one of the most serious outbreaks of typhoid in the recent history of this country. And, here it is, one of the richest parts of the country of which we are very proud here and we must see to it that they have the health care and protection that the public safety demands as well as our own safety.

And, another thing, Mr. Chairman, I hope you will see to it some way—and I haven't looked into the matter and don't know what the facts are—that the children of these migratory workers are assured adequate and full educational opportunity.

I have just come from a hearing of another subcommittee of your distinguished committee dealing with the subject of education and the Federal programs relative to education. And, we've heard witnesses from several States as well as from our own State here testifying before that distinguished committee as to what happens to the children who do not get the advantage of title I of the Elementary and Secondary Education Act which your distinguished committee put on the statute books of this country and which has meant so much.

These authorities, superintendents of education, State and local, testified on the whole that only about one out of three of the eligible children in their respective areas got the benefit of this title I educational program. And, I'm speaking of the three witnesses I heard this morning—in Tampa, Hillsborough County, one of the great counties of this State, and Duval County, one of the great counties of this State, and one of the other great counties of this State—and they were pointing out only one out of three got the benefit of that program.

And, I asked the question, Mr. Chairman, and I was privileged to participate in the hearings of this committee—and I said to those gentlemen, what happens to the children who are not able to enjoy this, these disadvantaged children, and we all know that is what title I primarily applies to—what happens to these poor children who never get the benefit of this Federal program? What happens to them? And, they spoke up about it. And, by the way, the other county was Volusia County—they said, those are the dropouts primarily. In the school dropouts of the school of this State and country.

Well, what happened to the dropouts, I asked, as chairman of the Select Committee on Crime. We have heard witness after witness right here in this room on this, we've heard various juvenile judges of this State testify that a dropout is primarily the boy or the girl who gets into juvenile court for the commission of a serious crime. And, 50 percent of the boys and girls who get into juvenile court get in the penal institutions of adults after committing more serious crimes.

In other words, the school dropout is a potential criminal in the years ahead, and to a very large degree for the reason in the complex society we live in, without education or skills, he gets to the age where he has desires and sees others in his age group enjoying certain advantages of life in this country, and he doesn't get them because he cannot earn the money. So, what does he do? He goes out and commits a crime.

And, I heard the other day in preparation for hearings of the committee, I had lunch with Dr. Wilks of Columbia University. He said that two-thirds of the crime in this country was committed by young people in this country, the majority thus were under 28 years of age.

What I am saying is, when we deny these children of migratory workers or other parents for that matter an opportunity to get a decent education, to learn reasonably well to read, to learn some of the fundamentals of education that you need to get along in life, in all probability we are condemning those youths to be dropouts because they can't keep up, so they become embarrassed and frustrated and disappointed losers. And, dropouts are just a short distance to the juvenile courts, and from there on to an adult penal institution.

So I am saying, Mr. Chairman, and members of the committee, I hope we can adopt some system that will assure an adequate and decent educational opportunity to the children of these migratory workers.

Now, it occurs to me that one way it might be done and maybe it's being done, I don't know, I am not informed about it, would be to have buses where the teachers go along with them as they migrate from here to central and then north Florida and up into Georgia and the Carolinas. Maybe we should let the teacher go along and have classes in buses, and these studies be maintained. The students can keep up their attendance and the like.

Now, if that is not being done, I beg of you to give consideration to some adequate and successful system that will afford an assured educational opportunity to all the children of these migratory workers. And I've long felt that the agricultural worker is just as much entitled to an assurance of a decent wage as any other worker. And, I don't see why he's not entitled to the benefit of collective bargaining like other workers of the country.

And he is entitled to health care and housing. Look at the housing that most of them have. As I said, I remember very well when I went up around the lake, Lake Okeechobee where we have great agricultural and horticultural areas in operation, when we started there, there were areas there that didn't have running water. They were a shame upon our country that people have to live in places like that. They have improved a lot of them now. And, we must see to it that they have houses where they can live. And they must have decent pay and protection for their rights to work, decent health opportunities and decent housing opportunities and adequate educational opportunities for their children. Those it would seem to me are the essentials to assure.

Those people do make a very valuable contribution to our economy, and without them we would suffer a great loss, and also the food products that we enjoy.

