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LEGAL SERVICES CORPORATION

April 20, 2015

Mark Freedman
Senior Assistant General Counsel
Legal Services Corporation
3333 K Street NW
Washington, D.C. 20007

Via e-mail to: mfreedman@lsc.gov

Re: Comments on Agricultural Worker Population Data for Basic Field—Migrant
Grants

Dear Mr. Freedman,

Southern Minnesota Regional Legal Services (SMRLS), recipient of LSC migrant allocations for both Minnesota and North Dakota, commends LSC for producing the “LSC Agricultural Worker Population Estimate Update: LSC Management Report to LSC Board of Directors.”

SMRLS has reviewed and supports the comments submitted by the National Legal Aid and Defender Association (NLADA) Farmworker Section, Agricultural Worker Project Group. In particular, SMRLS agrees that more time should be allowed for a phase-in period to allow farmworker legal services programs more time to plan for significant funding changes. A three-year phase-in period starting in 2017 would provide additional time for planning and managing the redistribution of funding within states.

According to 2012 County Business Patterns using NAICS data, Minnesota has 24 fruit and vegetable canning, pickling, and drying establishments. SMRLS recommends that LSC include these workers as agricultural workers in their estimate. Migrant farmworkers from Texas have a long history of working in Minnesota canning factories and our program provides community education and legal services to these workers and their dependents. The cannery workers should be included in the estimate of agricultural workers.

SMRLS also supports including other LSC-eligible farmworkers who do not appear to have been included in the estimate of “authorized” workers. This includes workers who are eligible under anti-abuse laws (i.e. victims of domestic violence, trafficking, and violent crimes) and also workers and their dependents who have filed for adjustment of status and have the requisite relationship to a U.S. citizen child, parent, or spouse.

SMRLS supports the NLADA request that LSC provide additional documentation, data, and more detail about how the Employment and Training Administration (ETA) estimated the number of LSC-eligible agricultural workers in each state. This includes how they determined the number of “authorized” farmworkers and also the percentage of income eligibility farmworkers. Without additional information, NLADA and its data consultant are unable to fully analyze the methodology used by ETA to estimate the number of agricultural workers by state and provide relevant feedback to LSC.

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The need to update the estimate of the number of agricultural workers in the United States is long overdue. SMRLS agrees that specialized legal services are still needed to serve the farmworker population and applauds LSC for undertaking the challenging task of updating the estimate of agricultural workers.

Sincerely,



Jennifer Stohl Powell

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Southern Minnesota Regional Legal Services
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cc: Jessie Nicholson, SMRLS CEO