Case Story:
How Policy Analysts Helped Advocates
Win Services for Disabled Migrant Farm Workers

The Soldier’s Rehabilitation Act in 1918 provided vocational retraining of handicapped veterans. Soon thereafter, the Rehabilitation Act of 1920 extended the same benefits to civilians.

During World War II, Congress approved President Franklin D. Roosevelt’s proposal to improve those services by consolidating them in a new federal agency, the Rehabilitation Service.

Though most migrant farm workers at the time were citizens or legal permanent residents of the U.S. and eligible for rehabilitation services, state rehabilitation agencies were reluctant to serve them, because families of disabled farm workers were likely to leave the state, taking the disabled client member with them before the state agency could finish planned services and receive reimbursement for 80% of their costs from the federal government.

The Rehabilitation Services Administration in Washington decided to document the problem. In 1971, the agency awarded a research grant to Interstate Research Associates (IRA), a nonprofit consulting group with expertise on services for migrant farm workers. IRA’s survey found that disabilities among farm workers were three times higher than the national average, while the percentage of disabled farm workers receiving vocational rehabilitation services nationwide was approximately zero.

The agency decided to launch pilot projects in affected states to demonstrate the feasibility of special methods of marketing to farm worker families and staying in touch with migrant clientele during provision of services. Additionally, the proposal offered a financial incentive for state agencies, reimbursing them for 90% of the costs of rehabilitating farm workers instead of the usual 80%.

Efforts to implement the pilot program soon encountered a roadblock. The Office of Management and Budget (OMB), another federal agency reporting directly to the White House, would not approve expenditure of Rehabilitation Services Administration funds for the proposed demonstration projects.

In consult with the Rehabilitation Services Administration staff, the nonprofit IRA decided to take independent action. IRA staff had already been working on their own time with the AFL-CIO and others to create another nonprofit designed exclusively for legislative advocacy and lobbying. The new nonprofit corporation, called the National Congress of Spanish-Speaking and Spanish-Surnamed Americans (el Congresso), was tax-exempt under section 501(c)(4) of the Internal Revenue Code. While it was relatively difficult for el Congresso to raise money (without a §501(c)(3) exemption), they were allowed to lobby without restriction.

Staff at the §501(c)(3) IRA briefed the sole employee at the §501(c)(4) el Congresso on findings of their just-completed research on disabled farm workers. The el Congresso staffer took an early draft of the research report to Capitol Hill. Timing was critical. The Rehabilitation Act had to be reauthorized by Congress every five years.

Differing versions of the Rehabilitation Act of 1973 had just passed the House and the Senate. The Senate version included language earmarking 10% of total research expenditures by the Rehabilitation Services Administration for a new demonstration project serving disabled farm workers. The House version did not have the earmark.
El Congresso’s staff person, Manuel Fierro showed Senator Alan Cranston (D-CA), who was a member of the House-Senate joint conference committee, IRA’s draft report, and explained its findings. Cranston, who was already on record supporting efforts to unionize farm workers in California, appeared deeply concerned. He took the report and promised to do what he could in conference committee.

Unbeknownst to Fierro and the public in general, the committee had already agreed to adopt the House language that did not earmark demonstration funds for disabled farm workers. Behind closed doors, Cranston told the committee about IRA’s report, and asked for the unusual procedure of reconsidering the rejected earmark. Cranston prevailed, and the committee reinserted the Senate earmark provision before making their final reconciliation of the House and Senate bills public.

The President signed the Rehabilitation Act of 1973 into law. In the years that followed, special projects focusing on the needs of disabled farm workers were established in 10 states. The pilot project strategy led to a long-term commitment by state and federal agencies to special programs targeting vocational rehabilitation services on disabled farm workers. Several of those programs continue to operate today.

**Lessons for Nonprofit Advocates**

1. Research can provide an opportunity for collaboration between nonprofits and government, advocates and analysts.

2. Better understanding the problem can open the way to better policy solutions.

3. Identify and recruit a champion to advocate for your cause inside a policymaking body.

4. Advocacy can happen at various points in the process. Be strategic and opportunistic.

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