

H. R. 8109

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 1965

Mr. ROOSEVELT introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend certain provisions of the Fair Labor Standards Act of 1938 and the National Labor Relations Act relating to agricultural labor, and to establish a voluntary farm employment service and a National Advisory Council on Migratory Labor.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Agricultural Labor
4 Reform Act of 1965".

TITLE I—MINIMUM WAGES

6 SEC. 101. Section 3 (e) of the Fair Labor Standards
7 Act of 1938 is amended to read as follows:

8 " (e) 'Employee' includes any individual employed by

1 an employer, except that such term shall not, for the pur-
2 poses of section 6 (a) (4), include any individual employed
3 by an employer engaged in agriculture if such individual is
4 (1) a member of the employer's immediate family, or (2)
5 a sharecropper, or a member of the sharecropper's immediate
6 family, working on or in connection with the sharecropper's
7 tract of land."

8 SEC. 102. Section 3 of such Act is further amended by
9 adding at the end thereof the following new paragraphs:

10 "(t) 'Man-day' means any day during any portion of
11 which an employee performs any agricultural work;

12 "(u) 'Hired farm labor' means the labor of any em-
13 ployee employed in agriculture;

14 "(v) 'Sharecropper' means any individual who works
15 in whole or in part a particular tract of land from planting
16 through harvesting under general supervision and is entitled
17 to receive as the primary return for his labor on the tract a
18 share of the crop or crops produced thereon or of the proceeds
19 realized therefrom."

20 SEC. 103. Subsection (a) of section 6 of such Act is
21 amended by striking out the period at the end of paragraph
22 (3), inserting a semicolon, and by adding the following new
23 paragraph:

24 "(4) if such employee performs hired farm labor
25 for an employer who during any one of the four pre-

1 ceding calendar quarters used more than three hundred
2 man-days of hired farm labor, such employee shall be
3 paid by his employer (i) not less than \$1.15 an hour
4 during the first year following the effective date of this
5 paragraph, (ii) not less than \$1.20 an hour during the
6 second year following such effective date, (iii) not less
7 than \$1.25 an hour during the third year following such
8 effective date, and (iv) thereafter, not less than the rate
9 prescribed in paragraph (1) of this subsection. If such
10 employee performs hired farm labor for such an em-
11 ployer on a daily, weekly, monthly, or annual basis,
12 such employee shall be paid at a rate which will, for the
13 period covered by the wage payment, provide him wages
14 at least equal to compensation he would have been
15 entitled to receive had he been employed at the mini-
16 mum hourly rate prescribed in this paragraph. In any
17 case in which employees (covered by the provisions
18 of this paragraph) of any employer are paid on a piece-
19 work basis, the actual wage paid such employees shall
20 not be less than prescribed in the foregoing provisions
21 of this paragraph. Notwithstanding any other provi-
22 sions of this Act, this paragraph shall apply only with
23 respect to an employee whose services during the work-
24 week are performed within a State of the United States
25 or the District of Columbia.”

1 SEC. 104. (a) Subsection (a) of section 13 of such Act
2 is amended by striking out in clause (6) thereof "in agri-
3 culture or".

4 (b) Subsection (b) of such section is amended by strik-
5 ing out the period at the end thereof, inserting a semicolon
6 and the word "or" and by adding the following new
7 paragraph:
8 " (12) any employee employed in agriculture." 8

9 SEC. 105. The amendments made by this title shall take
10 effect on the first day of the sixth month following the month
11 in which this Act is enacted. 11

12 TITLE II—CHILD LABOR 12

13 SEC. 201. Section 13 (c) of the Fair Labor Standards
14 Act of 1938 is amended to read as follows: 14

15 " (c) (1) The provisions of section 12 relating to child
16 labor shall not apply to any employee employed in agricul-
17 ture outside of school hours for the school district where
18 such employee is living while he is so employed, if such
19 employee is— 19

20 " (A) employed by his parent, or by a person
21 standing in the place of his parent, on a farm owned
22 or operated by such parent or person, or 22

23 " (B) is 14 years of age or over, or 23

24 " (C) is 12 years of age or over and is employed on
25 a farm to which he commutes daily within twenty-five

1 miles of his permanent residence, and (i) such employ-
2 ment is with the written consent of his parent or person
3 standing in place of his parent, or (ii) his parent or
4 person standing in place of his parent is also employed
5 on the same farm.