And, the last thing, Mr. Chairman, is how the program should be correlated between the Federal and State governments. That is a matter to be worked out. I would think it might be that the Federal Government might assume the primary responsibility, and is their duty to give it primary consideration. We can let the State formulate a plan, and if the Federal Government finds the plan to be adequate, why, of course, we will approve it. And, it may well be that, and I am inclined to recommend, that the Federal Government and State government bear correspondingly the cost of decent programs because it's not only a matter of concern to Florida that we produce the vegetables that to a large degree feed the Nation at certain seasons of the year, but they move up into Georgia and bring a similar contribution up there, and on up to Maryland and Virginia and then north to Delaware, Pennsylvania, and that is food for America for all of us. All of us as citizens.

This distinguished gentleman here lives in Michigan, and the distinguished gentleman here lives in Indiana, and I live in Florida, but we're all Americans, and this is food for America that we are talking about.

So it seems to me that this is appropriate for the Federal Government to bear with the State a fair share of the cost of the conduct of a program that would not only be decent and fair, but of which we could be justly proud.

Mr. Ford. Thank you very much, Mr. Pepper.

My first legislative experience when I came to this committee 31½ years ago was the Elementary and Secondary Education Act which I had the pleasure of putting in writing. Because almost 100 years had passed without anything like that massive Federal aid going through, there were a lot of sessions to figure out the best strategy and who would be the best hired guns to plead our cause. I remember as a brand new individual, the consensu, including that of President Johnson, who took a very personal interest in the legislation at that time, was that you'd better get Claude Pepper on the floor to explain it, because that's the kind of person you need to sell this thing.

You just demonstrated your continuing enthusiasm for the legislation and for the principles that we were attempting to legislate. So, on behalf of the committee, I want to take this opportunity here in your country to tell you as a young Congressman from Michigan that I was very grateful to be able to follow you and your leadership in that battle and everything that has taken place.

Mr. Pepper. This is a distinguished subcommittee of the Congress, and I commend you for the work you have done and the great work in the years ahead.

Mr. Vandenberg. I am also happy to be here in Claude Pepper country. And, you were kind enough to cosponsor the first bill I introduced in the labeling of imported meats.

But, we are running late, and I am sure you have a busy schedule, so since I don't have any sharp arguments with you, we'll say thank you for appearing here.

Mr. Pepper. Thank you very much. We do appreciate your coming down here more than we can tell you.

Mr. Ford. I just wish I could stay through the weekend. I have to be back in Michigan, however. You have a little better weather here than we have this time of year. Thank you.

GROWERS' PANEL CONSISTING OF RICHARD ALGER, PRESIDENT, DADE COUNTY FARM BUREAU; GEORGE COOPER, JR., GROWER AND MEMBER, DADE COUNTY HUMAN RELATIONS BOARD; W. H. KROME, GROWER; AND EDWARD J. CAMPBELL, ADMINISTRATIVE ASSISTANT, C. C. CARPENTER FARMS, AND PRESIDENT, DADE COUNTY AGRICULTURAL COUNCIL

We have a panel now of Mr. Richard Alger, president of the Dade County Farm Bureau; George Cooper, Jr., grower and member of the Dade County Human Relations Board; W. H. Krome, a grower; and Edward J. Campbell, administrative assistant, C. C. Carpenter Farms, and president of the Dade County Agricultural Council. Gentlemen, we are not set up very well for a panel, but if you gentlemen could come up here and get four chairs, we will shift our operation around here a little bit for you.

Without objection, the prepared statements prepared by you gentlemen for the panel will be entered on the record at this point. And you may proceed as you deem best to amplify them and comment on any other things you wish here today. Educate us in whatever way seems most appropriate to you.

[The document referred to follows:]

THE FARM LABOR PROBLEM—A GROWER'S VIEW

MAJOR PROBLEMS

- A. Quality: 1. Alcoholism; 2. Pride in workmanship; 3. Physical condition; and 4. Poor production per labor.
- B. Chronic Shortages Caused by:
 1. Labor life style: (a) Pay—\$28.75 per 6 hr day or \$4.70 per hr., (b) Alcoholism; (c) Cost of living; (d) Day to day attitude; and (e) Welfare programs (food stamps).
 2. Housing Shortage.

