

THE PRESIDENT'S COMMITTEE ON MIGRATORY LABOR

Report of a Meeting held on

January 17, 1962

**Washington, D. C.
January 19, 1962**

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The President's Committee on Migratory
Labor

**AGENDA FOR
MEETING OF THE PRESIDENT'S COMMITTEE
ON MIGRATORY LABOR**

DATE: January 17, 1962
TIME: 9:30 A.M.
PLACE: Secretary Goldberg's Conference Room
Room 3428, U. S. Department of Labor

- I. INTRODUCTORY REMARKS**
Arthur J. Goldberg, Secretary of Labor, Chairman
- II. MIGRATORY FARM LABOR...REVIEW OF PUBLIC POLICY,
INCLUDING PCML ACTIVITIES**
John Walsh, Executive Director
- III. REPORT ON PENDING FEDERAL LEGISLATION**
The Honorable Harrison A. Williams, U. S. Senate
The Honorable Herbert Zelenko, U. S. House of Representatives
- IV. CONSIDERATION OF COMMITTEE STATEMENT OF POLICY,
RECOMMENDATIONS AND DIRECTIVES**

U. S. DEPARTMENT OF LABOR
Office of the Secretary
Washington

January 17, 1962

The President
The White House
Washington 25, D. C.

Dear Mr. President:

We are pleased to submit the first formal statement of policy, recommendations and directives of your Committee on Migratory Labor. This report was approved at a meeting of the full Committee today.

Approximately one million men, women and children are involved in the Nation's migratory farm labor system. Excluded from most of the great social and economic legislation which protects the vast majority of the Nation's wage earners, forced to compete with hundreds of thousands of foreign workers, bereft of training and education in anything other than agriculture, migratory farm workers are truly the Nation's excluded Americans. Each Spring brings fresh reports of highway accidents resulting in the death and injury of migrants in transit, stranded migrants without adequate food or shelter, and the retardation of migrant children because of inadequate educational opportunities.

Together, domestic migrant farm workers comprise a "depressed class" of agricultural wage earners--a group which for many years has remained outside the broad scope of public concern or policy. Most are members of minority groups--Negro, Mexican-American, Puerto Rican and American Indian. Many are former sharecroppers, tenant and marginal farmers, and regularly hired laborers who have been replaced either by machines or foreign labor. They migrate because there are not enough jobs in their home communities to sustain them, or because local wages are too low to provide for the necessities of life.

The chief purpose of today's meeting of the President's Committee on Migratory Labor has been to establish a united Committee policy directed toward improvement of the economic and social condition of migrant farm workers and their families. Our immediate goal is to secure passage by the House of the five bills, introduced by Senator Harrison A. Williams of New Jersey and passed by the Senate during the

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last session of Congress. These bills deal primarily with the national registration of farm labor contractors and crew leaders, the extension of the child labor provision of the Fair Labor Standards Act to the children of migrants, the extension of health services to migrants, grants in aid on a matching basis to States for the education of migrant children and adults, and the establishment of a National Advisory Council on Migratory Labor. The Committee has also urged passage of the National Farm Labor Stabilization Act--a bill which would make it possible for many more underemployed rural workers to accept jobs in agriculture.

We have also advocated strict enforcement of Federal and State laws and regulations which now apply to migrants and their families, and the tightening of regulations governing the importation of foreign labor for work on U. S. farms.

In addition, the Committee has advocated "support in principle" for the extension of appropriate minimum wage and labor-management legislation to agriculture. The Committee has asked the PCML Secretariat to review legislative proposals in these fields.

The Committee has also directed its Secretariat to study provisions of the Area Redevelopment Act and Rural Development and Special Food Programs to determine how the benefits of these programs can be extended to migrants and their families.

In conclusion, Mr. President, we believe that public support for reform in this field is at the highest point ever reached. It is your Committee's opinion that effective follow-through by both legislative and administrative forces will produce tangible solutions to the long-standing problems of migrants and their families.

