



# FARMWORKER JUSTICE NEWS

Volume 17, No. 1

Farmworker Justice Fund, Inc.

Summer 2004

## FARMWORKER IMMIGRATION LEGISLATION BUILDS MOMENTUM

By Bruce Goldstein

At press time, coalition supporting the compromise farmworker immigration legislation known as "AgJOBS" (S. 1645) had made great progress.

As of June 4, in the Senate there were 63 cosponsors, including 26 Republicans, which means that there is strong enough support to overcome any efforts at a filibuster. Few pieces of legislation will pass the Senate at this stage of an election year, but efforts were underway by the chief sponsors, Sen. Larry Craig (R.-Idaho), and Sen. Edward Kennedy (D.-Mass.), to consider adding

AgJOBS as an amendment to a piece of legislation that would be likely to pass on the Senate floor. Opposition by Senator Saxby Chambliss (R.-Ga.), who chairs the immigration subcommittee, and who has introduced his own harsh version of H-2A guest-worker program "reform," has been an obstacle to consideration of the bill. But few Senators are likely to oppose the legislation during a vote.

The strategy was to obtain a vote in the Senate, building momentum with a large Senate majority supporting AgJOBS, and then move on to the House of Representatives. In the House, there were 107 cosponsors at

press time. Most observers believe that a large majority of House members would support AgJOBS if given the chance to vote on the proposal (H.R. 3142). Rep. Chris Cannon (R.-Utah), Rep. Howard Berman (D.-Calif.) and Rep. Ciro Rodriguez (chair of the Congressional Hispanic Caucus) introduced legislation in the House. However, immigration restrictionists holding key positions of power in the House, in the form of committee and subcommittee chairs, oppose AgJOBS despite the broad coalition of business, labor, civil rights, Latino, farmworker, religious and other groups supporting the bill. Speaker of the House Dennis Hastert supports the bill.

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## FARMWORKER ADVOCATES USE CONGRESS AND COURTS TO AFFECT PESTICIDE POLICY

By Shelley Davis

With an estimated 10,000-20,000 farmworkers suffering from acute pesticide poisonings each year and many more enduring the chronic effects of such toxic exposure, pesticide-related illnesses continue to be one of the chief occupational hazards facing farmworkers. In recent months, farmworker advocates have turned to

Congress and the courts for some relief.

In a legislative victory borne of compromise, the Farmworker Justice Fund (FJF), the Natural Resources Defense Council (NRDC), Protected Harvest and other environmental, health and labor groups joined forces with Croplife America and other industry representatives to gain passage of the

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# FOUNDATION SUPPORT FOR FJF'S IMMIGRATION WORK: ENDING AN ERA, BEGINNING A NEW ONE

By Bruce Goldstein

The Farmworker Justice Fund has been supported for many years by the Rosenberg Foundation, which is based in San Francisco and maintains a special focus on rural California. FJF's Guestworker Project has been recognized by the Rosenberg Foundation as especially important to California farmworkers. The Foundation's Board of Directors has supported our efforts to educate the public and policymak-

ers about the problems of guestworker programs and the need for extending true immigration status to undocumented workers. Our litigation against the government and private employers regarding the H-2A guest-worker program has often been aided by the Rosenberg Foundation's generous support. FJF's ability to serve as a national resource on these issues has been founded largely upon the Rosenberg Foundation's support.

The President of the Rosenberg Foundation, Kirke Wilson, recently announced that he will retire after thirty years of service to that organi-

gram in the early 1960's and has long supported civil rights advocacy. His knowledge has been a valuable resource to the staff of the Farmworker Justice Fund. We cannot express adequately in words our deep appreciation to Kirke Wilson for his support and his guidance. We wish him well and hope that he will continue to be available to help us on occasion. We also express our thanks to senior program officer Ellen Widess, for her dedication to FJF's mission. We are presently in the middle of a two-year grant of \$140,000 per year from the Rosenberg Foundation for our immigration policy work; it is a major grant that profoundly enables us to carry out our work on behalf of the nation's farmworkers. Thanks, Kirke.