Mr. Cooper. Thank you, Mr. Chairman. I'll lead off here.

I am George Cooper. I am a grower, member of the Dade County Farm Bureau, and on the board of directors of the Dade County Farm Bureau; I am a member of the Dade County Community Relations Board where I am otherwise known as the resident bigot or the token bigot on the labor relations board.

And I want to make it clear that this is probably a different view of the farm labor or migrant labor problem than you will probably receive from anybody else.

As you will note, this is an outline. My testimony is here in outline form because as I write it out, I tend to chicken out on my convictions. So I put it in outline form for a candid atmosphere.

But, the farm labor problems here in Dade County are, we grow 35,000 acres of vegetables throughout this county, and it is the second largest in the State. And, the farm labor problem is both migrant and local. These people mix and are mixed as a labor crew, so we don't distinguish between them, so if we say farm laborers, this is not a question of farm labor here in this county for 4 or 5 months, and then someplace up the road and on into the State of Michigan for apples and cherries and so forth, but they spend longer times here than anywhere else. This is more home to them than anywhere else in the

country. They receive more services here and more schooling here than anywhere else in the country.

And, our major problem we have in the growers' view with labor is the quality of the labor that we get. It has decreased considerably in this country in the last 10 years. Construction has taken a lot of people out of the agriculture field. The agricultural industry has declined because we have lost about 10,000 acres of production in the past 10 years, and we have lost some 200 farmers here in the past 10 years. And the other reasons for this loss of quality are chronic alcoholism in the workers we get in the fields. You don't see it much and listed much as a problem, but it is a very serious problem. I think the concentration of wine and other beverages of this type in the migrant workers is probably the highest incidence of anybody in the country. Pride in workmanship is another problem. What you pay for is not necessarily what you get.

The physical condition of the laborers, their health which can be attributed to a lot of things—their living conditions and living standards, their life style, alcoholism again creeping up here.

And, another one is the poor production per laborer. The amount of people that are taken to the fields is usually twice what would actually be required to pick the crop. But, they all don't pick. They all don't pick at a productive rate. They go back and sit on the bus or walk home for one reason or another, and usually you have to double everything in order to get a productive crew.

And, the other problem is a chronic shortage of labor in the fields. Now, this shortage is basically caused by the farm laborers' particular life style. This is the biggest problem in it and this is the biggest hassle we get into, the rise in everything and the way the laborers live.

I have brought with me my pay books. We grow sweet corn, 1,600 acres of sweet corn in Dade County. We pick it all here. We don't use a crew leader for this either. We hire our own people and we pay our people off every day, all our picking crews. And, the first thing that creeps in everybody's mind is that the farm laborer is ill paid, and even if he is paid properly, the money is paid to the crew chief, and the crew chief cheats him.

I would say that we have crew leaders in this county that I would rank in as responsible citizens that would rival any bankers in this county. They handle a tremendous amount of money for the farmer and for the farmworker. And, the farmworker is a very fickle thing. He will walk out of the fields on almost any premise. And if the crew leader cheats him, he just won't come to the fields if they are not treated in the way they want to be treated. If this happens, they're gone. They won't get on his bus and won't go to the fields with him.

I have a sample of this pay book here. This is what we paid from the 1st of January through the day before yesterday. I believe that's the last day we picked on this particular corn harvesting machine. It is a machine that utilizes 38 people to harvest. And, there was 176 different people working on this machine since the 1st of January, 176 people to fill 38 jobs. In 3 months' time, 176 different people.

Now, we didn't start out with one crew and fire that crew, because you can look at the first people on this list. This is No. 1, the first man, and he is here all the way through to the end. He is here on the last

page, on the 6th of April. And he is still there. These people on the first page are still there, but they're only there for 1 or 2 or 3 days a week.

Now, the reason why, if you look at the pay scale, the average picker, and I have averaged it out on my outline here, the average corn picker made \$28.75 a day, for a 6-hour day. They worked to about 2 in the afternoon, and at that time they had picked usually in the neighborhood of 2,500 crates per harvesting machine, and that is all in a day. Now, it is hard work, but they get paid at the rate of \$4.70 an hour. Now, that is not bad pay.

