



CARNEGIE ENDOWMENT
for International Peace

10 September 1999

Dear Colleague:

On **Wednesday, September 15**, the International Migration Policy Program of the Carnegie Endowment will convene another in its series of migration policy briefings. Our topic will be "**Latino Views on Immigration and the Farmworker Reform Issue**." In view of the fact that the push for reform of the world of work in perishable agriculture is proceeding apace in the U.S. Congress, I have asked Antonio Gonzalez, the Executive Director of the W.C. Velasquez Institute and the Southwest Voter Registration Project, to speak on his organization's recently released report, "**Latinos on Intermestic Issues: Views on Cuba, Immigration and Drugs**." Antonio will focus his remarks primarily on the relevance of the survey's findings for the current immigration debate.

Joining Antonio will be Rick Swartz, President of Swartz and Associates, a public policy consulting firm. Rick has been retained by the National Council of Agricultural Employers to explore opportunities for reaching consensus on issues related to the role of immigration in the agricultural worker sector. He will discuss prospects for congressional consideration of new approaches to farm work.

Copies of the August 26, 1999 Velazquez Institute report, as well as of the Carnegie publication on this issue, will also be available at the meeting.

Please note that this afternoon session will begin at 3:30 p.m. and run until 5:00 p.m. at the Carnegie Conference Center, 1779 Massachusetts Avenue, N.W. We are within easy walking distance of the Dupont Circle (Red line) Metro station. Street parking is readily available (two-hour meters) and there are commercial garages on Massachusetts Avenue and 18th Street.

Please call Violet Lee, (202) 939-2279, if you plan to attend the session.

Thank you.

Sincerely,

Demetri Papademetriou
Senior Associate
International Migration Policy Program

PREPARED BY RICK SWARTZ

Proposed Framework for Consideration of Fundamental Reform of the Agricultural Labor System in the United States

April 6, 1999

This paper is premised on a judgment that 1999 may present an historic opportunity for Congress, the President and the nation to reform in fundamental ways the agricultural labor system in the United States. During recent weeks, there have been informal exchanges among private interests about possibilities for common ground on agricultural labor issues generally. Based upon these conversations and a sample of congressional offices, outlined below is a proposed framework for consideration of fundamental reforms of the agricultural labor system.

It should be understood that no interested party has yet endorsed any of these proposals. It also must be acknowledged that farmworker issues have for years been fraught with conflict, accusation, litigation, injustice and distrust.

Despite the challenges and suspicions, the framework proposed represents a good faith effort to invite all parties to consider whether at this time there is a "package of reforms" which would represent a dramatic improvement for farmer and farmworker alike. No one in this debate can or even attempts to defend the status quo. The challenge to the political system is to find the will to overcome past injustices and conflicts in order to address, for the future, the legitimate needs of all of those involved in agricultural labor.

Proposed Framework

Reform issues related to farm labor are many and complex. A framework to encourage a search for common ground and consensus among all major public and private interests is daunting, and could be approached differently by others. The approach taken here is to suggest six "baskets" of major issues, to break these down into more discreet subissues, and then to identify a menu of two or more reform ideas on each.

The hope is that such a menu, briefly explained and simply presented, may enable parties on all sides to identify one or more options which they can "work with" for each of the issues discussed. If there is sufficient interest, then perhaps over the next week or two the various parties can discuss informally whether despite past differences they can see the possibility of a reform package that would be worth serious consideration. If substantive dialogue can proceed there may be some promise of success. At the least, good faith efforts, even if they fail, would show respect for the urgency and opportunity to reform a farm labor system in America which no one defends.

The six proposed "baskets" of issues are:

- Legal status
- Access to housing, health care, education and essential human services
- Employment registry, rights and working conditions
- Targeted enforcement against exploitation, smuggling and dangerous conditions
- Temporary foreign worker programs and international considerations
- Assistance to state and local governments

A. Issues Related to Legal Status

The U.S. agricultural industry, particularly the labor-intensive fruit, vegetable and horticultural sector, for decades has employed a high proportion of foreign workers. Heavy reliance on foreign workers is indeed the norm in agriculture in virtually all industrialized nations. It is estimated that in recent years approximately 2.5 million persons are hired annually to do farm work. About one third work fewer than 25 days a year, a third between 25 and 150 days a year, and a third work more than 150 days at hired farm work.

Of the approximately 800,000 persons engaged in farm work more than 150 days a year and of the approximately 800,000 who work between 25 and 150 days a year, a significant proportion are undocumented immigrants not authorized to work in the United States. Although precise statistics are not available, experts and government agencies have estimated that between 30 and 60% of this work force is comprised of undocumented immigrants. That is, perhaps 480,000 to 960,000 of the current farm labor work force is undocumented.

Any possible consensus package of farmworker reforms must address the issue of legal status. Consultations to date suggest that many interested parties agree that it would be devastating to the entire U.S. agriculture economy if the current undocumented work force were suddenly to disappear.

It makes sense to consider options to provide the right to work and somehow legalize the status of undocumented workers already here. This would ensure employers that much of their current work force would be brought within the law, and would enable the INS and other authorities to establish and appropriately regulate their presence. For workers, legal status would eliminate the fears and risks of a covert existence, and provide hope for a more secure future under the protection of the law.

Options related to legal status include:

1. Accord H-2A status to current undocumented agricultural workers, with an opportunity to secure permanent legal residence under prescribed conditions.

The Senate approved such a concept in 1998, and the Congress adopted such a legalization program for undocumented farmworkers as part of the Immigration Reform and Control Act of 1986. However, consultations suggest that the specific requirements and provisions of both the 1998 Senate proposal and the 1986 law would not attract widespread support in 1999. A compromise "in the middle," however, may be possible.

For example, current undocumented agricultural workers could be offered an opportunity to apply from within the United States to become “legal” H-2A workers. If they abide by all legal requirements of H-2A workers and continue to work for a prescribed number of years and/or total months in agriculture, they would earn the right to adjust their status to legal permanent residence. If this general concept provides a basis for consensus, the challenge will be to find consensus on the specific terms to be met to establish eligibility for such a program. Such a program could also apply to persons not currently in the United States who may in the future be lawfully admitted under a reformed H-2A program upon documented shortages of legal workers.

2. Strengthen the capacity of community-based groups and employers to assist the current undocumented agricultural work force and future H-2A admissions acquire legal status.

Implementation of the type of program outlined above will require close cooperation between employers, government agencies and community-based groups which work with migrant workers. Public and private resources would be required to educate, counsel and otherwise assist farmworkers, determine whether they may be eligible, decide whether to apply and to navigate successfully and lawfully the application process. Application fees paid by the employer and/or worker could subsidize such assistance, together with direct government and philanthropic grants. The role of employers and private institutions would not only assist workers, but dramatically reduce risk of fraud in the application process. This institutional infrastructure will also be key to the worker registry, discussed in Section C.

3. Provide a waiver of relevant provisions of the 1996 Immigration Act which bar lawful reentry to the U.S. of undocumented persons who have resided unlawfully in the U.S. for more than 180 days since January of 1997.

The Senate adopted such a provision in 1998 to enable members of the current undocumented agricultural work force to qualify for participation in a modified H-2A program.

B. Access to Housing, Health Care, Education and Essential Human Services

In April of 1997, the U.S. Department of Labor published a “Profile of U.S. Farmworkers.” Regarding farmworker income and poverty, it found:

- ◆ Farmworkers had low individual earnings from farm work; the median income from farm work was between \$2,500 and \$5,000. Three fourths earned less than \$10,000 annually.
- ◆ Only one-fourth of the farmworkers had non-farm work earnings. The median personal income from farm work and other work source combined was between \$5,000 and \$7,500.
- ◆ Few farmworkers had assets. About half (49%) owned a vehicle and about one third owned or were buying a house or trailer in the United States.
- ◆ Farmworker households also had low family incomes. The median was between \$7,400 and \$10,000, and over three fifths of farmworker households were in poverty.

- ◆ Despite pervasive poverty among farm workers, few used social insurance or social service programs.

Employers and farmworker advocates, experts and government officials, agree that seasonal migrant farmworkers, whether U.S. citizen, legal immigrant or undocumented, need decent, affordable housing in order to make the journey required to perform their work. There is general agreement that throughout the United States, there are severe shortages of decent, affordable or even habitable housing for farmworkers.

There also is general consensus that migrant workers generally do not earn enough to pay for health care and seldom have health insurance. The U.S. Public Health Service funds some migrant health centers, but available resources are inadequate to meet the need. Mobile units can be effective but few exist.

Although many farmworkers fit the income eligibility profile for Medicaid, Social Security insurance, and other federal or local assistance programs, many do not obtain benefits. Undocumented workers and some legal immigrants are ineligible. Many farmworkers who are eligible may not understand so or lack assistance in seeking needed programs. Current use is remarkably low.

The lives of farmworker children, now as in the past, are difficult, poignant and all too often mired in poverty, poor health and inadequate educational opportunities. Child labor in the fields remains an issue. Children feel economic pressure to drop out of school in order to work. Some migrant children are U.S. citizens born of undocumented immigrants, and the fear of deportation of their parents often means children do not secure benefits or services for which they are eligible. The Migrant Head Start program and other initiatives can be beneficial, but as is the case regarding housing and health care, available resources are inadequate to meet the need.