In a new development, our immigration work now has the support of the Evelyn and Walter Haas, Jr. Fund. We recently received a one-year grant of \$75,000 from the Haas, Jr. Fund. Bruce Goldstein and Virginia Ruiz will carry out most of the work on the grant, which includes preparing and disseminating educational materials on major immigration policy proposals that affect low-wage workers. We thank the Board of Directors of the Fund, as well as our program officer, Henry Der.

The new grant could have not have come at a better time; the immigration debate on farmworkers is in full swing and a broader debate about federal immigration policy has just begun again. With additional resources, we can win even greater successes for farmworkers and other low-wage immigrant workers. 🌱

We cannot express adequately in words our  
deep appreciation to  
Kirke Wilson for his support and his guidance.

ers about the problems of guestworker programs and the need for extending true immigration status to undocumented workers. Our litigation

zation. Kirke has special expertise in farmworkers, rural communities and immigration policy. He participated in the struggle to end the Bracero pro-

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**SHELLEY DAVIS**  
Co-Executive Director

# PEER EDUCATORS FROM U.S. AND MEXICO GATHER AT *BRIDGING BORDERS TO PREVENT AIDS* CONFERENCE

By Shelley Davis

One hundred and thirteen promotores de salud (community health educators), outreach workers, and AIDS specialists gathered in McAllen, TX from March 5-7, 2004, for the first annual Bridging Borders to Prevent AIDS Conference. The participants came from ten Mexican and 12 U.S. states. The purpose of this event was to: (1) form linkages between groups in the two countries which provide HIV/AIDS prevention services to migrant farmworkers and their families; and (2) to strengthen the skills of these peer educators. The conference was hosted by the Farmworker Justice Fund, Inc. (FJF), and co-sponsored by the California-Mexico Health Initiative, University of California, Office of the President of Berkeley, California (CMHI); Compañeros of Ciudad Juarez, Mexico; Migrant Health Promotion of Relampago, TX; SISEX of Mexico City, Mexico; Valley AIDS Council of McAllen, TX; and the U.S. Mexico Border Health Association of El Paso, TX. Support for the event was provided by the Centers for Disease Control and Prevention (CDC), CMHI, and the U.S. Mexico Border Health Commission.

The program was divided into three parts: plenary sessions, workshops, and regional network meetings. Highlights of the plenary sessions included a personal account of a Mexican immigrant in the U.S. who became infected and is living with HIV/AIDS, a discussion of the bi-national character of the epidemic and bi-national efforts to combat it among migrants and their families by

Rosario Alberro of CMHI, an HIV prevention skit by promotores de salud from Organización en California de Lideres Campesinas, and a description of the Mexican Social Security's rural promotores de salud program by Gilda Nina Montero of Programa IMSS

Oportunidades Instituto Mexicano del Seguro Social (IMSS). The workshops covered a wide range of topics including popular education techniques such as the use of theater and the creation of a fotonovela (comic book style pamphlet with a health message). Overall, the workshops addressed sexuality and culture, homophobia and stigma, counseling and testing, prevention with positives, etc. The final session was devoted to regional meetings, which enabled groups in both countries to



Conference participants discuss the effects of contaminated drinking water on their health

get to know each other and begin identifying ways in which they could collaborate.

By the close of the conference, 25 groups had signed Memoranda of Agreements to establish collaborative relationships. These agreements will initiate bi-national exchanges of information, educational materials and training. The overwhelming majority of conference participants praised the event and underscored their support for future bi-national collaborations. 🌱

## PESTICIDE POLICY

*Continued from Page 1*

Pesticide Registration Improvement Act (PRIA). This legislation increases the fees that a pesticide manufacturer must pay to the EPA to obtain a license to sell its products. As part of the PRIA, a fund was created of approximately \$1 million per year for five years to enhance farmworker protection activities. Advocates are urging EPA to use these resources to establish a national pesticide incident

reporting system, to increase funding for farmworker safety training, and to create a right-to-know program for agricultural workers. By requiring hazard communication in agriculture, the EPA would be fulfilling a promise it made to farmworkers over a decade ago. Such a program would inform agricultural workers of the health hazards they face from exposure to the specific pesticides used at their job sites.