6 “(2) No employee below the age of 18 may be em-
7 ployed in agriculture in an occupation that the Secretary
8 of Labor finds and declares to be particularly hazardous for
9 the employment of children below age 18, except where
10 such employee is employed by his parent or by a person
11 standing in the place of his parent on a farm owned or
12 operated by such parent or person.

13 “(3) The provisions of section 12 relating to child
14 labor shall not apply to any child employed as an actor or
15 performer in motion pictures or theatrical productions, or
16 in radio or television productions.”

17 SEC. 205. The amendments made by this title shall
18 take effect on the first day of the sixth month following the
19 month in which this Act is enacted.

20 TITLE III—COLLECTIVE BARGAINING

21 SEC. 301. Section 2 (3) of the National Labor Relations
22 Act is amended by striking out the following phrase: “as
23 an agricultural laborer, or”.

24 SEC. 302. Section 8 (f) of the National Labor Relations
25 Act is amended to read as follows:

1 “(f) It shall not be an unfair labor practice under sub-
2 sections (a) and (b) of this section for an employer engaged
3 primarily in the building and construction industry, or an
4 employer engaged in agriculture, to make an agreement
5 covering employees engaged (or who, upon their employ-
6 ment, will be engaged) in the building and construction
7 industry, or as agricultural laborers, with a labor organization
8 of which such employees are members (not established,
9 maintained, or assisted by any action defined in section 8 (a)
10 of this Act as an unfair labor practice) because (1) the
11 majority status of such labor organization has not been
12 established under the provisions of section 9 of this Act
13 prior to the making of such agreement, or (2) such agree-
14 ment requires as a condition of employment, membership in
15 such labor organization after the seventh day following the
16 beginning of such employment or the effective date of the
17 agreement, whichever is later, or (3) such agreement
18 requires the employer to notify such labor organization of
19 opportunities for employment with such employer, or gives
20 such labor organization an opportunity to refer qualified
21 applicants for such employment, or (4) such agreement
22 specifies minimum training or experience qualifications for
23 employment or provides for priority in opportunities for
24 employment based upon length of service with such em-
25 ployer, in the industry or in the particular geographical

1 area: *Provided*, That nothing in this subsection shall set
 2 aside the final proviso to section 8 (a) (3) of this Act:
 3 *Provided further*, That any agreement which would be
 4 invalid, but for clause (1) of this subsection, shall not be
 5 a bar to a petition filed pursuant to section 9 (c) or 9 (e).”

6 (1) SEC. 303. Notwithstanding the provisions of any other
 7 law, the amendments made by this title shall take effect on
 8 the first day of the sixth month following the month in which
 9 this Act is enacted.

10 TITLE IV—VOLUNTARY FARM EMPLOYMENT 11 SERVICE

12 SEC. 401. The Act of June 6, 1933 (48 Stat. 113;
 13 29 U.S.C. 49 et seq.), is amended by inserting the heading
 14 “TITLE I” before the first section and by adding at the
 15 end of such Act the following new title:

16 “TITLE II—VOLUNTARY FARM EMPLOYMENT 17 SERVICE

18 “LEGISLATIVE FINDINGS AND DECLARATION OF POLICY

19 “SEC. 201. (a) The Congress finds that (1) an ade-
 20 quate supply of agricultural labor is essential to the Nation’s
 21 health and welfare; (2) the insecurity and instability of
 22 agricultural employment has rendered such employment rel-
 23 atively unattractive; (3) in many cases agricultural work-
 24 ers have traveled unnecessarily long distances to obtain
 25 agricultural employment when such employment was avail-