But, if the pay is not the problem, and the pay is so good, why don't these workers come every day? Why aren't they in that field every day making the money? The reason is, and this is strictly my opinion, and it is an opinion that I have studied for a long time, that these people make enough 2 or 3 days a week to satisfy their living style.

At \$28 a day, they make in the course of a week, they make \$86.25 a week. And, that is all they know how to spend in their life style.

Now, their life style is not mine and not yours, none of the members of this committee. It is an entirely different life they lead. This is one of the reasons for the acute alcoholism and this is one of the reasons for the causes of this chronic shortage and the welfare programs and the food stamps.

We had a crop failure 2 years ago which was a disaster, and this is when they first started the food stamp program for the farmworkers here. And they ran it about 4 weeks longer than the shortage of crops lasted. And at that time they finally cut it off, and now it is reinstated and it is part of the standard procedure at this time.

Now, the minute they did that, it put food stamps in, and when they put the crops back in, that meant 1 less day that the farm laborers had to work to fulfill his wants. Now, did we do him a favor by allowing him to work 1 less day, making it 1 less day that he could make the money he know how to spend? I don't believe so. I don't believe by pouring money into a lot of programs that we have, I don't believe we can raise the life style of the migrant worker or the farmworker himself. Their cost of living is different.

The two new camps, one of which is where the typhoid epidemic occurred, South Dade Labor Camp, the rate of rental is considerably different there than you would find any other place in the county. A one-bedroom single rents for \$13 a week, and a two-bedroom rents for \$15 a week, and a three-bedroom rents for a little more, and that is around \$19 a week. That means a single male can make in half a day his rent for a week. So the next thing is, he has to earn enough to eat on and enough to perhaps make a payment on a car. And, whatever other entertainment wants he has he earns. But, past that he does not save it. He does not go down and open a savings account or invest it in stocks and bonds or anything else. So he has nothing else to spend his money on.

Consequently, when he makes \$40, he sits. He pays his rent, he eats, he drinks until that is gone.

This is why it takes 176 people to handle these 38 jobs. It is because these people live on a day-to-day existence, and until something is done that breaks that particular life style of that day-to-day existence, they are never going to get out of this particular stream. As long as

there is a way to make a living working for 2 or 3 or 4 days a week, they won't.

Now, the rest of the country doesn't operate, and the rest of our society doesn't operate on that particular style. We are just not allowed to. Most of us work 1 week out of the month to pay our housing bill, not half a day or 2 days a month to pay just for shelter. We allow these people to live even cheaper in the substandard housing. There they pay as low as \$8 for a one-bedroom house. So the programs that the Government puts in have got to be in my opinion slanted toward the idea of changing these people's life style to something different, something where they will frankly desire to work 5 days a week or 6 days a week like everybody else and enjoy the benefits of this society. Now, the money is there, the possibility of earning a living is definitely there in agriculture. But they don't know how and don't know where to put the money after they make it. So, consequently they don't bother to earn it.

In the fields, sometimes we have problems with crop failures, or they are in areas which is particularly susceptible for freezes. And, they need aid for the migrants, because there is a 3-week or 4-week period when he cannot make enough to make ends meet.

But, most of the time there is money for everybody to make it if he wants to. And the minimum wage to pay for the farmworker is very good if he desires to work 5 days a week.

And, the other thing that I list on here is the housing shortage in the area. And, in all farm areas, the availability of decent housing—I would rather somebody with a good deal more expertise on this such as Mr. Campbell or one of the others would expound on that—but this is basically my presentation and my thoughts on the subject.

Mr. Fono. I think we can go ahead with the whole panel first before asking any questions. Please go on now, sir.

[Statement of Mr. Campbell follows.]

PREPARED STATEMENT OF EDWARD J. CAMPBELL, ADMINISTRATIVE ASSISTANT, C. C. CARPENTER FARMS, AND PRESIDENT, DADE COUNTY AGRICULTURAL COUNCIL.

My name is Edward "Jack" Campbell, Homestead, Fla. I am an executive with the C. C. Carpenter Farms, Inc., Homestead, Fla.

I have worked in South Florida agriculture all of my life. At the present time I am President of the Dade County Agri-Council and Sec'y. and Treas. of the South Fla. Tomato & Vegetable Growers Association.