Respectfully,

/s/ Arthur J. Goldberg,
Secretary of Labor,
Chairman, President's
Committee on Migratory Labor

THE WHITE HOUSE
Washington

January 17, 1962

Dear Mr. Secretary:

I have read the statement of policy, recommendations and directives of the President's Committee on Migratory Labor which you sent to me today. I wholeheartedly endorse the Committee's view that a united policy is necessary if improvements are to be made in this important field.

Having been long acquainted with the problems faced by migratory farm workers and their families, I believe the Committee has outlined in its recommendations and directives the major areas of concern. A follow-through on the Committee's recommendations will, in my opinion, result in better conditions for the Nation's migrants--one of the most underprivileged groups in the American labor force. The five migrant bills introduced by Senator Harrison A. Williams of New Jersey and passed by the Senate during the last session of Congress offer the opportunity to make real progress in this important area consonant with the Committee's recommendations. I hope these bills will receive favorable action by the House this year.

/s/ John F. Kennedy

The Honorable Arthur J. Goldberg
Secretary of Labor
Washington 25, D. C.

MEETING OF COMMITTEE

The President's Committee on Migratory Labor met on January 17, 1962. Present at the meeting were Secretary of Labor, Arthur J. Goldberg, Chairman; Secretary of Agriculture, Orville L. Freeman; Secretary of the Interior, Stewart L. Udall; Secretary of Health, Education, and Welfare, Abraham A. Ribicoff; and the Administrator of the Housing and Home Finance Agency, Robert C. Weaver. Special guests were the Honorable Harrison A. Williams, Jr., Senator for New Jersey, Chairman of the Senate Subcommittee on Migratory Labor; and the Honorable Herbert Zelenko, Congressman from New York, Chairman of the House Select Subcommittee on Labor.

Also present were the alternate committee members, the committee Executive Director, John Walsh, and Departmental aides.

In opening the meeting Chairman Goldberg expressed the hope that the Committee would establish a united policy directed toward improving the social and economic conditions of migrants and their families. He hoped also that all major issues would be considered at the meeting, and that the Committee would formulate a program to eliminate the persistent problem of migrancy from the American scene.

In welcoming the distinguished guests, the Chairman touched briefly upon past legislative efforts to improve migrant conditions, but said none has succeeded in achieving what Senator Williams had accomplished during the last session of the Congress -- the passage by the Senate of five bills pertaining specifically to migratory labor.

Chairman Goldberg also paid tribute to the efforts of Representative Zelenko in working for action in the House on migratory labor bills introduced by himself and other representatives. "I am sure that I am speaking on behalf of all members of the Committee," the Chairman said, "when I congratulate the Senator and the Congressman for taking on a tough job for no reason other than that it was the right thing to do."

Senator Williams and Congressman Zelenko made appropriate responses and both expressed their warm appreciation of the Chairman's remarks concerning the stated purpose of the meeting. Both guests gave an interesting resume of campaign actions on behalf of migrant legislation, and each confirmed the increase in public awareness of migrants and concern for their welfare. The Senator indicated that he expected to hold hearings this year on some if not all of his remaining five bills, while the Congressman said he would concentrate on passage of the five measures passed by the Senate in the first session of the Congress.

The Committee's Executive Director, John Walsh, gave a resume of migratory labor conditions, of governmental attempts to resolve the many problems involved, and of public policy motivating those actions.

On the request of the chairman a proposed Statement of Committee Policy, Recommendations and Directives, developed by the Secretariat with the aid of constituent Departments, was then read once, and opened for discussion and consideration. All members of the Committee separately expressed their endorsement of the document, and with a few minor changes it was formally and unanimously adopted.

The Committee's Statement of Policy, Recommendations and Directives was submitted to the President. Appended hereto is a copy of the Chairman's letter of transmittal, and a copy of the President's letter of response.