1 able at relatively shorter distances; (4) shortages of agri-
2 cultural labor in some areas have existed at the same time
3 that surpluses of such labor existed in other areas; (5)
4 the filling of such shortages with qualified, dependable agri-
5 cultural workers would aid in reducing the serious rural un-
6 employment and underemployment in this country; (6) the
7 need for agricultural labor can be met and fuller employ-
8 ment for agricultural workers can be provided in many
9 cases only through assisting such workers to travel, in many
10 instances across State boundaries, to areas in which agri-
11 cultural labor shortages exist; (7) steadily increasing
12 mechanization has resulted in greater demand for skilled
13 agricultural workers; and (8) the need for agricultural
14 labor can be better met, agricultural employment can be
15 made a more stable and attractive means of earning a liv-
16 ing, and fuller employment can be promoted through im-
17 provements in the recruitment, training, transportation, and
18 distribution of agricultural workers.

19 “(b) It is hereby declared that the policy of the
20 Congress is to meet the Nation’s needs for agricultural
21 labor, to make agricultural employment a more stable and
22 attractive means of earning a living, and to promote fuller
23 employment. It is the purpose of this title to effectuate
24 such policy by authorizing the Secretary to develop and
25 maintain, through the voluntary cooperation and the volun-

1 tary participation of employers and workers, improved
2 methods of recruiting, training, transporting, and distrib-
3 uting agricultural workers.

4 "SUPPLEMENTAL NATURE OF PROGRAM

5 "SEC. 202. The authority of the Secretary under this
6 title shall be in addition to and not in place of any authority
7 under title I of this Act.

8 "PRESERVATION OF INDIVIDUAL CHOICE

9 "SEC. 203. Nothing in this title shall be construed as
10 denying (1) the right of any worker to accept or refuse
11 agricultural employment with any employer, or his right to
12 refuse to enter into an agreement to perform work of a
13 nature he does not wish to perform, or (2) the right of any
14 employer to refuse to offer agricultural employment to any
15 worker, or the right to offer agricultural employment to any
16 worker of his choice.

17 "DEFINITIONS

18 "SEC. 204. As used in this title—

19 "(1) The term 'agricultural employment' means
20 services and activities defined in section 3(f) of the
21 Fair Labor Standards Act of 1938, as amended, or sec-
22 tion 3121(g) of the Internal Revenue Code of 1954,
23 as amended.

24 "(2) The term 'employer' means any person for

1 whom agricultural employment is performed, or associa-
2 tion of such persons, but shall not include any employ-
3 ment or labor contracting agent.

4 “(3) The term ‘worker’ means any individual who
5 is a permanent resident of the United States and engaged
6 in or available for agricultural employment.

7 “(4) The term ‘Secretary’ means the Secretary of
8 Labor or his duly authorized representative.

9 “(5) The term ‘United States’ means the several
10 States, the District of Columbia, and the Commonwealth
11 of Puerto Rico.

12 “PROGRAM AUTHORIZED

13 “SEC. 205. (a) In order to effectuate the purposes
14 of this title, the Secretary is authorized to—

15 “(1) recruit qualified, willing, and able workers
16 to fill orders placed by employers for workers recruited
17 under this title;

18 “(2) provide for the medical examination of such
19 workers to assure that they are physically capable of
20 performing agricultural employment and suffering from
21 no communicable disease;

22 “(3) furnish such workers with transportation to
23 and return from areas of agricultural employment;

24 “(4) furnish such workers with food, housing, and
25 emergency medical care during such transportation and

1 while arrangements are being made for the employment
2 of such workers or their departure from an area of
3 agricultural employment;

4 “(5) provide such facilities as may be necessary
5 to carry out the purposes of this title; and

6 “(6) establish a revolving fund sufficient to pay
7 the cost of transportation, food, housing, and emer-
8 gency medical care authorized under this title.