Consultations suggest there is widespread consensus among employers and farmworker advocates that there are great needs to reform and adequately fund initiatives related to the access of farmworkers to housing, health care, education and other essential human services, and that such efforts are in the public interest.

Options to address these needs include:

1. Housing

- New federal funding to states, local governments and private institutions to address farmworker housing shortages nationwide.

Several states, including Florida and Washington, are now developing initiatives. For example, Florida Governor Bush is seeking \$30 million in federal funds to initiate a statewide network of affordable housing for migrant and seasonal farmworkers. Components of this initiative include for rental housing, inmate-modular produced homes, grants to non-profit groups to help develop and manage such programs, and related assistance. Governor

Locke of Washington has proposed significant housing initiatives as well, including \$6 million of state funding.

Employers and farmworker advocates alike might consider whether initiatives underway in Florida, Washington and other states are worthy of support and provide a model to help meet farmworker housing shortages in other parts of the country.

- Provide adequate funding to support existing USDA, HUD and related federal, state and local farmworker housing programs.

Existing federal programs such as USDA Section 514-516 farm labor housing programs, community development block grant housing rehabilitation and similar state and local programs require greater funding to meet significant housing needs across the country. It is beyond the scope of this paper to identify what levels may be required. If farmers and farmworker advocates alike agree they have a common interest in the availability of more and better farmworker housing, a comprehensive analysis can be undertaken to determine which programs require what level of funding to meet the need. Questions of eligibility are also very important.

- Provide tax credits or other incentives such as matching grants for agricultural employers, housing developers, or non-profit housing organizations to help meet the need for housing, and consider federal preemption of local regulations which unreasonably restrict farmworker access to housing.

Providing housing for workers who may be in the area only for weeks has proven an intractable problem in many areas. As discussed in section E, employers who use H-2A temporary workers must provide some access to housing, but even if consensus on how to do this can be reached many other farmworkers have severe housing needs. And in some locales zoning laws and political opposition prevent the construction of farmworker housing even when the employer is willing to pay for it.

If there is general consensus on the need, then interested parties might consider tax credits, grants and other concrete reforms to fairly enable both public and private institutions greatly expand their efforts to meet the need.

2. Health Care, Education and Other Services

- Create private insurance pools, perhaps with tax credits, to encourage private health and disability insurance.

It is difficult to insure workers who sojourn for short periods among multiple employers. An option is to consolidate or pool employer/employee premium payments and coverage. Some programs to this effect exist or are under consideration. Tax credits or other incentives to fund private insurance could significantly expand coverage. Such initiatives could reduce cost often born by local hospitals for emergency care. Prevention programs can reduce overall costs as well.

- Provide eligibility and facilitate access of legal immigrant and citizen farmworkers to publicly funded health and other human services programs.

Senator Moynihan is proposing legislation to restore federal benefit eligibility for some programs to certain legal immigrants, including some who are farmworkers. The Administration has made similar proposals. Outreach and assistance from community-based groups needs expanded public and/or private funding to assist those who are eligible actually access services. Migrant education, Head Start, job training, and similar programs could similarly be reviewed to identify eligibility issues and access and barriers to access which may warrant appropriate reforms.

- Provide adequate funding for health, education and human services programs which target farmworkers.

If there is sufficient interest from farmers and farmworker advocates, a comprehensive review can be undertaken to determine funding requirements for appropriate federal and/or state and local programs. For example, a \$50 million increase for migrant education programs would reach an additional 75,000 – 100,000 migrant children. A \$50 million increase in USDA's Community Facilities Program would allow significant expansion of child care in underserved rural communities, among farmworkers.

Some experts believe that one reason why the agricultural labor supply may be constricting is that recently enacted restrictions on legal immigrant access to human services has made it very difficult for some farmworkers to stay in agriculture. This is because either new restrictions on eligibility and/or fear of immigration consequences make it impossible for them to provide for their families, given the seasonal nature of the work and associated low incomes. Accordingly, issues related to access to essential services may be relevant to issues of domestic labor supply of legal workers.

C. Employment Registry, Rights and Working Conditions

Regardless of conflicting opinions about a shortage of farmworkers, whether today or in the future, in the aggregate or on a spot basis, there may be consensus that there is a need for great improvement in matching available citizen and legal immigrant workers with available jobs. There may also be a general consensus that it is important to more effectively uphold and enforce the rights and duties of workers and employers alike to the full extent the law prescribes. Law-abiding employers are undercut competitively by those who violate the law. Upholding rights and obligations is important not only to the wellbeing of workers but also to encourage them to stay within the agricultural sector. And despite disagreements about whether there are or may be labor shortages and how this should be documented before the admission of temporary foreign workers is authorized, there is agreement that foreign workers should not be admitted if there are enough U.S. citizens and legal immigrant workers to fill the available jobs.

Options to address these considerations include:

1. Establish an effective agricultural worker registry

Although there are sharp disagreements as to whether a “worker registry” mechanism should substitute for the “labor certification” requirement under current law before a temporary foreign worker can be admitted, there may be agreement that an effective farmworker registry is a good idea. The challenge is to construct the registry so that it works effectively to in fact match available workers with available jobs.

The Department of Labor’s FY 2000 budget request includes \$10 million to develop “Agnet,” a farm work registry modeled on the computerized “America’s Job Bank.” Some are concerned that regardless of how any such registry is established, many if not most farmworkers will have difficulty accessing or using it. They will require assistance, and therefore community-based groups working with farmworkers will need expanded capacity to provide such assistance, which may be essential to enable a registry to work effectively on behalf of employer and worker alike.

To achieve these goals, it would appear that employers, farmworker advocates, community-based groups and government officials will need to come together to construct it. The question is if there is sufficient will on all sides to cooperate for this purpose. Any effort to secure broad support for comprehensive reform of our agriculture labor system must include basic agreement on how to construct and implement an effective agricultural worker registry, regardless of whether employer reliance on such a registry should substitute for the labor certification requirement of the current H-2A law.

2. Affirm and clarify the employment rights of all farmworkers and strengthen respect for such rights as a matter of employer practice and social norms.

Under federal, state and/or local laws, farmworkers, like other workers, have a range of rights related to wages, safe working conditions, discrimination, child labor, collective bargaining, etc. Many farmworkers may not understand their rights or are afraid to assert them, especially the undocumented. Many employers do or wish to obey the law but some do not. Government agencies have the authority to monitor and enforce, but sometimes lack adequate resources or arguably misallocate available resources.

For decades there have been disputes over what rights farmworkers enjoy and the extent to which these rights are honored. If employers and farmworker advocates are willing to come together to seek consensus on fundamental farmworker reforms, it would seem appropriate that they should together attempt to achieve a new consensus regarding appropriate rights and how more effectively to uphold them.

This paper will not attempt such a review, which would best be undertaken by individuals and groups more expert and directly responsible. Topics which such an effort might address could include child labor, safe working conditions, field sanitation, reform of outmoded provisions of the Migrant and Seasonal Agricultural Worker Protection Act and

strengthening programs to educate employer and worker alike and to maximize voluntary compliance as a matter of norm and practice.

D. Targeted Enforcement against Exploitation, Smuggling and Dangerous Conditions

Leaders of both the agriculture industry and farmworker advocates agree that today, as in the past, there are certain employers and farm labor contractors who persistently exploit, violate the law, perpetuate unsafe working conditions and actively recruit undocumented workers because they live in fear, have fewer rights and are more vulnerable to threats and reprisal. There also is agreement that strengthened INS border enforcement has led to a dramatic increase in organized smuggling of undocumented immigrants, at higher cost and greater danger.

Consultations suggest that law-abiding employers and farmworkers have a shared interest in much greater enforcement efforts targeted at such actors. Options include:

1. Establish and adequately fund "swat teams" at DOL, INS and other relevant federal agencies with the sole and exclusive mandate of targeting all who engage in such notorious practices. Consultations among experts might produce specific targeting guidelines and effective enforcement practices for these purposes. Such initiatives might also provide federal funding and/or expand cooperation with state and local authorities to the same end.
2. Dramatically increase penalties against those convicted of multiple offenses, patterns and practices and otherwise punish the bad actors as severely as possible while increasing their risks of being investigated, prosecuted and convicted.
3. Expand significantly cooperation with authorities in Mexico and other sending countries against abusive practices of farm labor contractors on foreign territory, coupled with continued expansion of international cooperation against alien smuggling rings.

Other initiatives might be developed if all parties work together to implement a renewed commitment to end the most egregious practices, practices which not only harm workers but which undermine the competitiveness of law-abiding employers.

E. Temporary Foreign Worker Programs and International Considerations

Agricultural employers agree with farmworker advocates that temporary foreign workers should not be admitted to the United States unless there are no legal immigrants or U.S. citizens willing and able to fill available jobs. They disagree, however, on whether such shortages now exist or might in the future, whether increased wages and improved conditions would attract a greater and sufficient number of domestic farmworkers to fill available jobs and about what specific requirements employers should have to fulfill before they are allowed to employ temporary foreign workers.

Agricultural employers have stated that the goal of a reformed temporary agricultural worker program should be “to facilitate increased U.S. economic activity and employment in agriculture and in its related “upstream” and “downstream” occupations, while not adversely affecting the wages, working condition and employment opportunities of U.S. residents who do seasonal agricultural field work.” (The Case for a New Temporary Alien Agriculture Program, NCAE, p.17).