I have worked for migrant labor causes for the past 15 years. I was one of the founders of the Redland Christian Migrant Ass'n. and served as its President for 6 years. I have also served on other boards, committees etc., County, State, and Federal over the years in service to our agriculture labor.

I would like to present briefly some components of the agricultural industry in South Florida and their relationship to the migrant labor force.

FIRST THE PEOPLE AND THE INDUSTRY

From 7,000 to 10,000 migrant agriculture workers come into this area each year to work Dade County's \$75,000,000 annual crop production. This generates a total agri-business of over \$250,000,000 in Dade County, a major industry by anyone's standards.

The migrant workers supplement local agriculture workers for a total employment of over 20,000 workers in Dade County.

1. Mostly Mexican Americans.
2. Mostly large family groups.
3. Poorly educated with some language difficulties.

4. Controlled to a large degree by crew leaders.

5. From a survey of Dade County Migrant labor by the Univ. of Miami (1966) we get the following information: (a) Workers per family, 2.3; (b) Income per family \$137.00 per wk. Average; and (c) Those that favor Dade County over all other areas 73%.

The average stay is approx. 5 months each season.

These are self supporting, productive people, independent, and very much deserving of our full support.

SOME ECONOMIC CONSIDERATIONS IN REFERENCE TO OUR SOUTH FLORIDA MIGRANT LABOR

There is an intricate relationship in our Eastern labor migrant stream that works incredibly well balanced and efficient. South Florida attracts the migrant workers in the Fall after the last of the crops are picked in the North. They stay here until early Spring and move up the line with the maturing crops as the weather warms, Rusklin, Ft. Pierce, Georgia, Carolina, Virginia, and last N.Y., N.J. and Penn. Our area is in my opinion the key link to the success of this orderly and necessary chain in the labor movement to meet job requirements.

HOUSING

Housing is the primary problem of the farm migrant worker and his family. They are in a constant struggle to find shelter much less good living accommodations.

Much of the problem lies in the nature of the migrant himself and his seasonal work. These people meet all of the criteria of the unprofitable tenant. A real landlords nightmare.

1. They are short term, temporary renters, many are in the area for only a short time depending on the crops and the area. Some areas for only a few weeks.

2. They have a tendency to crowd more than one family in a house.

3. They are very fluid in their living style. Families may move from crew to crew within the same housing center.

4. Large families are the rule. Many families with over 6 children.

5. They are poorly educated, difficult to communicate with.

6. They are destructive of property. This is usually the case under crowded conditions where there is a large number of children.

So the profit motive for building houses for these people does not properly apply. This, I think, is one of the big problems in getting housing for these people.

Federal and State help is a must for these people in this important area and it has been sadly inadequate.

In Dade County in the late 50's there were over 70 migrant labor camps. Today there are only 13. The economics of farm labor housing was just too much for farmers, especially in the light of the cost price squeeze and the increasing Mexican competition. The farmers literally could not afford to house their people anymore.

Some of the larger farmers have had the courage and the financial ability to maintain ageing housing despite economic loss and considerable abuse. More farm labor housing will close down this year in our area. Most of which is long past due to be replaced. I question, however, closing down what little is left before replacement housing can be built.

I am reminded of the late 50's when hundreds of families were sleeping and living on canal banks and in trucks. The news media was justifiably brutal in its national coverage of these events. The huge old B & L (Mexico City Labor Camp) was reopened to alleviate this situation. This camp was closed 4 years ago.

Gentlemen, we are fast approaching a situation that could be disastrous to the farmers, the migrants, the community, the State and the Federal government. We will all have to share some of the blame for these coming events.

CREW LEADERS

The crew leader is an absolutely essential part of an efficient farm labor system. 1. The crew leaders are responsible for the orderly movement of large groups of workers from one farmer to the next and one crop to the next sometimes all

in the same day, giving a full employment situation for his people out of piece meal work situations. There has to be a broker or middleman in this type situation.

2. The crew leader arranges for the movement of labor from area to area, crop to crop, based on supply and demand. He arranges for housing, finances, transportation and all the other little details necessary for the movement of family groups from area to area for the most important work.

3. It is the crew leader that takes the sick child to the hospital in the middle of the night, helps the families during freeze and crop failure periods, loans money in emergencies and generally keeps a crew going.

There is no way farmers can get this type of work done by regular employees, unions etc. The system works and no other system will.