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# SPOTLIGHT ON PROMOTORES: JUANITA GENIS STEWART

By Virginia Ruiz

Juanita Genis Stewart is a community organizer and coordinator of Poder de La Mujer (Women's Power), a project of Las Americas Immigrant Advocacy Center in El Paso, Texas. Since 2000, Juanita has helped FJF to coordinate its HIV/AIDS



Juanita Genis Stewart

prevention and environmental health projects and to supervise groups of promotores de salud in the El Paso area. In this capacity, she helps the promotores to gather materials and prepare their presentations to farmworkers and other low-income community groups. Thanks to Juanita's efforts, FJF promotores have provided outreach on these issues to thousands of border residents. These promotores have a strong presence in the El Paso-Ciudad Juarez sister city area, and are often invited to present at health fairs, schools, and community groups. FJF promotores also provide outreach to farmworkers in the pecan orchards and the onion and chili fields of Texas and New Mexico. Juanita has been instrumental in developing networks of service providers and community-based organizations in HIV/AIDS and environmental health outreach and services. Network partners include the Texas Department of Health, the University of Texas in El Paso, local health clinics and hospitals, and Latino community-based organizations.

Juanita is a natural community organizer and health promoter. She takes great pleasure in working with others in her community to address its needs. Realizing that one person acting alone will make a small impact, she involves as many people in a project as she can. In this way, she believes that not only will more get done, but people will take a greater ownership of the project, and will become motivated to take on their own community projects. Juanita

believes that she has a duty to help build leadership within her community, especially among women and Latino youth. In addition to coordinating FJF's projects for Las Americas, Juanita also provides support and referrals for Latinas in El Paso who have been victims of domestic violence.

Juanita has made a great difference in the lives of many farmworkers and their families, and we appreciate her sincerity and hard work. Mil gracias, Juanita! 🌻

## LIFE AND HEALTH IN THE ZACATECAN DESERT

By Steven Diaz

The temperature outside was 37°C, which is about 98°F, and we are sitting under the morning sun listening to a presentation about community health services in a remote area of the desert in the State of Zacatecas in Mexico. The presenter talks about the Promotores health system while a donkey can be heard complaining in the background as it is being hooked on to a wagon. The wind

whistles and kicks up a small dust cloud that makes us all cover our eyes in anticipation of the sand pellets that will attempt to invade our eyes. The people in this community are all very warm and welcoming and look at us eagerly as visitors seldom hearken their doorsteps. After a tour of the 4-room rural health clinic, we walked to the next town over and shared in the delicacies of desert food Mexican style. We had different types of cacti and desert flowers and fruits.



Steve Diaz with the people of La Cardona, Zacatecas, Mexico

The local community in our honor prepared the food. Alas, this was day four of an exchange trip between Promotores in California and Mexico, and we still had a few more communities to visit in the coming days.

The purpose of this trip was to promote

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# Major Gifts Campaign Launched

By Bruce Goldstein

The Farmworker Justice Fund, Inc. has grown during the last several years with the support of individuals and organizations but the demands on our organization exceed our resources. FJF now employs eight full-time staff and a volunteer part-time attorney, plus interns, and part-time assistants, but it is clearly not enough. We have tremendous expertise and energy. But we need additional resources to succeed in our mission. We are especially seeking funding for our highly-regarded advocacy and education on farmworker immigration policy, labor law protections, and pesticide safety, all of which helps empower farmworkers to improve their working and living conditions.

The FJF Board of Directors decided to respond to these challenges by moving forward on a "major gifts campaign." Most of FJF's one million dollar plus budget is raised from grants at foundations and government agencies. We also conduct an annual giving campaign and at least two special events per year that raise funds. However, most giving to nonprofit organizations comes from individuals. The major gifts campaign is a critically-important method of tapping into the resources that are available from individuals.

Our goal is to expand our group of major donors and raise \$100,000 during the year 2004. The Board of Directors defined as a "major gift" a donation of \$1,000 or more. A pledge of \$1,000 to be paid in installments during a calendar/fiscal year also is a "major gift."