9 “(b) An order by an employer for agricultural
10 workers recruited under this title shall include such infor-
11 mation as the Secretary finds necessary to enable him to
12 carry out the purposes of this title, including information
13 with respect to the type of agricultural employment to be
14 performed, the time and place at which such employment
15 is to be performed, and any particular qualifications or ex-
16 perience that the employer desires the workers to possess.

17 “(c) No worker shall be made available under this
18 title to an employer unless the Secretary has determined
19 that—

20 “(1) sufficient qualified, willing, and able workers
21 who reside permanently in the area where the agricul-
22 tural employment is to be performed are not available
23 for such employment; and

24 “(2) reasonable efforts have been made to attract
25 such workers for such employment (including the of-

1 fering of wages, hours, and working conditions compara-
2 ble to those specified under section 207 for workers re-
3 cruited under this title).

4 “EMPLOYEE AND EMPLOYER QUALIFICATIONS

5 “SEC. 206. (a) No worker shall be made available
6 under this title to an employer unless—

7 “(1) the Secretary has determined that such
8 worker is (A) qualified, willing, and able to perform
9 the agricultural employment specified in the employer’s
10 order, and (B) physically fit to perform such employ-
11 ment and suffering from no communicable disease, as
12 determined by a medical examination;

13 “(2) such worker has been interviewed by the
14 employer (or an opportunity for an interview has been
15 afforded) and has not been rejected by him;

16 “(3) such worker has agreed (A) to accept agri-
17 cultural employment, specified as to type, time, and
18 area; and (B) to enter into an agreement, as provided
19 in section 207, with each employer with whom he
20 accepts such employment; and

21 “(4) such worker has agreed that if, without good
22 cause, he fails to comply with any agreement entered
23 into by him pursuant to paragraph (3) of this subsec-
24 tion and such failure is a material violation of such
25 agreement, such worker will reimburse the United

1 States for expenses incurred by it in furnishing him
2 transportation, food, housing, and emergency medical
3 care under this title. The amount of the reimbursement
4 in any such case shall be determined by the Secretary,
5 taking into account the amount of employment per-
6 formed by the worker pursuant to his agreement under
7 paragraph (3) (A) of this subsection.

8 “(b) No worker recruited under this title shall be made
9 available to an employer unless such employer has agreed
10 that if he employs such worker he will—

11 “(1) pay the United States a fee, not to exceed \$15
12 (without charging the worker therefor) to cover ex-
13 penses incurred by the United States in furnishing
14 transportation, food, housing, and emergency medical
15 care to workers recruited under this title;

16 “(2) furnish transportation (without charging the
17 worker therefor) from a point designated by the Secre-
18 tary in the area of employment to the point of such
19 worker’s employment and return;

20 “(3) enter into an agreement with the worker, or
21 his representative, as provided in section 207; and

22 “(4) maintain such records relating to the earnings,
23 deductions, and hours of employment of the worker, as
24 the Secretary may by regulation require.

1 "EMPLOYMENT AGREEMENT

2 "SEC. 207. Any agreement between any employer and
3 any worker, or such worker's representative, entered into
4 pursuant to subsections (a) (3) (B) and (b) (3) of sec-
5 tion 206, shall clearly specify—

6 " (1) the period of the employment, and a guar-
7 antee that the worker shall have the opportunity to
8 work at least three-quarters of full time during the
9 period of the employment (forty-eight hours per week
10 to be considered full time) ; but in the event an agree-
11 ment is terminated by an employer for reasons beyond
12 his control, the three-quarters work guarantee shall
13 apply only to the period beginning on the day after
14 the worker's arrival at the place of employment and
15 ending on the date the agreement is terminated;

16 " (2) the wage rate to be paid the worker, which
17 shall be not less than the prevailing wage rate paid
18 by employers to workers similarly employed in the area
19 in which the work is to be performed;

20 " (3) the intervals at which wage payments will
21 be made, which shall be no less frequent than those
22 established for other workers similarly employed by
23 the employer, and in no event less frequent than semi-
24 monthly;