Consultations suggest that, thus stated, most interested parties would accept this as appropriate public policy goal. Some have argued, however, that by definition temporary worker programs, and/or the changes in the H-2A program the Senate adopted in 1998, would adversely affect the wages and opportunities of U.S. residents.

It may well not be possible to resolve to the satisfaction of all fundamental conflicts over macroeconomic and normative considerations which inform conflicting opinions. It may be possible, however, to seek basic consensus on the key issues and options which must be resolved if there is to be any chance of employers and farmworker advocates to agree to a comprehensive package of reforms, including but not limited to reforms in the H-2A program. It is also important to address international considerations, and the interest and roles of foreign governments, related to temporary foreign workers.

To this end, key issues include:

- Can a farmworker registry to match U.S. workers with jobs be effectively implemented, and if so, should employer participation in such a registry substitute for H-2A labor certification requirements under current law?
- What wages must be paid H-2A workers as a condition of their admission, the adverse effect wage rate which current law requires, the prevailing wage plus 5% provision the Senate approved in 1998 or some other standard?
- What housing, insurance, transportation, and other benefits must be provided H-2A workers as well as U.S. workers as a requirement of H-2A admissions?
- What incentives and/or requirements can best ensure that employers will have a strong preference to employ and retain U.S. citizens and legal residents, and will apply for H-2A workers only as a last resort when resident workers are not available?
- To the extent H-2A workers are admitted on a temporary basis, what requirements or provisions can fairly and best ensure that they return to their home country as may be required?
- Under what circumstances should H-2A workers who in the future may be admitted to the U.S. to work for the first time, become eligible to reside permanently?
- What role and programmatic initiatives are warranted regarding the involvement of foreign governments in the recruitment and protection of H-2A workers?

- To what extent, if any, should preference for H-2A participation be given nationals of certain countries, for example, Central Americans or Caribbeans from countries devastated by recent hurricanes?

There are a number of additional issues regarding proposed or possible changes in the H-2A program. But consultations suggest that the major issues identified above are the most important to resolve if there is any hope to achieve a broad-based, bipartisan consensus. Possible options to this end are identified below:

F. Assistance to State and Local Governments

Communities and counties where migrant and seasonal farmworkers live or sojourn often face strains on their local educational and service infrastructures. This is because of the seasonal nature of the work, high unemployment during the off-season and/or because of significant numbers of legal and unauthorized immigrant residents who often are not eligible for or cannot access federally funded programs. For these and related reasons, it may be appropriate to consider targeted federal assistance to such locales, given the importance of their vitality to the nation's agricultural production and economy, including the importance of agriculture to American exports.

There are precedents for federal impact aid or reimbursement to local governments related to special needs because of the presence of significant non-citizen populations. For example, the federal government reimburses for a period of time certain state and local government services provided to refugees fleeing persecution who are admitted to the U.S. Targeted assistance grants from HHS likewise help address local costs arising from refugees. In 1986, Congress provided impact aid to state and local governments related to a federal policy to provide legal status to certain undocumented immigrants.

In addition to proposals for federal funding for farmworker housing and other ideas identified above, it may be appropriate to consider impact aid approaches to assist state and local governments related to farmworkers. If there is a general consensus to pursue this concept, specific proposals can be developed in consultation with appropriate state and local actors.

Conclusion

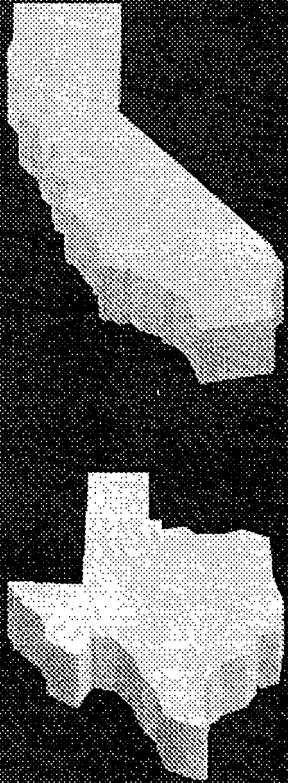
As stated in the preface, the framework proposed herein represents a good faith effort to invite all parties concerned about the U.S. agricultural labor system to consider whether at this time in our history consensus can be achieved on a "package of reforms" which would represent a dramatic improvement for farmer and farmworker alike.

No one can defend the status quo. The ideas outlined above are not the only or necessarily best options. Hopefully this paper will stimulate better ideas, and help to activate the political will to overcome past conflicts and injustices to achieve reforms which will serve well in the future farmers, farmworkers and the public interest.



WILLIAM C. VELÁSQUEZ INSTITUTE

WCVI INTERMESTIC ISSUES SURVEY
CONDUCTED BETWEEN JULY 23 – AUGUST 8,
1999 : SUMMARY ANALYSIS



Antonio González,	WCVI President
Roberto Vargas,	WCVI Chief of Staff
Robert Aguinaga,	WCVI Research Coordinator

WCVI Intermestic Issues Survey
Conducted July 23-August 8, 1999
Summary Analysis

During July 23-August 8, 1999 WCVI conducted a survey of 1,018 Latino registered voters in Texas (514) and California (504). The survey was designed to gauge Latino opinions and attitudes with respect to immigration and farm worker issues. The sample design represents state-wide Latino voter opinion, with an over sample for Latino voters in the Rio Grande Valley in Texas and the San Joaquin Valley in California. The margin of error was 4.4% in California and 4.3% in Texas.

The results show little divergence between Latino voters in the two states. In fact, what is striking is the opinion homogeneity found across gender, age, geography, income, country-of-origin and education. No significant differences were culled from these cross tabulations. The only difference that could be found was in the degree they support or did not support a question's premise:

Perceptions of Immigration: Great Sympathy for "Illegal Immigrants"

Findings

- Overall, Latinos showed great sympathy and understanding for the plight of "illegal" immigrants. Latino voters overwhelmingly supported a new amnesty or legalization program (CA: 86.7%, TX: 77.4%), even though this issue has received virtually no exposure in the media.
- The vast majority also did not view "illegal" immigrants as a threat to their own economic well being, believing they took employment that "Americans generally did not want" (CA: 81.2%, TX: 71.6%).
- Consistent with previous soundings, Latino voters strongly reject proposition 187 type proposals by answering no (CA: 81.4%, TX: 71.0%) when asked if children of "illegal" immigrants should be denied citizenship, healthcare, and education.
- Moreover, a clear majority of Latino voters did not support the building of walls and fences to curb "illegal" immigration (CA: 57.7% no to 32.4% yes, TX: 53.3% no to 34.5% yes).
- Sympathy for "illegal immigrants" is so strong that a big majority of Latino registered voters believed "illegal" immigrants should have the same civil and legal rights as U.S. citizens. (CA: 58.1% yes to 33.6% no, TX: 53.7% yes to 36.3% no).

Analysis

- Latino voter opinion is contrary to majority opinion on "illegal" immigration. While most Americans show sympathy and/or support to legal immigrants, the undocumented enjoy much lower rates of support in most surveys. Latino voters on the other hand unabashedly support "illegal" immigrants. Overwhelming support for a new amnesty or legalization program illustrates this point because few significant Latino leaders or major organizations are advocating for such an amnesty program.
- In effect, the Latino electorate is ahead of Latino leaders with their crystal clear support for amnesty/legalization and full legal and civil rights for "illegal immigrants". Why is this true?

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Further research is required to explore this issue. It is possible that support for amnesty/legalization reflects a positive feeling towards the previous IRCA-based amnesty program approved in 1986. One suspects that binational family and other informational connections between U.S. Latinos and counterparts in Mexico and Central America have generated a wealth of anecdotal information leading to a more sympathetic understanding of the high level of poverty, etc. in those countries. Given that Latinos believe that "illegals" take jobs Americans don't want, it is logical for them to support immigrants even if they are "illegal".

Perceptions of Farmworkers: Support for Farmworkers Including "Illegal" Immigrant Farmworkers

Findings

- Overall, Latino voters showed less knowledge on some aspects of farm worker issues. However, on certain issues they showed a clear, if surprising set of opinions on specific farm worker related issues. For example, a slight majority of Latino registered voters in California indicated having heard of the "bracero program," (51.7% to 48.3%) while a slight majority in Texas indicated not knowing about the program (45.9% to 54.1%). This unfamiliarity with the "bracero" program might have lead to the increased number of "Don't know" responses to questions in Texas, nevertheless, Latino registered voters in both states again showed little divergence in opinion. The "bracero" question was introduced with a paragraph describing it as a US/Mexico agreement from the 1940's to the '60's to supply Mexican farm labor to US farms on a temporary basis.
- The majority who had heard of the program found it to be a useful program (CA: 52.3%, TX: 50.7%). While only a handful found it to be exploitative (CA: 9.7%, TX: 11.4 %), 29.6% in CA and 20.2% in TX found it to be a little of both.
- Again surprisingly, Latino voters support a program to bring increased immigrant labor in the advent of a labor shortage (CA: 81.0%, TX: 75.4%). Farmworker questions were introduced with a paragraph that explained the current policy debate in Washington and mentioned that both farm workers and foreign farmworkers in particular enjoy far fewer rights than non-agricultural workers.
- In fact, an overwhelming majority of Latino registered voters in both states felt that "seasonal farm workers" help or have little or no effect on American workers. (CA: 81.0%, TX: 70.8%)
- Latino voters overwhelmingly believe that "illegal immigrant" farmworkers generally take jobs that Americans do not want (81.2% in California and 71.6% in Texas).
- The overwhelming majority supported a program where "illegal immigrant" farmworkers were allowed to become permanent residents in exchange for several years of mandatory agricultural labor. (CA: 75.8%, TX: 67.3%).
- Importantly, a huge majority felt that the U.S. should enact programs to allow "immigrants" to work legally in the U.S. temporarily (CA: 80.9%, TX: 71.5%), instead of knowingly continuing the current situation of large-scale "illegal" immigration.
- Latino registered voters vastly supported the unionization of farm workers (CA: 85.9%, TX: 67.3%).