Several Board members and other friends of FJF have volunteered to help us reach out to individual people and businesses who support FJF's mission and may be in a financial position to make a donation of \$1,000 or more. FJF Board members Jack Gallon, Grizelle Apodaca, and Irma Flores Gonzales have agreed to take the lead on this important activity with

help from volunteer attorney (and major donor) James Leonard. We are seeking additional volunteers for the major gifts campaign and we thank Joseph Fortuna, M.D. and David Damian Figueroa (a former farmworker who is now an executive with the AARP) for agreeing to advise us.

In the initial stages of the major gifts campaign we have received several donations (which are tax-deductible to the full extent of the law, as FJF is a 501(c)(3) nonprofit organization):

**Marcos Camacho, Law Offices of Marcos Camacho**  
**French American Charitable Trust**  
**Robert Fabia and Kathy Aram**  
**Lawrence and Suzanne Hess**  
**James B. Leonard and Joan S. Leonard**  
**William Lucco, Lucco & Brown**  
**Robin Talbert and Bruce Goldstein**

We seek additional volunteers for this campaign. Contact Bruce Goldstein at FJF, [bgoldstein@nclr.org](mailto:bgoldstein@nclr.org) or 202-783-2628, or James Leonard at (703) 533-0756, or [jbleonard@erols.com](mailto:jbleonard@erols.com). If you can make a major donation, you may write a check to the Farmworker Justice Fund, Inc., 1010 Vermont Ave., N.W., Suite 1000, Washington, D.C. 20005. **You may also donate online using a credit card, by going to [www.fwjjustice.org](http://www.fwjjustice.org) and clicking on the Network for Good icon or the PayPal icon.** We will contact you to thank you for your donation, and unless you indicate otherwise, we will thank you in our written materials, too. With your major gifts, we can help farmworkers win major improvements in government policies and employer practices that result in major advances in farmworkers' immigration status, labor law protections, and occupational safety related to toxic pesticides.

## LIFE AND HEALTH IN THE ZACATECAN DESERT

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an exchange of information between Promotores in Mexico and the US from April 23 through May1, 2004. The exchange was co-sponsored by the California-Mexico Health Initiative and the Mexican Institute of Social Security. Twenty-eight Promotores, mainly from California, attended the exchange. Farmworker Justice Fund was invited to attend the

exchange by the Mexican health department in reciprocity of their invitation to participate in the Promotores Binational Conference in March 2004. The exchange participants were divided into small groups to visit different service areas in rural Mexico. I was invited to go to Zacatecas and toured regional and

community-based facilities of health. This experience was an exchange in the true sense of the word as in each stop I was asked questions about the health system and the living conditions of migrants in the US, while at the same time I had the privilege of sharing in a culture of beautiful and giving people. 🌱

# HIV PREVENTION COMMUNITY FORUM

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By Juan Hernandez

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Health departments and community-based organizations across North Carolina and South Carolina have increasingly begun to grasp the importance of conducting HIV preventive work with the rapidly growing migrant farmworker population in their communities.

In response to their request for help, Farmworker Justice Fund, Inc. collaborated with Rural Opportunity, Inc. and United Migrant Opportunities Services to organize a community forum to facilitate awareness for cultural issues, trust building, crafting creative and effective collaborations, and outreach programs that work with the migrant farmworker population.

On February 5, 2004, we hosted a two-day forum in Florence, South Carolina. The forum, "HIV Prevention Among Migrant Communities in the States of North Carolina and South Carolina" brought together 59 representatives belonging to North and South Carolina health departments, community based organizations, health clinics, and farmworker groups.

The forum was the first of its kind in South Carolina and North Carolina focusing on HIV prevention and the migrant farmworker communities.

Keynote speakers Genova McFadden of the South Carolina Department of Health and Environmental Control and Stephanie Triantafillou of the North Carolina Community Health Center Association began the forum by highlighting the living conditions many migrant farmworker families endure and the risks the migrant community face for HIV.