25 " (4) that any housing and sanitary facilities made

1 available by the employer will conform to minimum
2 standards prescribed by the Secretary;

3 “(5) that the employer will provide, at no cost to
4 the worker, workmen’s compensation insurance;

5 “(6) that the worker will perform all agricultural
6 work required of him with proper application, care, and
7 diligence during the period of employment agreed upon;
8 that he will exercise reasonable care and diligence in the
9 use of any housing and sanitary facilities made available
10 to him by the employer; that he will comply with all
11 rules and regulations specified in the agreement relating
12 to safety, discipline, and the care and maintenance of
13 property; and that he will not, except by mutual agree-
14 ment, perform work for any other employer during the
15 period of the agreement.

16 “REPLACEMENT WORKERS AND REIMBURSEMENT

17 “SEC. 208. In any case in which the Secretary deter-
18 mines that a worker has failed to carry out the terms of an
19 agreement entered into by him pursuant to section 206 (a)
20 (3) (B), and that such failure is a material violation of the
21 agreement, the Secretary shall—

22 “(1) supply a replacement worker to the employer
23 and furnish such worker transportation to the place of
24 employment without charging an additional fee under
25 section 206 (b) (1), or reduce the amount of the fee

1 minimum paid or to be paid with respect to the worker who vio-
2 lated the agreement by an amount that is directly pro-
3 portional to the period of the agreement that such
4 worker failed to complete; and
5 “(2) in any case in which a replacement worker
6 is supplied, reimburse the employer in an amount equal
7 to any amount expended for transportation under section
8 206 (b) (2) in excess of the amount such employer
9 would have had to expend if no agreement violation had
10 occurred, or, in any case in which a replacement worker
11 is not supplied, reimburse such employer for transporta-
12 tion expenses incurred under such section with respect
13 to the worker who violated his agreement, taking into
14 account the portion of the period of employment pro-
15 vided for in the agreement not completed by the worker.

16 “COMPLIANCE

17 “SEC. 209. (a) The Secretary may refuse to make
18 the services afforded under this title available to any em-
19 ployer or worker upon a determination, made after notice
20 and an opportunity to be heard, that such employer or
21 worker has failed, without good cause, to comply with (1)
22 of any provision of this title, any rule or regulation implement-
23 ing this title, or any agreement with the Secretary entered
24 into pursuant to this title, if such failure is of such a nature

1 as substantially to impair the effective administration of this
2 title, or (2) any agreement entered into pursuant to section
3 206 (a) (3) (B) or section 206 (b) (3), if such failure is
4 a material violation of such agreement.

5 “(b) The services afforded under this title may be
6 furnished to an employer or worker who has previously
7 been refused such services pursuant to subsection (a) if
8 such employer or worker demonstrates, in accordance with
9 regulations prescribed by the Secretary, that he will in the
10 future comply with the requirements of this title.

11 “GENERAL PROVISIONS

12 “SEC. 210. (a) The Secretary shall provide for the
13 establishment and maintenance of a system of recording,
14 utilizing, and making available to employers information
15 concerning the willingness, ability, and specific qualifica-
16 tions of individual workers to perform agricultural em-
17 ployment.

18 “(b) The Secretary may provide, and may require
19 reimbursement from the worker for the expenses of, trans-
20 portation, food, housing, and emergency medical care to
21 the members of such worker’s family if he determines that
22 the furnishing of such services is a practicable and desirable
23 means of carrying out the purposes of this title.

24 “(c) Private employment agencies and labor contract-

1 ing agents may be permitted, to the extent authorized under
2 regulations prescribed by the Secretary, to participate under
3 this title in the recruitment and placement of workers.

4 “(d) The Secretary is authorized to enter into such
5 agreements with State and local agencies as he deems proper
6 for carrying out the purposes of this title, and may utilize the
7 services of any other department or agency of the Federal
8 Government for such purposes on a reimbursable basis.

9 “(e) Any money received by the Secretary pursuant
10 to section 206 (a) (4), section 206 (b) (1), or subsection
11 (b) of this section shall be credited to the revolving fund
12 established pursuant to section 205 (a) (6) of this title.

