

86TH CONGRESS
1ST SESSION

H. R. 7944

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 1959

MR. FOGARTY introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To provide for the registration of crew leaders in interstate agricultural employment, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Crew Leader Registra-
4 tion Act of 1959".

5 CONGRESSIONAL FINDING AND DECLARATION OF POLICY

6 (a) The Congress hereby finds that interstate commerce
7 and the channels and instrumentalities of interstate com-
8 merce are being used by certain irresponsible crew leaders
9 to spread and perpetuate the exploitation and abuse of
10 workers for interstate agricultural employment.

11 (b) It is declared to be the policy of this Act, through

1 employment in agriculture, as defined in section 3 (f) of the
2 Fair Labor Standards Act of 1938, as amended (29 U.S.C.
3 203 (f) , or section 3121 (g) of the Internal Revenue Code
4 of 1954 (26 U.S.C. 3121 (g)) which involves the move-
5 ment of migrant workers among the several States or be-
6 tween any State and any place outside thereof.

7 (e) "Secretary" means the Secretary of the United
8 States Department of Labor or his duly authorized repre-
9 sentative.

10 (f) "State" means any of the States of the United
11 States, Hawaii, the District of Columbia, the Virgin Islands,
12 Puerto Rico, and Guam.

13 **CERTIFICATE OF REGISTRATION REQUIRED**

14 **SEC. 3.** No person may engage in activities as a crew
15 leader unless he first obtains a certificate of registration
16 from the Secretary. No person required to obtain such
17 certificate of registration may engage in activities as a
18 crew leader in any case where his certificate of registra-
19 tion has been denied, suspended, or revoked pursuant to
20 any of the provisions of this Act.

21 **ISSUANCE OF CERTIFICATE OF REGISTRATION: DENIAL,**
22 **REVOCATION, OR SUSPENSION THEREOF**

23 **SEC. 4. (a)** The Secretary shall issue a certificate of
24 registration to any duly qualified applicant therefor, who
25 shall keep it in his immediate personal possession for dis-

1 play upon request of the Secretary. Each applicant for a
2 certificate of registration shall furnish such information as
3 to his conduct and method of operation as a crew leader
4 and his financial responsibility, as well as to transportation,
5 wage arrangements, housing, and other working conditions
6 to be afforded migrant workers in his crew, as the Secretary
7 may by regulation require.

8 (b) Upon notice and hearing in accordance with regu-
9 lations prescribed by him, the Secretary may refuse to
10 issue, and may suspend, revoke, or refuse to renew a
11 certificate of registration to any crew leader when he finds—

12 (1) that the crew leader has been convicted of a
13 crime denoted a felony either under the laws of the
14 United States or under the law of the State in which
15 he was convicted; or

16 (2) that the crew leader has made any misrepre-
17 sentations or false statements in his application for a
18 certificate of registration or any renewal thereof; or

19 (3) that the crew leader has knowingly given false
20 or misleading information to migrant workers in his
21 crew concerning the terms, conditions, or existence of
22 agricultural employment; or

23 (4) that the crew leader has failed to comply with
24 the terms of any working arrangements with migrant

1 workers in his crew as reported to the Secretary pur-
2 suant to subsection (a) ; or

3 (5) that the crew leader has failed to comply with
4 any of the provisions of this Act or any regulations
5 issued hereunder.

6 (c) A certificate of registration, once issued, may not
7 be transferred or assigned and shall be effective for the re-
8 mainder of the calendar year during which it is issued, unless
9 suspended or revoked by the Secretary as provided in this
10 Act. A certificate of registration may be renewed each
11 calendar year upon approval by the Secretary of an appli-
12 cation for its renewal.

13 (d) Notwithstanding the denial, suspension, or revoca-
14 tion of a certificate of registration, or the refusal to renew a
15 certificate of registration, under the provisions of subsection
16 (b) of this section, the Secretary may, at his discretion,
17 subsequently issue a certificate of registration to an applicant
18 therefor and, in accordance with regulations prescribed by
19 the Secretary, require the applicant to furnish bond or other
20 form of indemnity.

21 **AGREEMENTS WITH FEDERAL AND STATE AGENCIES**

22 **SEC. 5.** The Secretary is authorized to enter into agree-
23 ments with Federal and State agencies, to utilize (pursuant
24 to such agreements) the facilities and services of the agencies,

1 and to delegate to the agencies such authority, other than
2 rulemaking, as he deems necessary in carrying out the pro-
3 visions of this Act.

4 **PENALTY PROVISION**

5 **SEC. 6.** Any crew leader who willfully and knowingly
6 violates any provision of this Act or any regulation prescribed
7 thereunder shall be fined not more than \$500, or imprisoned
8 not more than six months, or both.

9 **APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT**

10 **SEC. 7.** The provisions of the Administrative Procedure
11 Act (5 U.S.C. 1001 and the following) shall apply to all
12 administrative proceedings conducted pursuant to the au-
13 thority contained in this Act.

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