The community forum featured three workshops on migrant culture within

Latino culture, outreach with the migrant community, and programs that work. At each workshop, speakers shared practical ways in which health departments and community-based organizations could better serve the migrant farmworker community members. For many, this forum provided an introduction to key methods and highlighted and addressed common issues of HIV Prevention among the migrant farmworker communities. There was a special emphasis to encourage partic-

ipants to actively network with peers and facilitators to initiate potential regional or area specific coalitions.

We received fantastic feedback about the community forum. One participant recently wrote, "The forum held in Florence, S.C. has motivated us to expand our HIV Education and testing during our summer Migrant Health Program. We have already started testing and will offer it rightly in our special Farmworker Clinic". 🌱

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## FARMWORKER IMMIGRATION LEGISLATION

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During a major "week of action" on AgJOBS in March, when hundreds of Congressional offices were visited by activists, Sen. Larry Craig said, at a press conference, that he believed the President would sign the AgJOBS legislation if it passes Congress. During a hearing in the Senate foreign relations committee, Sen. Craig submitted a letter in support of AgJOBS signed by over 400 organizations from all over the country and from all sectors, including such groups as the United Farm Workers, the Farm Bureau, the U.S. Chamber of Commerce, the AFL-CIO, the National Council of La Raza, and of course the Farmworker Justice Fund.

This brief article cannot do justice to the efforts of hundreds of organizations around the country that are supporting farmworkers by promoting passage of AgJOBS. FJF thanks everyone for their help in this important campaign. A lot more needs to be done, especially in the House of Representatives.

More information about the AGRICULTURAL JOBS, OPPORTUNI-

TY, BENEFITS AND SECURITY ACT OF 2003 (AgJOBS) is available on our website, [www.fwjjustice.org](http://www.fwjjustice.org), under "legislative updates" and at the United Farm Workers of America website, [www.ufw.org](http://www.ufw.org).

For the few readers of this newsletter who are not familiar with the AgJOBS proposal, here is a brief summary of the compromise that was forged after years of conflict and negotiations among growers, farmworkers, Republicans, Democrats, and many others. The compromise contains two major parts: (1) a legalization program that allows undocumented farmworkers who have been working in American agriculture to apply for temporary immigration status and gain permanent immigration status upon completing a multi-year agricultural work requirement, with the right of their spouses and children to become immigrants once the farmworker becomes a permanent resident immigrant, and (2) revisions to the H-2A agricultural guestworker program that streamline the process by reduc-

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# 2004 Farmworker Justice Awardee: Maria Echaveste

By Bruce Goldstein

**T**he 2004 Farmworker Justice Award was presented to Maria Echaveste on May 4, 2004 at a reception at the AFL-CIO headquarters in Washington, DC. Rep. Howard Berman helped FJF present the award.

Maria Echaveste, the daughter of farmworkers, has served as Deputy Chief of Staff to President Bill Clinton, Director of the White House Office of Public Liaison, and Administrator of the Wage and Hour Division of the U.S. Department of Labor. In those roles she has been a successful advocate for farmworkers. Maria, currently a partner in a firm she founded called the Nueva Vista Group, in Washington, DC, has been representing the United Farm Workers. FJF has been collaborating with Maria on advocacy and education for farmworker policy issues. In addition, Maria has helped FJF by serving as chair of the FJF Advisory Council.



Maria Echaveste, receiving Farmworker Justice Award

The Award Committee this year included: Baldemar Velasquez, President, Farm Labor Organizing Committee; Raúl Yzaguirre, President, National Council of La Raza; Arturo S. Rodriguez, President, United Farm Workers of America, AFL-

CIO; Joe Hansen, International President, United Food and Commercial Workers International Union, AFL-CIO; Senator Edward M. Kennedy; Representative Joe Baca; Representative Raúl Grijalva; Representative Janice D. Schakowsky; Representative Lucille Roybal-Allard; Representative Ed Pastor; Representative Hilda Solis; Representative Ciro

Rodriguez; Representative Howard L. Berman; and Representative Robert Menendez.