13 “(f) The Secretary is authorized to promulgate such
14 rules and regulations as may be necessary to carry out the
15 provisions of this title.

16 “JUDICIAL REVIEW

17 “SEC. 211. Any person aggrieved by any order or deter-
18 mination of the Secretary made under this title may obtain
19 judicial review of such order or determination by filing in
20 the United States district court for the district in which such
21 person resides or has his principal place of business, or in
22 the United States District Court for the District of Colum-
23 bia, within sixty days from the date such order or deter-
24 mination was made, a written petition praying that the

1 order or determination of the Secretary be modified or set
2 aside in whole or in part. A copy of such petition shall
3 be forthwith served upon the Secretary and thereupon the
4 Secretary shall file in the court a transcript of the record
5 upon which such order or determination was made. There-
6 upon the court shall have jurisdiction of the record and shall
7 have power to affirm, set aside, modify, or enforce the order
8 or determination of the Secretary, in whole or in part. The
9 findings of the Secretary as to the facts, if supported by sub-
10 stantial evidence, shall be conclusive. Service of process in
11 such action shall be made in accordance with the rule for
12 service of process upon the United States prescribed by the
13 Rules of Civil Procedure for the United States District
14 Courts.

15 "SPECIAL STUDIES AND PROJECTS"

16 "SEC. 212. In carrying out the provisions of this title
17 the Secretary is authorized to undertake such special studies
18 and conduct such experimental, pilot, and demonstration
19 projects as he determines have promise of leading to fuller
20 utilization of underemployed rural Americans and to meeting
21 the labor requirements of employers. Such studies and
22 projects may include, but shall not be limited to, special
23 job training, counseling, resettlement, overnight transient
24 camps, community exchange services, and special placement

1 services. The Secretary is authorized to expend an amount
2 not to exceed \$200,000 per annum for the purpose of carry-
3 ing out such studies and projects.

4 "AUTHORIZATION FOR APPROPRIATIONS

5 "SEC. 213. There are hereby authorized to be appro-
6 priated such sums as may be necessary to carry out the
7 provisions of this title.

8 "SHORT TITLE

9 "SEC. 214. The provisions of this title may be cited as
10 the 'Voluntary Farm Employment Service Act'."

11 SEC. 402. The Act of June 6, 1933 (29 U.S.C. 49
12 et seq.), is further amended by inserting at the end of title I
13 (as designated by section 401 of this Act) the following
14 new section:

15 "SEC. 14. As used in this title, references to 'this Act'
16 shall be deemed to mean 'this title', and any reference to
17 the provisions of this Act in any other law or in any regu-
18 lation shall be deemed to refer to title I hereof unless the
19 text clearly indicates otherwise."

20 TITLE V—NATIONAL ADVISORY COUNCIL ON
21 MIGRATORY LABOR

22 SEC. 501. (a) There is hereby established a Council to
23 be known as the "National Advisory Council on Migratory
24 Labor" (hereinafter referred to as the "Council"). The

1 Council shall be composed of fifteen members, appointed by
2 the President without regard to political affiliations as fol-
3 lows:

4 (1) Four individuals, appointed from private life,
5 to represent the farmer, who shall be individuals
6 actively engaged in, and whose livelihoods are dependent
7 upon, agriculture, and who employ migratory labor in
8 connection therewith;

9 (2) Four individuals, appointed from private life,
10 to represent the migratory agricultural workers;

11 (3) Two individuals, appointed from private life,
12 who shall have a demonstrated interest in and knowl-
13 edge of the problems relating to migratory agricultural
14 labor, including the problems of the migratory agricul-
15 tural worker, his employer, and the community;

16 (4) Two individuals, appointed from private life,
17 who are or have been actively engaged in activities
18 aimed at determining and solving the health, education,
19 and welfare problems of the migratory agricultural
20 worker and his family; and

21 (5) Three individuals who have had experience as
22 State officials and who are knowledgeable of the prob-
23 lems relating to migratory agricultural labor.