(Continued on page 4)

- A rough consensus believed some combination of employers and federal/state government should pay for farm worker benefits. (CA: 57.7%, TX: 46.4%).
- Latino registered voters also gave clear support to the notion that higher wages should be given to farm workers even if it causes food prices to rise. (CA: 72.2%, TX: 56.3%)

Analysis

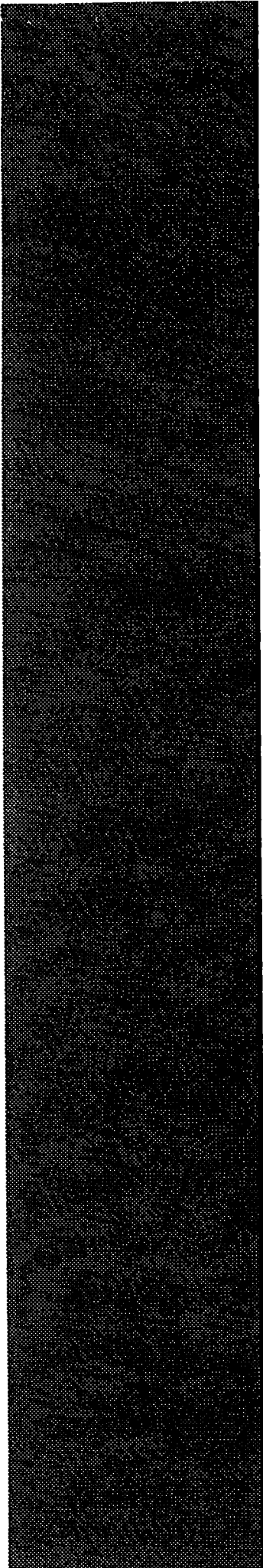
- Latino voters clearly believed that farm workers, whether “illegal” or not, deserve unionization, higher wages and better housing, even at tax payer and farmer expense. No greater proof of support for some of the lowest paid workers in American society can be demonstrated. But the electorate goes further. Sympathy for immigrants, explained earlier in this analysis, translates into support for foreign farmworker programs, if those programs include an amnesty component, or are tied to American labor shortages. Latino voters simply do not believe Americans want those jobs.
- Further research is required to ascertain why foreign farmworker programs are not opposed, given the fact that Latino leaders and organizations almost universally oppose them. It may be that anecdotal knowledge of unemployment and poverty in Mexico and Central America causes Latino voters to conclude that despite the often substandard conditions in America’s fields and low wages, that poverty in America is still better than poverty in the foreign farmworkers’ home countries.
- It may also be true that the memory of the infamous bracero program is simply too distant. In addition, many Latinos arrived to the U.S. through the bracero program. For some Latino descendants of braceros, to oppose comparatively similar programs, may have seemed like self-negation.
- Finally, support for foreign farmworker programs, even those with an amnesty component, is in contradiction to support for full legal and civil rights for “illegal” immigrants. It remains to be seen which side of the equation will prevail.

A Few Exceptions

Based on a WCVI analysis of cross tabulations of the data based on age, sex, country of origin, household union membership, income, and educational attainment, with two exceptions, there was little divergence in opinion by all these social and economic indicators.

The first exceptions was found in the Texas age cross tab on question 26 regarding if “illegal immigrants” should be given the same civil rights as Americans. Latino registered voters over the age of 65 believed that “illegal immigrants” should not receive the same civil rights as Americans, 42.6% to 44.7% with 12.8% indication they did not know.

The other exception was in the California/Texas cross tab on question 27A: “Have you ever heard of the bracero program?” There was a sharp contrast between foreign-born Latino registered voters and native born Latino registered voters. The foreign born reported a higher familiarity with the bracero program, (CA: 67.5% to 40.8%, TX: 60.3% to 40.9%). In addition, the foreign born also characterized the “bracero program” in a more positive light than the native born. 60.7% and 62.6% of Latino registered voters in California and Texas, respectively, described the “bracero program” as a “useful program.” These percentages contrast the 42.7% and 44.8% of native-born Latino registered voters in California and Texas respectively that described the “bracero” program in the same manner.

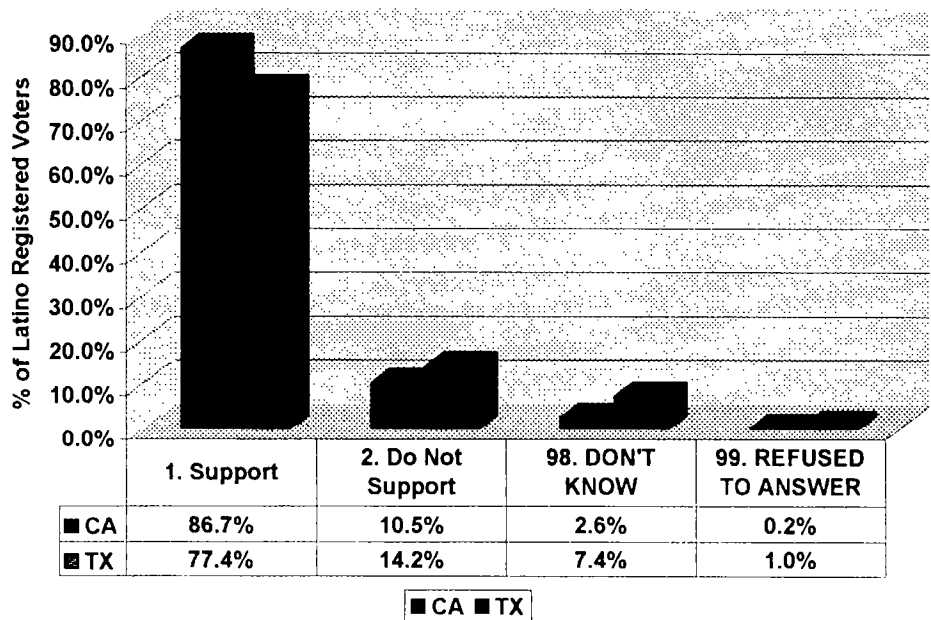


SPECIAL NOTE:

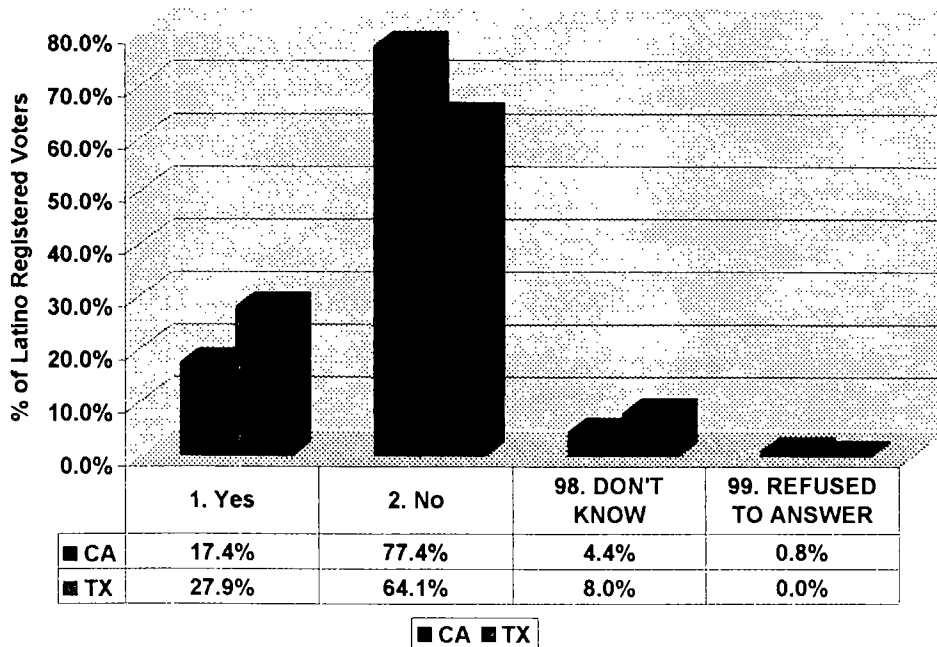
The following is a visual presentation of the immigration questions in the Intermestic Survey. Some survey response choices were shortened to accommodate chart sizes. When reporting information to other individuals, one should refer to the survey summaries, which include the full questions and full response choices as presented in survey. All data is consistent with the survey summary reports.