There is much more I would like to say but time is limited.

The migrant labor force is among America's most efficient and valuable labor assets. We should strive to help them in their profession. More and better housing is a must. The crew leader should be helped in refining his profession. Education assistance, day care and emergency aid are all areas where additional emphasis is necessary.

Thank you.

Mr. CAMPBELL. Thank you. My name is Jack Campbell. I am an executive with C. C. Carpenter Farms. And I have worked in agriculture in South Dade all my life.

At the present time I am president of the Dade County Agricultural Council and secretary and treasurer of the South Florida Tomato and Vegetable Growers Association.

I have worked in migrant labor causes in and for Florida for the past 15 years, and I was one of the founders of the Florida Redland Christian Migrant Association and was president of that association for 6 years. I've also served on various other boards and committees and so forth on the county, State and Federal level in this particular field of service to our agriculture labor.

And, I would like to present briefly just some components of the agricultural industry in south Florida and its relationship to the migrant labor force.

First, the people and the industry.

Some 7,000 to 10,000 migrant agricultural workers come into this area each year to work Dade County's \$75 million annual crop production. This generates a total agribusiness of over \$250 million in Dade County, which certainly is a major industry by anybody's standards. And, that is not all. We grow tomatoes, but we have all kinds of other crops with it, so this generates a total business of that \$250 million annually.

The migrant worker supplement local agricultural workers that we use, which is approximately 20,000 individuals in the fields in Dade County.

The migrant force consists mostly of Mexican-Americans. They are mostly in large family groups. And this is important in considering these people, because you have to consider what they do and what constitutes these laborers and who we are talking about. They are poorly educated and generally have some language difficulties. So, of course, this limits their field of work. They are controlled to a large degree by crew leaders.

I might say that I assisted the University of Miami in a survey they took in our area. I believe in 1966 involving Dade County migrant labor. And, they came up with the following information, which I be-

lieve can be considered unbiased. And, this is just for their own information that they did this.

Workers per family among the migrant force, 2.8. Income per family, \$137 per week average. Now, this is based again on over two people working in the family, usually the wife works, and maybe one or two others in the family. And, the significant factor here is that 73 percent of these people surveyed preferred Dade County to any other county in the entire Nation, including New York State or any other State supposedly more progressive than Florida. And, we have community action and good church groups working with these people, and a very good county health department and other services, especially in the educational field, which I think is the best in the country working with these people.

These people in my opinion are self-supporting and very productive as far as our society is concerned, much more so than the average laborers. They are independent, and they deserve every support we can give them.

There are some economic considerations that we have to consider here in this area in reference to our south Florida migrant labor. There is an intricate relationship in our eastern labor migrant stream that is incredibly well-balanced and efficient. Each area depends on these particular workers here to serve their area as their weather warms up. They go to Rusk, which comes into production here in about 2 weeks. And they will go completely busted if our workers here did not move into their area when they are through with the crops here. If our crops run late, they are in trouble to start with.

And from Rusk, we have them going north to Fort Pierce, to Georgia, to Carolina, to Virginia, and lastly to New York, New Jersey and Pennsylvania.

Just like Senator Pepper said, moving upstream, it is an intricately balanced working force. And I think our area is a key link to success. And our area is in my opinion the key link to the success of this orderly and necessary chain in the labor movement to meet these job requirements.

In other words, they come south, and if they don't come here, they wouldn't have a basis to start back north with. And I don't know what would happen to some of the other crop areas then. I really don't. Now, my concern mainly with migrants is that I think everybody has let the migrant force down in the field of housing. You can have all the education and all the social and welfare programs you want, but if they don't have a decent house in which to live, he has nothing to start with at all.

I have operated labor camps and I still do operate one. And it doesn't belong to me, but I operate it for the sole purpose of people having nowhere else to go. If they don't have these places to go, it can be a real calamity. And this has happened here before. It was a national disgrace. And this could happen again this coming year. And, in the late fifties hundreds of families were sleeping and living on canal banks and in trucks. And this made such an impression on me that I have been after this housing ever since. I haven't been successful, I will admit, but I'm always in the battle for better housing.

Now, why is this housing such a problem? You say, why couldn't there be more housing furnished? Let's look at the people themselves first.