STATEMENT OF POLICY, RECOMMENDATIONS AND DIRECTIVES
OF THE PRESIDENT'S COMMITTEE ON MIGRATORY LABOR

STATEMENT OF POLICY

Migratory agricultural workers have been given many names -- "Excluded Americans," "Forgotten Americans," and the "Nation's Derelicts," among many others. Regardless what they are called, migrants perform an extremely important service to farming communities throughout the Nation during certain seasons of peak agricultural activity. Their appearance in an area may mean the difference between economic success and economic disaster. Between seasons, they retire to shack and shanty towns well off the main roads in their home base areas -- out of sight and out of mind.

Domestic migrants are displaced people, usually lacking in education and bereft of training in anything other than agriculture. Most are members of minority groups -- Negro, Mexican-American, Puerto Rican and American Indian. Many are former sharecroppers, tenant and marginal farmers, and regularly hired laborers who have been replaced either by machines or foreign labor. They migrate because there are not enough jobs in their local communities to sustain them, or because local wages are too low to provide for the necessities of life.

Together, they comprise a depressed class of agricultural wage earners; a group which for many years has remained outside the broad scope of public concern and policy. They are among the lowest paid of any group in the American labor force, able to find employment on only half the days of each year. They are excluded from most of the great social and economic legislation which protects the vast majority of American wage earners. Because they are constantly on the move, their children are denied the opportunity to receive an adequate education, and restrictive residence requirements deny them public health and welfare services. In many cases this restriction extends even to that most basic of American rights -- the right to vote.

In their everlasting search for work, domestic migrants are forced to compete with hundreds of thousands of foreign workers for the few jobs that are available to them. Yet to many growers across the country, these workers are indispensable to harvesting, their importance far exceeding their numbers during crucial periods of the agricultural cycle.

The President's Committee on Migratory Labor recognizes the many earnest efforts made on behalf of the Nation's migrant workers by church, civic, farm, and labor groups in a great number of communities throughout the country. The Committee believes that as long as migrancy continues, the need for community services will also continue, and urges that there be no relaxation of these commendable programs.

The Committee also recognizes the valuable services of its Working Group, the members of which often contribute their own time in planning and programming interdepartmental services for migrants. The many national and state committees and organizations concerned with the problem of migratory labor have accomplished a great deal in publicizing the need for sound remedial action, and working for its realization. For over two years Senator Harrison A. Williams of New Jersey, aided in the House by Congressman Herbert Zelenko of New York, has worked strenuously on a migrant legislative program. Senator Williams with the help of Congressman Zelenko has done much to focus public and official attention on the migratory labor problem and has helped bring the extension of protective legislation to migrants closer to actuality than ever before in history.

The chief purpose of the first meeting of the President's Committee on Migratory Labor under the Kennedy Administration is to establish a united Committee policy directed toward improving the economic and social condition of migrant farm workers and their families. It is the Committee's hope that all public policy will be directed toward the creation of a stable and structured labor force in American agriculture, rather than toward the perpetuation of the present anachronistic labor system based on unemployment, underemployment and poverty, both at home and abroad. The Committee supports a sound farm program which will assure prosperity for all American farmers, but insists that such prosperity be shared by all segments of the agricultural community, including both migratory and permanent hired labor.

It is, therefore, the policy of the President's Committee on Migratory Labor to accomplish in agriculture what we, as a Nation, have already accomplished in most other sectors of our economy - the restoration of respect and dignity, based on good wages, good working conditions, steady employment, educational opportunities, and the extension of public health and welfare services to the men, women and children who labor for hire in American agriculture.