Now, I'm going to ask some questions pertaining to your perception of immigration:

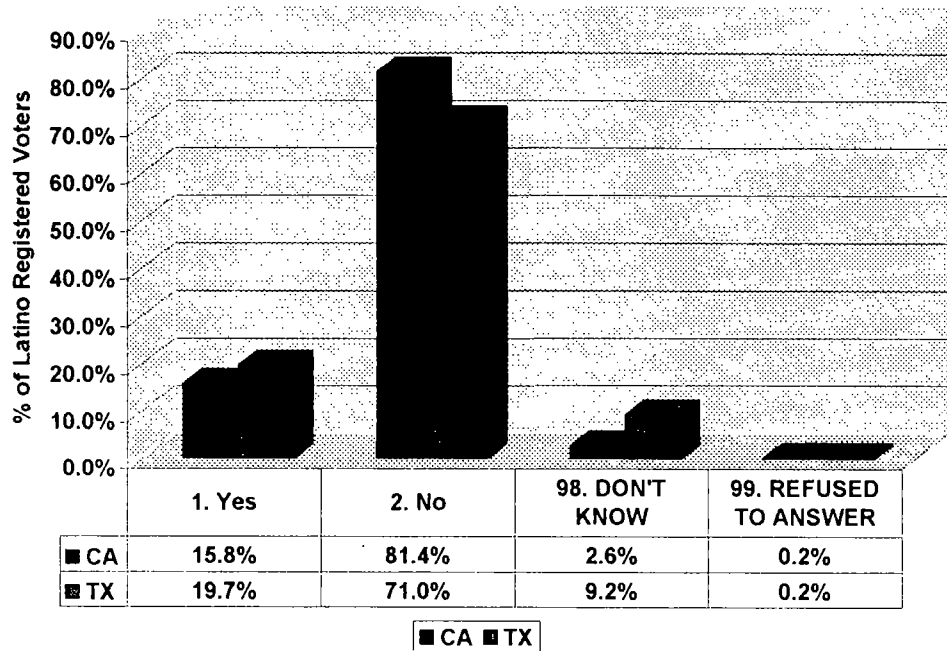
22) Do you support a new amnesty or legalization program for “illegal” immigrants that have been living in the US for over ten years and have no criminal background?



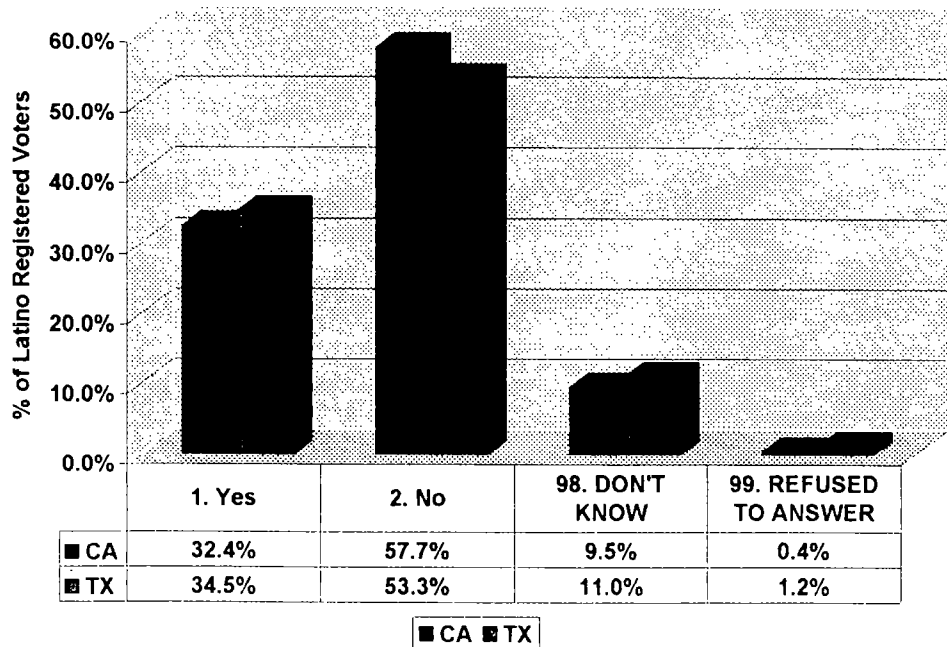
23) Do you feel “illegal immigrants” are taking jobs U.S. citizens want?



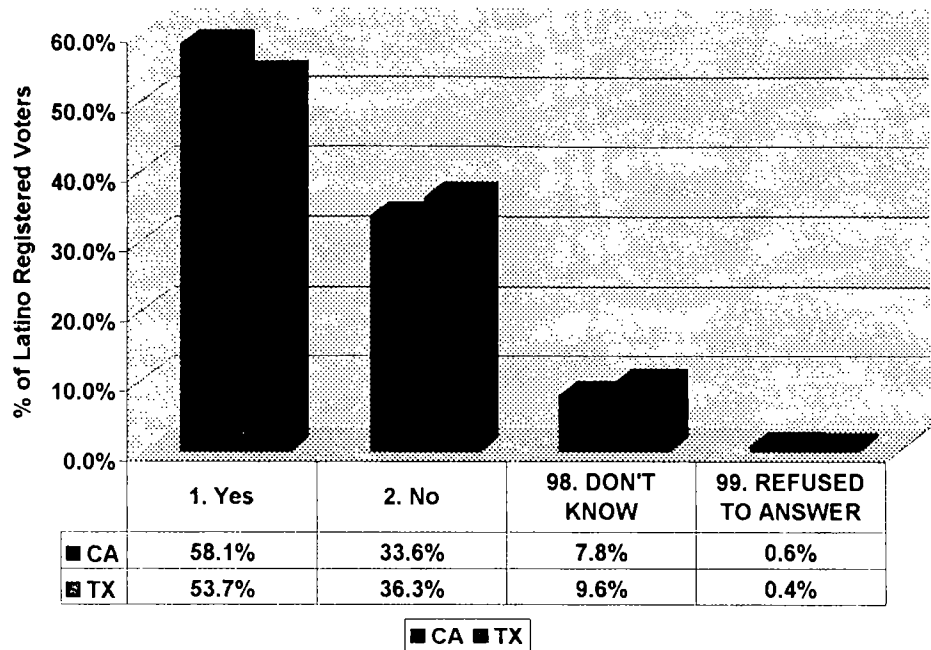
24) Do you believe that children of "illegal immigrants" should be denied citizenship, health care, and education?



25) Do you support building walls and fences along the U.S./ Mexican border to help curb illegal immigration?

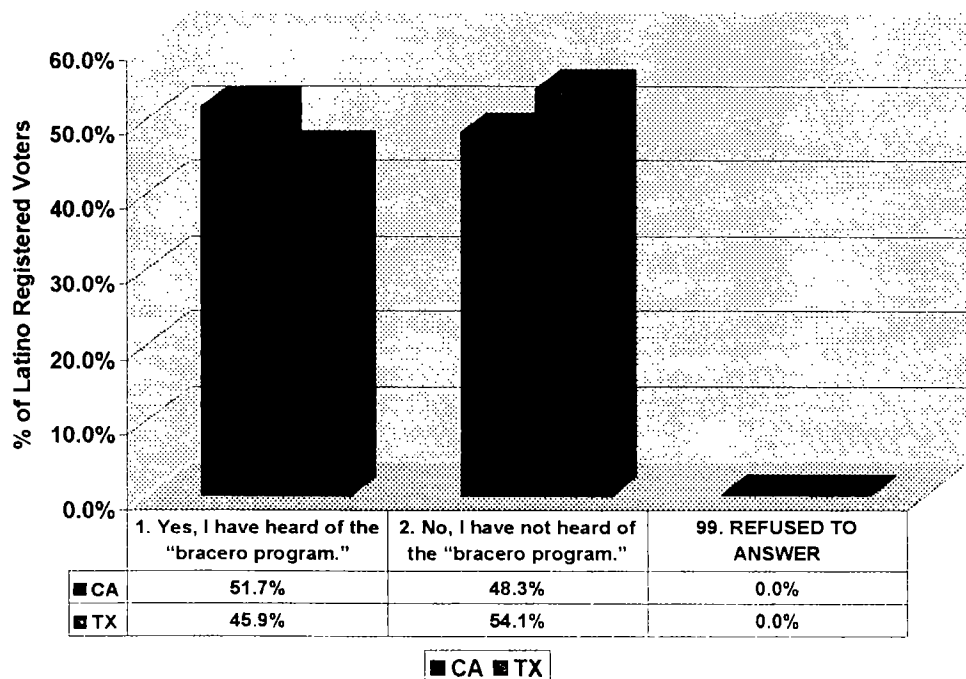


26) Do you believe "illegal" immigrants should have the same civil and legal rights as do U.S. citizens?