24 (b) Members of the Council shall be appointed for the

1 life of the Council. A vacancy in the Council shall not affect
2 its powers, but shall be filled in the same manner in which
3 the original appointment was made.

4 (c) The President shall designate one of the members
5 of the Council as Chairman and one as Vice Chairman.
6 Eight members of the Council shall constitute a quorum.

7 (d) While rendering service as a member of the Coun-
8 cil, or as an attorney or expert in any business or profes-
9 sional field employed by the Council on a part-time basis
10 or without compensation, an individual shall be regarded
11 as a special Government employee within the meaning of
12 chapter 11 of title 18 of the United States Code.

13 (e) Members of the Council shall each be entitled to
14 receive \$50 per diem when engaged in the actual perform-
15 ance of duties vested in the Council, including travel time,
16 and while away from their homes or regular places of busi-
17 ness may be allowed travel expenses, including per diem in
18 lieu of subsistence, as authorized by section 5 of the Adminis-
19 trative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons
20 in the Government service employed intermittently.

21 (f) The Council shall meet at the call of the Chairman
22 or at the call of a majority of the members thereof, but not
23 less often than once each calendar year.

24 SEC. 502. (a) The Council shall have a staff director
25 who shall be appointed by the Chairman without regard to

1 the civil service laws and the Classification Act of 1949, as
2 amended. The staff director shall have such duties as may
3 be imposed by the Council, and shall be compensated at a
4 rate not to exceed \$18,000 per annum.

5 (b) The Council shall have the power to appoint and
6 fix the compensation of such personnel, as it deems advisable,
7 without regard to the provisions of the civil service laws and
8 the Classification Act of 1949, as amended.

9 (c) The Council may procure, in accordance with the
10 provisions of section 15 of the Administrative Expenses Act
11 of 1946 (5 U.S.C. 55a), the temporary or intermittent
12 services of experts or consultants; individuals so employed
13 shall receive compensation at a rate to be fixed by the Coun-
14 cil, but not in excess of \$50 per diem, including travel time,
15 and while away from their homes or regular places of busi-
16 ness may be allowed travel expenses, including per diem in
17 lieu of subsistence, as authorized by section 5 of the Ad-
18 ministrative Expenses Act of 1946 (5 U.S.C. 73b-2) for
19 persons in the Government service employed intermittently.

20 SEC. 503. (a) It shall be the duty of the Council to
21 advise the President and the Congress, with respect to
22 (1) the operation of Federal laws, regulations, programs,
23 and policies relating to any and all aspects of migratory agri-
24 cultural labor; and (2) any and all other matters relating to
25 migratory agricultural labor.

1 (b) It shall also be the duty of the Council to con-
2 sider, analyze, and evaluate the problems relating to migra-
3 tory agricultural labor with a view to devising plans and
4 making recommendations for the establishment of policies
5 and programs designed to meet such problems effectively.
6 In carrying out such duty, the Council shall consider, among
7 others, the following matters:

8 (1) The effect of existing laws, regulations, pro-
9 grams, and policies on the various problems relating to
10 migratory agricultural labor, including the problems of
11 the migratory agricultural worker, his employer, and
12 the local area in which he is employed; and

13 (2) The means for improved coordination of Fed-
14 eral, State, county, and local policies and programs re-
15 lating to migratory agricultural labor.

16 (c) The Council shall, on or before March 31 of each
17 calendar year, submit an annual comprehensive report of its
18 findings and recommendations to the Secretary of Labor
19 for transmission by him to the President and to the Congress.

20 SEC. 504. The Council shall cease to exist upon the ex-
21 piration of five years from the date of the initial appoint-
22 ments to the Council made by the President under this
23 title.

1 SEC. 505. There are hereby authorized to be appropri-
2 ated such sums as may be necessary, not to exceed \$50,000
3 in any fiscal year, to carry out the provisions of this title.

4 during the first year following the effective date of this