RECOMMENDATIONS AND DIRECTIVES

I. FEDERAL LEGISLATION

A. Legislation Passed by the Senate: The President's Committee on Migratory Labor recommends prompt and favorable action by the House of Representatives on five migrant labor measures passed by the Senate during the first session of the Congress. The Committee believes that passage of these bills would mark a historic turning point in public policy toward farm migrants and their families. Briefly, the five measures are as follows:

1. Registration of Farm Labor Contractors: Require registration of crew leaders and labor contractors in an effort to protect migrants against exploitation.
2. Child Labor: To extend the protection of the child labor provisions of the Fair Labor Standards Act to the children of migratory farm workers.
3. Health Services: Grants to States to extend public health services to migrants and their families.
4. Education: Grants in aid on a matching basis to States and local communities to help provide educational opportunities to both migrant children and adults.
5. National Advisory Council on Migratory Labor: Composed of representatives of migrants, farm employers and experts in the field of migrant health, welfare, education and employment, to advise the President and the Congress on matters pertaining to migratory labor.

B. Other Migrant Legislation: The President's Committee on Migratory Labor, in seeking to remedy other areas of long-standing distress from which migratory and other farm workers suffer, recommend that the Congress give serious consideration to the following proposals, each within its own context:

1. Domestic Worker Stabilization: The President's Committee on Migratory Labor recommends prompt consideration and passage by the Congress of the measures introduced as the "National Farm Labor Stabilization Act." The Committee believes the provisions of this bill would make it economically possible for many additional underemployed rural workers to accept employment in agriculture. This would work to the advantage of farm employers as well as employees.

2. Minimum Wage: The President's Committee on Migratory Labor supports in principle the appropriate extension of minimum wage legislation to agriculture. The Committee believes that there is rising public support for an agricultural minimum wage. This support comes not only from groups and individuals usually associated with reform in the farm labor field, but from many growers and their organizations as well. It is becoming increasingly apparent that growers who reside in States where farm labor wage rates are relatively high are at a competitive disadvantage with growers in low-wage States. The Committee directs the Secretariat to review legislative proposals in this field, and in so doing to take into account the problems faced by farm operators whose difficulties are fully appreciated by the Committee.
3. Day-Care: The President's Committee on Migratory Labor supports legislation which would provide grants in aid to the States on a matching basis to provide day-care centers for the children of migratory agricultural workers. Under present conditions, the children of migrants who are too young to work are left at the home camp during the workday without sufficient care, or are taken to the fields where dangerous conditions prevail.
4. Housing: The President's Committee on Migratory Labor supports in principle legislation which would aid farmers and farm wage earners in improving on-farm and home-base housing. The Housing Act of 1961 will be of help in this regard, but it is possible that additional legislation may be necessary. The Committee recommends, therefore, that Congress give serious consideration to bills, introduced by Senator Harrison Williams and others, which would provide direct loans to associations of farmers and other non-profit organizations for improvement of off-farm housing. The PCML recommends also that the Secretariat give further study to adjustments in the Housing Act of 1961 which would make it easier to provide adequate housing for farm workers.

5. Labor-Management Relations: The President's Committee on Migratory Labor supports in principle the appropriate extension of collective bargaining rights to agricultural workers. The Committee recognizes, however, that the unstructured and diversified character of both agriculture and agricultural labor must be properly considered before the type and scope of enabling legislation can be determined. The Committee's Secretariat is accordingly directed to initiate a study of this problem and forward recommendations to the Chairman of the Committee as soon as possible.
6. Unemployment Insurance: The President's Committee on Migratory Labor supports in principle the extension of unemployment insurance legislation to agriculture. Specific recommendations in this field will be made following completion of studies now underway by the U. S. Department of Labor in cooperation with several State employment security agencies.
7. Residence Requirements: The great majority of States have residence requirements which exclude financially needy migrant workers and their families from public assistance. The President's Committee on Migratory Labor recommends that serious study be given to this problem by Federal and State authorities, with a view to eliminating or reducing the hardships these requirements impose on domestic migratory workers.