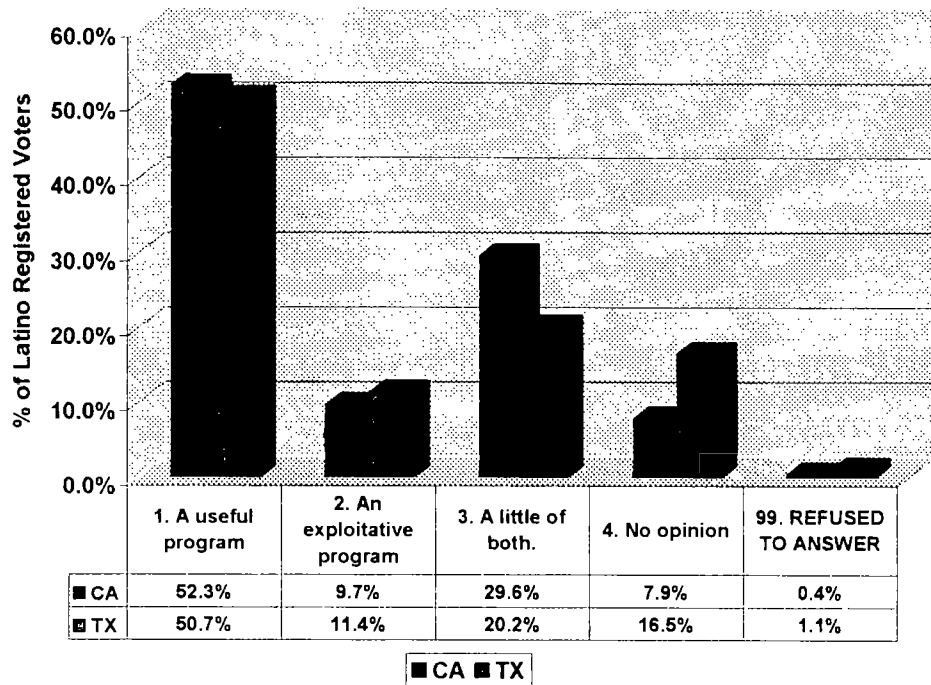


During the 1940's, 50's, and 60's, the U.S. and Mexico had a migrant worker program called the "bracero program" that brought thousands of Mexican workers to the U.S. to work in the fields.

27a) Have you ever heard of the "bracero program"?

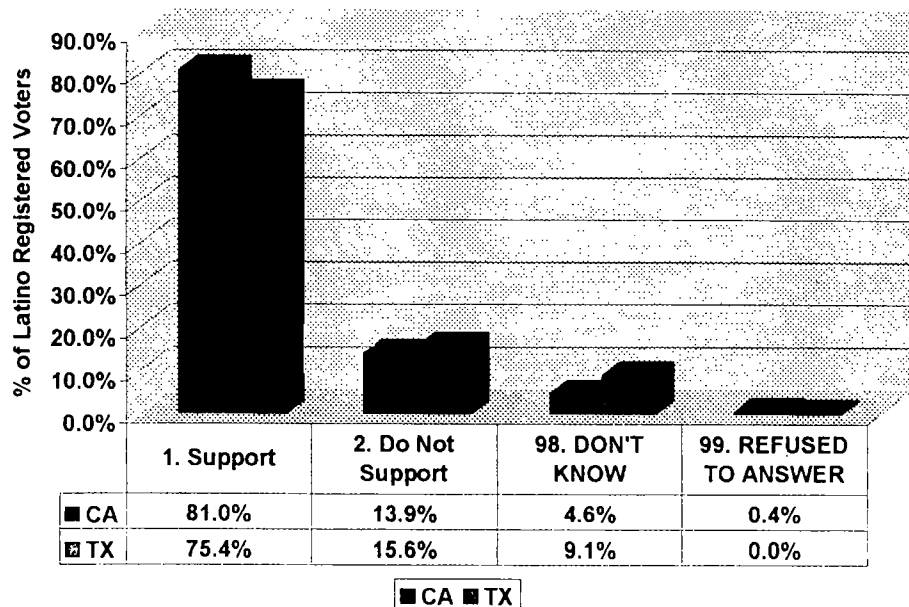


27b) How would you describe the "bracero program"?

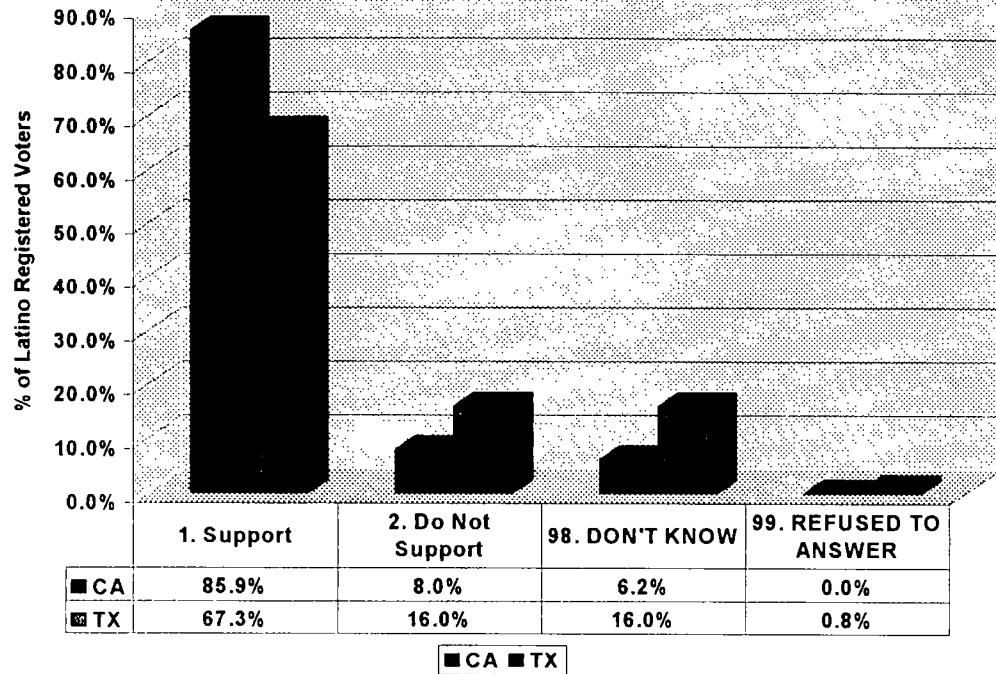


The following section deals with "farmworker" related issues. Current U.S. law deprives farmworkers of many labor rights/protections that other U.S. workers enjoy. In addition, temporary foreign farmworkers are prohibited from seeking non-agricultural jobs. Experts say that most of farmworkers are "illegal immigrants". Some analysts say that a labor shortage exists in agriculture. Others argue that better wages and working conditions will attract sufficient labor.

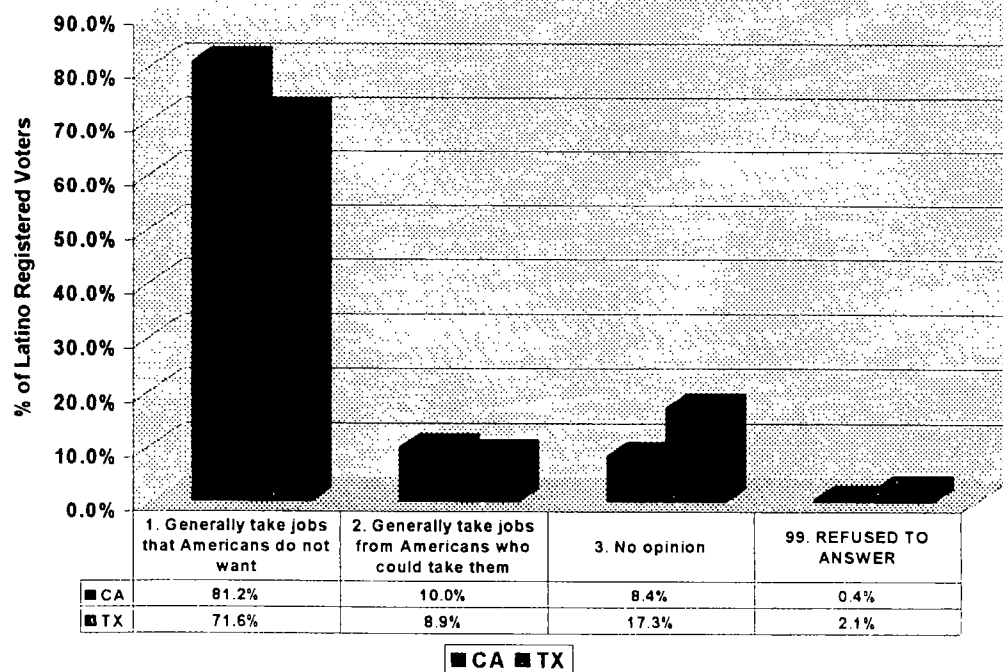
28) Would you support a program that brings in increased numbers of immigrants on a temporary basis for farm labor, if there is a labor shortage?



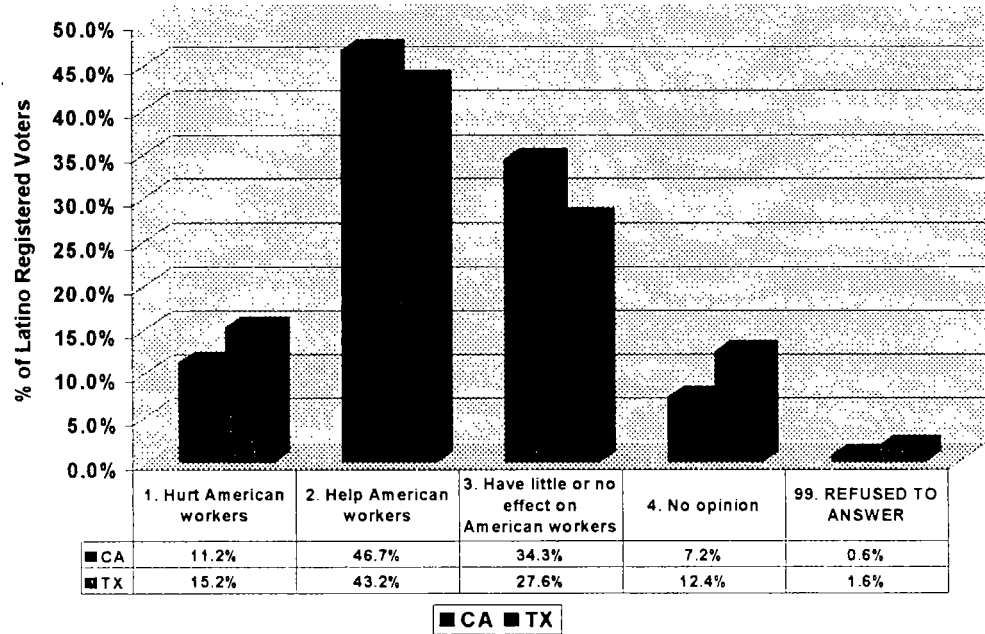
29) Do you support the unionization of farm workers?