We appreciate the financial support of the event sponsors who made the reception possible and advance our work on behalf of farmworkers. Thank you to our Sponsors:

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## Special Thanks to the AFL-CIO for Hosting the Reception

Thanks to St. Supery Vineyards & Winery for donating wine produced by unionized farm workers in the Napa Valley of California.



Rep. Howard Berman, discussing Maria's contributions



Maria Echaveste with FJF's Shelley Davis and Bruce Goldstein

## PESTICIDE POLICY

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FJF, NRDC and Earthjustice have also filed a pair of lawsuits against EPA. The first, *UFW v. EPA*, challenges the EPA's decision to allow continued use of two highly toxic pesticides, which were derived from nerve gas during World War II and affect the brain and nervous system – guthion and phosmet. The Agency refused to ban these products (which are widely used on apples, pears, peaches, blueberries, and other crops), even

though it found that they pose “risks of concern” because it concluded that the benefits to growers outweigh the risks to workers and their families. Funds to support this litigation have been provided by the Impact Fund.

The second case, *NRDC v. EPA*, seeks to reverse the EPA's failure to implement the safeguards contained in the Food Quality Protection Act (FQPA), which are designed to protect infants

and children. In this action, farmworker, environmental and health groups challenge EPA's failure to provide adequate margins of safety to protect children and its refusal to assess the risks facing farmworker children and others living in rural areas. A companion case, filed by four state Attorneys General, also charges that the EPA has failed to enforce the FQPA's protections for children. 🌱

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## FARMWORKER IMMIGRATION LEGISLATIONS

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ing employer's paperwork and time frames for H-2A applications, modify the wage-setting process, create incentives for employers to negotiate in good faith with labor unions, and give the guestworkers the right

to enforce their H-2A rights in federal court.

FJF strongly supports this compromise because, despite significant concessions on H-2A issues and the legalization program, there are advances

under the H-2A program and the compromise would allow hundreds of thousands of undocumented farmworkers to come out of the shadows and gain the freedom to demand better wages and working conditions. 🌱

## Author! Author!

**B**ruce Goldstein published “Guest Worker Schemes and Broken Dreams: What’s Wrong with the Bush Immigration Plan,” a commentary in *Dollars and Sense Magazine: The Magazine of Economic Justice* (Mar./Apr. 2004); and “Immigration Status for Migrant Farmworkers a Real Possibility,” in the *National Legal Aid And Defender Association Update* (Oct. 2003). An upcoming edition of *Perspectives on Work*, the journal of the Industrial Relations Research Association (Vol. 8 No. 1) will include an article entitled “Migrant Farmworkers at the Cutting Edge of Immigration Policy.”

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## HELP FJF EXPAND IN ITS 23<sup>RD</sup> YEAR

**P**lease support the work of the Farmworker Justice Fund by making a generous, tax-deductible donation. (FJF is a 501(c)(3) nonprofit corporation.) Help us make 2004, our twenty-third anniversary, our most effective year of advocacy ever.

FJF plays a leadership role in advocacy for migrant farmworkers in the nation's capital. We have creatively used all available tools to further the cause of farmworkers. Litigation. Administrative and Legislative Advocacy. Training and technical assistance for lawyers, paralegals, government personnel, health care providers, and farmworkers. Media work and other public education. Building coalitions of farmworker organizations, Latino organizations, civil rights groups, immigrants rights advocates, labor unions, religious institutions, environmentalists, and many others. These activities and more have made a difference in the lives of thousands of farmworkers. Labor law. Immigration policy. Occupational Safety and Health. Access to the Justice System. Women's Issues. All of these have been advanced by FJF's work. In each of these areas, FJF has helped to defend farmworkers' interests against attacks and rollbacks.

Despite our important work and the efforts of many others, the wages, working conditions and living conditions of most of America's migrant farmworkers remain unacceptable. Please help the Farmworker Justice Fund, Inc. continue and expand its work by making a financial contribution to our work. Thank you very much.

Mail to:  
Farmworker Justice Fund, Inc.  
1010 Vermont Avenue, NW, Suite 915  
Washington, DC 20005



I would like to support the Farmworker Justice Fund, Inc. in its twenty-third year of helping migrant and seasonal farmworkers.

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