II. ADMINISTRATION OF LEGISLATION PASSED DURING THE FIRST SESSION OF THE 87TH CONGRESS AND OTHER PROGRAMS WHICH RELATE TO AGRICULTURAL LABOR

- A. Public Law 78 (Mexican Farm Labor Program) and Other Foreign Worker Legislation: The President's Committee on Migratory Labor believes that the amendments to Public Law 78 passed during the first session of the 87th Congress will be of help to the Secretary of Labor in preventing adverse effect to domestic farm workers. The Committee would like to point out that in a statement accompanying H.R. 2010 (Extension of P.L. 78 as amended), President Kennedy said the following: "The adverse effect of the Mexican farm labor program as it has operated in recent years on the wage and employment conditions of domestic workers is clear and cumulative in its impact. We cannot afford to disregard it. We do not condone it. Therefore I sign this bill with the assurance that the Secretary of Labor will, by every means at his disposal, use the authority vested in him under the law to prescribe the standards and to

make the determinations essential for the protection of the wages and working conditions of domestic agricultural workers." The President's Committee on Migratory Labor welcomes this forthright statement of policy by the President and the initiative taken by the Secretary of Labor to fulfill this Presidential mandate, and the intent of the Congress. The Committee urges that affiliated State agencies, growers who use foreign labor, and other interested individuals and organizations offer their full cooperation to the Secretary of Labor. In line with this, the Committee recommends that growers who use foreign labor begin now to seek ways and means of recruiting and training available domestic labor, thereby reducing their dependence on foreign labor. The Committee recommends also that present farm placement activities be expanded to help achieve full utilization of unemployed and underemployed rural workers. Finally the Committee asserts that the temporary admission of aliens for work in agriculture under the Immigration and Nationality Act, Public Law 414, can be no substitute for the kind of bi-lateral agreement that exists between the United States and Mexico for the temporary admission of Mexican Nationals for work in agriculture under Public Law 78.

- B. Area Redevelopment and Rural Area Development Programs: The President's Committee on Migratory Labor directs the Secretariat to study provisions of the Area Redevelopment Act and Rural Area Development Programs to determine how the benefits of these programs can be extended to migrants and their families -- especially to migrants who make their home-base in designated redevelopment areas. Recommendations from the Secretariat to the Committee members should be made within 90 days of the date of this meeting.
- C. Housing Act of 1961: The President's Committee on Migratory Labor directs the Secretariat, in cooperation with HHFA and FHA, to initiate an informational campaign to inform farmers and farm wage earners of the provisions of the Housing Act of 1961 which apply to the improvement and construction of home-base and on-farm housing.
- D. Special Food Programs: The President's Committee on Migratory Labor recommends additional special efforts to enable more migratory workers and their families to receive the benefits of the National School Lunch and Special Milk Programs, and the program under which Federally owned foods are made available to the States for distribution to schools, non-profit institutions and needy families. The Committee, therefore,

directs the Secretariat to explore immediate areas of additional action, including the need to work with State migratory labor committees in order to achieve greater use of these programs in assisting migratory farm workers and their families.

- E. State Programs: The President's Committee on Migratory Labor directs the Secretariat to work closely with State migratory labor committees in the formation of programs to aid migrants. State committees and agencies are urged to call upon the Secretariat for any help they may need in developing and carrying out programs, and are also urged to offer advice and recommendations concerning future actions of the President's Committee on Migratory Labor.

III. ENFORCEMENT OF EXISTING LEGISLATION AND REGULATIONS

- A. Federal Legislation and Regulations: The President's Committee on Migratory Labor urges all Federal and cooperating State agencies which administer laws and regulations pertaining to agricultural labor to improve related enforcement and compliance programs. If additional appropriations are necessary, the Committee recommends that the agencies request additional funds from the Congress, and that the Congress give serious consideration to these requests.
- B. State Legislation and Regulations: The President's Committee on Migratory Labor urges those States which have laws and regulations applying to agricultural labor to step up their enforcement and compliance programs. State action of this kind is especially needed in the fields of health, housing or labor camp regulations, and safety regulations governing the transportation of farm workers. The Committee also urges those States which do not have legislation and regulations pertaining to agricultural labor to act in this area as soon as possible. State action in the field of workmen's compensation is especially needed.