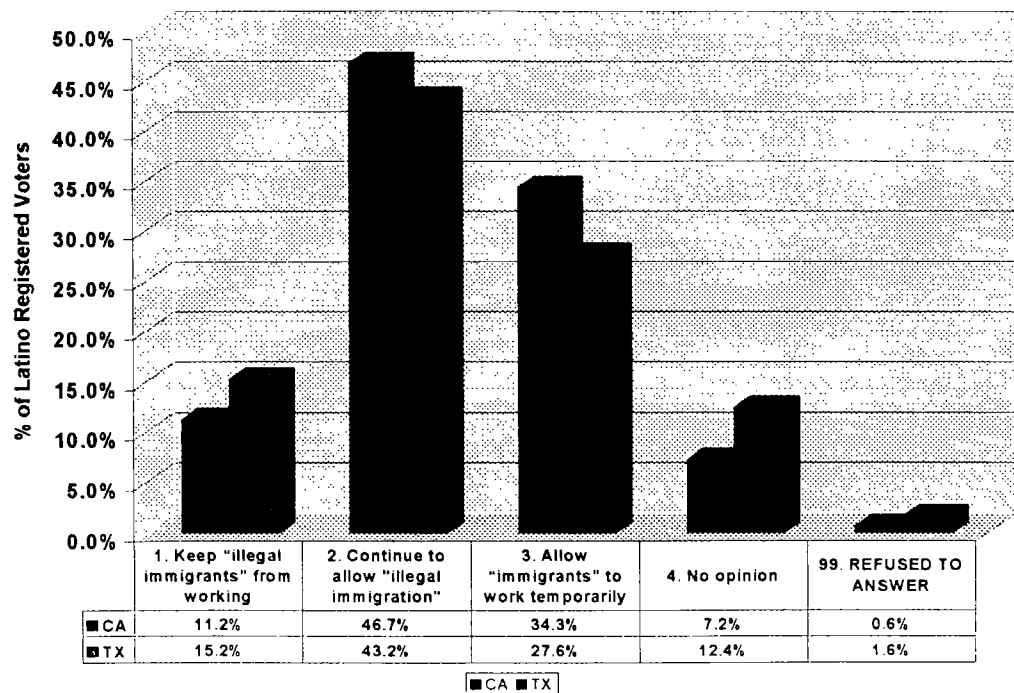
30) Do you think "illegal immigrant" farmworkers:



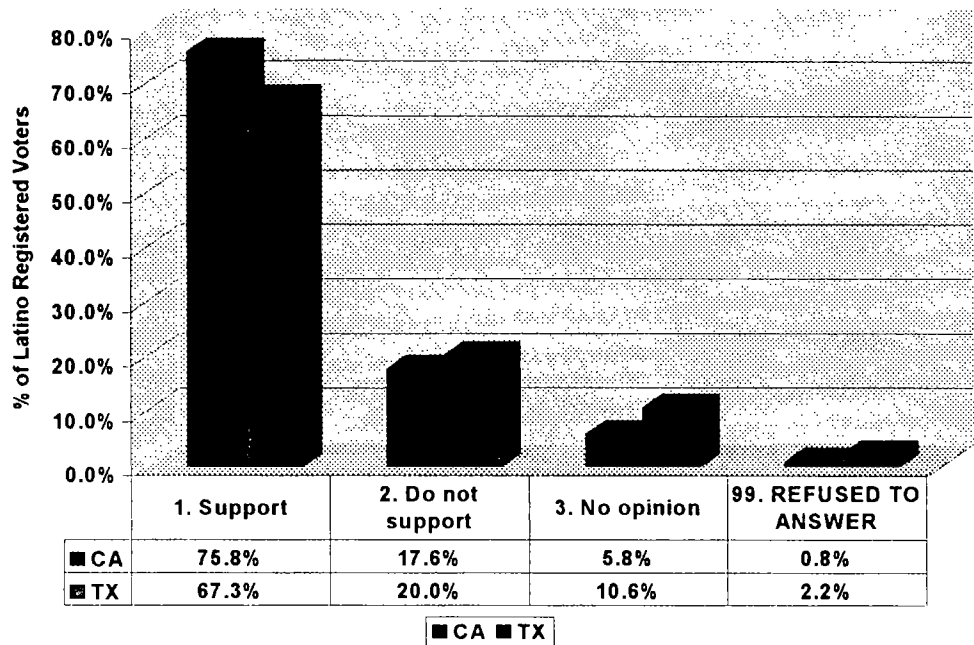
31) Do you think programs that allow foreign farmworkers to enter the U.S. legally to do seasonal farm work and return home after the job is done:



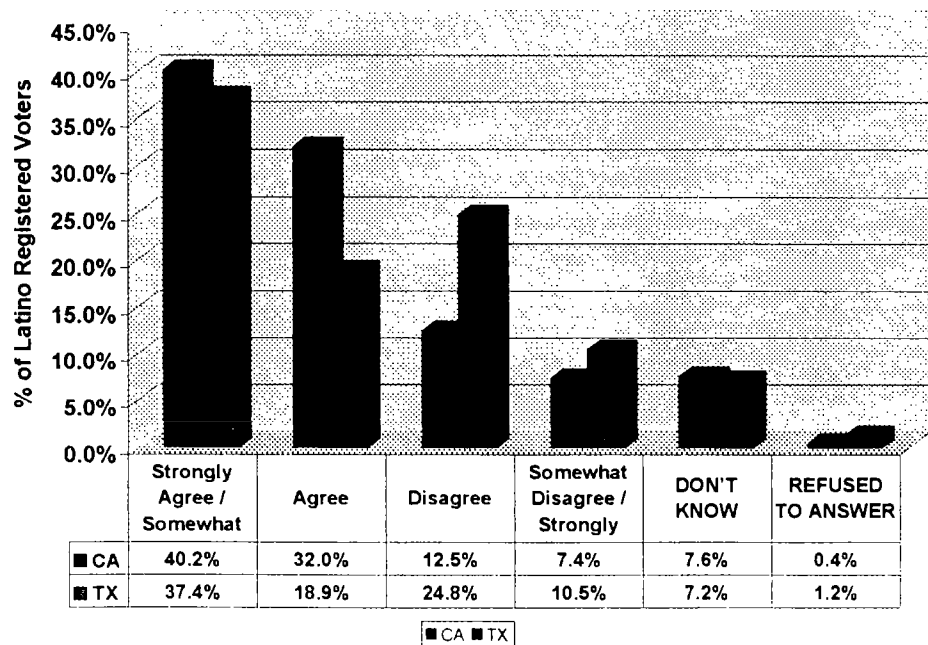
32) Do you think the U.S. should:



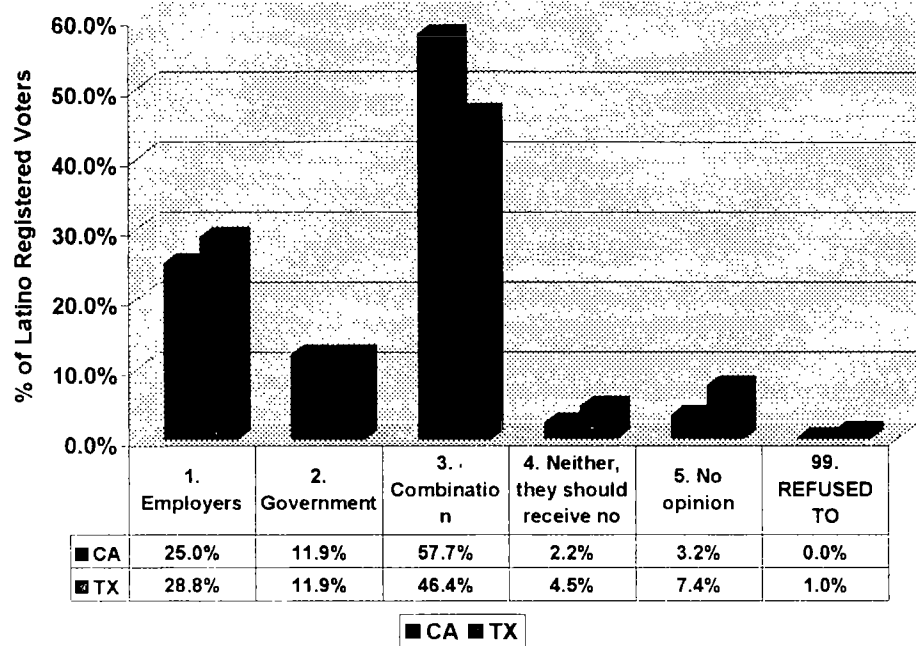
33) Would you support a program that allows "illegal immigrant" farmworkers to get work permits and eventually become permanent residents, in exchange for several mandatory years of agricultural labor?



34) Do you agree that farmworkers should receive higher wages even if it causes food prices to rise?



35) Who do you believe should pay for improving housing and providing health benefits for farmworkers?



METHODOLOGY: 1999 WCVI INTERMESTIC ISSUES POLL

The William C. Velásquez Institute conducted a phone poll to measure how Latino registered voters felt about various intermestic issues. The survey was administered by trained interviewers in both English and Spanish between July 23 – August 8, 1999. WCVI pollsters interviewed 504 Latino registered voters throughout the state of California and 514 throughout the state of Texas. The sample was a Random Digit Dial of the California and Texas. An over sample of targeted Spanish surname households was also implemented to ensure coverage of all Latinos throughout the state. The sample was designed to cover 85-90% of all Latino voters in the state.

The margin of error for California is $\pm 4.4\%$ and for Texas is $\pm 4.3\%$. Results may not add up to 100% due to rounding. Margin of error higher for subgroups.

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FAX

DATE:

8/27/99

TO:

Irene Bueno

OF:

The White House

FAX #:

FROM:

Rick Swartz

RE:

Immediate Response Requested:

Yes

No

TOTAL NUMBER OF PAGES, INCLUDING THIS COVER PAGE:

6

MESSAGE:

Final report released by William C. Velásquez Institute and made public today.

FINAL REPORT SUBMITTED AUGUST 26, 1999

WCVI Interstemic Issues Survey **Conducted July 23-August 8, 1999** **Summary Analysis**

During July 23-August 8, 1999 WCVI conducted a survey of 1,018 Latino registered voters in Texas (514) and California (504). The survey was designed to gauge Latino opinions and attitudes with respect to immigration and farm worker issues. The sample design represents statewide Latino voter opinion, with an over sample for Latino voters in the Rio Grande Valley in Texas and the San Joaquin Valley in California. The margin of error was 4.4% in California and 4.3% in Texas.

The results show little divergence between Latino voters in the two states. In fact, what is striking is the opinion homogeneity found across gender, age, geography, income, country-of-origin and education. No significant differences were culled from these cross tabulations. The only difference that could be found was in the degree they support or did not support a question's premise:

Perceptions of Immigration: Great Sympathy for "Illegal Immigrants"

Findings

- Overall, Latinos showed great sympathy and understanding for the plight of "illegal" immigrants. Latino voters overwhelmingly supported a new amnesty or legalization program (CA: 86.7%, TX: 77.4%), even though this issue has received virtually no exposure in the media.
- The vast majority also did not view "illegal" immigrants as a threat to their own economic well being, believing they took employment that "Americans generally did not want" (CA: 81.2%, TX: 71.6%).
- Consistent with previous soundings, Latino voters strongly reject proposition 187 type proposals by answering no (CA: 81.4%, TX: 71.0%) when asked if children of "illegal" immigrants should be denied citizenship, healthcare, and education.
- Moreover, a clear majority of Latino voters did not support the building of walls and fences to curb "illegal" immigration (CA: 57.7% no to 32.4% yes, TX: 53.3% no to 34.5% yes).
- Sympathy for "illegal immigrants" is so strong that a big majority of Latino registered voters believed "illegal" immigrants should have the same civil and legal rights as U.S. citizens. (CA: 58.1% yes to 33.6% no, TX: 53.7% yes to 36.3% no).

Analysis

- Latino voter opinion is contrary to majority opinion on "illegal" immigration. While most Americans show sympathy and/or support to legal immigrants, the undocumented enjoy much lower rates of support in most surveys. Latino voters on the other hand unabashedly support "illegal" immigrants. Overwhelming support for a new amnesty or legalization program illustrates this point because few significant Latino leaders or major organizations are advocating for such an amnesty program.
- In effect, the Latino electorate is ahead of Latino leaders with their crystal clear support for amnesty/legalization and full legal and civil rights for "illegal immigrants". Why is this true? Further research is required to explore this issue. It is possible that support for amnesty/legalization reflects a positive feeling towards the previous IRCA-based amnesty program approved in 1986. One suspects that binational family and other informational connections between U.S. Latinos and counterparts in Mexico and Central America have generated a wealth of anecdotal information leading to a more sympathetic understanding of the high level of poverty, etc. in those countries. Given that Latinos believe that "illegals" take jobs Americans don't want, it is logical for them to support immigrants even if they are "illegal".

Perceptions of Farmworkers: Support for Farmworkers Including "Illegal" Immigrant Farmworkers

Findings

- Overall, Latino voters showed less knowledge on some aspects of farm worker issues. However, on certain issues they showed a clear, if surprising set of opinions on specific farm worker related issues. For example, a slight majority of Latino registered voters in California indicated having heard of the "bracero program," (51.7% to 48.3%) while a slight majority in Texas indicated not knowing about the program (45.9% to 54.1%). This unfamiliarity with the "bracero" program might have lead to the increased number of "Don't know" responses to questions in Texas, nevertheless, Latino registered voters in both states again showed little divergence in opinion. The "bracero" question was introduced with a paragraph describing it as a US/Mexico agreement from the 1940's to the '60's to supply Mexican farm labor to US farms on a temporary basis.
- The majority who had heard of the program found it to be a useful program (CA: 52.3%, TX: 50.7%). While only a handful found it to be exploitative (CA: 9.7%, TX: 11.4 %), 29.6% in CA and 20.2% in TX found it to be a little of both.
- Again surprisingly, Latino voters support a program to bring increased immigrant labor in the advent of a labor shortage (CA: 81.0%, TX: 75.4%). Farmworker questions were introduced with a paragraph that explained the current policy debate in Washington and mentioned that both farm workers and foreign farmworkers in particular enjoy far fewer rights than non-agricultural workers.
- In fact, an overwhelming majority of Latino registered voters in both states felt that "seasonal farm workers" help or have little or no effect on American workers. (CA: 81.0%, TX: 70.8%)
- Latino voters overwhelmingly believe that "illegal immigrant" farmworkers generally take jobs that Americans do not want (81.2% in California and 71.6% in Texas).
- The overwhelming majority supported a program where "illegal immigrant" farmworkers were allowed to become permanent residents in exchange for several years of mandatory agricultural labor. (CA: 75.8%, TX: 67.3%).
- Importantly, a huge majority felt that the U.S. should enact programs to allow "immigrants" to work legally in the U.S. temporarily (CA: 80.9%, TX: 71.5%), instead of knowingly continuing the current situation of large-scale "illegal" immigration.
- Latino registered voters vastly supported the unionization of farm workers (CA: 85.9%, TX: 67.3%).

- A rough consensus believed some combination of employers and federal/state government should pay for farm worker benefits. (CA: 57.7%, TX: 46.4%).
- Latino registered voters also gave clear support to the notion that higher wages should be given to farm workers even if it causes food prices to rise. (CA: 72.2%, TX: 56.3%)

Analysis

- Latino voters clearly believed that farm workers, whether "illegal" or not, deserve unionization, higher wages and better housing, even at tax payer and farmer expense. No greater proof of support for some of the lowest paid workers in American society can be demonstrated. But the electorate goes further. Sympathy for immigrants, explained earlier in this analysis, translates into support for foreign farmworker programs, if those programs include an amnesty component, or are tied to American labor shortages. Latino voters simply do not believe Americans want those jobs.

- Further research is required to ascertain why foreign farmworker programs are not opposed, given the fact that Latino leaders and organizations almost universally oppose them. It may be that anecdotal knowledge of unemployment and poverty in Mexico and Central America causes Latino voters to conclude that despite the often substandard conditions in America's fields and low wages, that poverty in America is still better than poverty in the foreign farmworkers' home countries.
- It may also be true that the memory of the infamous bracero program is simply too distant. In addition, many Latinos arrived to the U.S. through the bracero program. For some Latino descendants of braceros, to oppose comparatively similar programs, may have seemed like self-negation.
- Finally, support for foreign farmworker programs, even those with an amnesty component, is in contradiction to support for full legal and civil rights for "illegal" immigrants. It remains to be seen which side of the equation will prevail.

A Few Exceptions

Based on a WCVI analysis of cross tabulations of the data based on age, sex, country of origin, household union membership, income, and educational attainment, with two exceptions, there was little divergence in opinion by all these social and economic indicators.

The first exceptions was found in the Texas age cross tab on question 26 regarding if "illegal immigrants" should be given the same civil rights as Americans. Latino registered voters over the age of 65 believed that "illegal immigrants" should not receive the same civil rights as Americans, 42.6% to 44.7% with 12.8% indication they did not know.

The other exception was in the California/Texas cross tab on question 27A: "Have you ever heard of the bracero program?" There was a sharp contrast between foreign-born Latino registered voters and native born Latino registered voters. The foreign born reported a higher familiarity with the bracero program, (CA: 67.5% to 40.8%, TX: 60.3% to 40.9%). In addition, the foreign born also characterized the "bracero program" in a more positive light than the native born. 60.7% and 62.6% of Latino registered voters in California and Texas, respectively, described the "bracero program" as a "useful program." These percentages contrast the 42.7% and 44.8% of native-born Latino registered voters in California and Texas respectively that described the "bracero" program in the same manner.