

**Testimony by Carl Wilmsen, Executive Director, Northwest Forest Worker Center,  
on SB 578, March 14, 2013**

Chairman Roblan and committee members, thank you for giving me the opportunity to speak about the proposed Senate Bill 578 today.

The Northwest Forest Worker Center, formerly known as the Alliance of Forest Workers and Harvesters, of which I am the executive director, has been registered with the Oregon Secretary of State as a non-profit corporation since 1998.

We empower forest workers and harvesters of non-timber forest products in Oregon, northern California, and Washington to have a voice in forest management decisions that directly affect their lives and livelihoods.

We support efforts to assure sustainability of non-timber forest products and other forest resources, but SB 578 does not accomplish that.

*There are two major problems with the bill:*

1. SB 578 will have a disproportionate impact on low-income harvesters, especially harvesters who are legal immigrants from Southeast Asia.

For the record, I would like to point out the reasons why immigrants from Laos, Cambodia and other Southeast Asian countries ended up here in the United States, earning a living by harvesting wild mushrooms and other non-timber forest products. It is because they fought on our side in the Viet Nam war. After the fall of Saigon in 1975, the Viet Kong and the army of the new communist regime in Laos began systematically slaughtering whole families of Hmong and Mienh people, who are minority groups in Southeast Asian countries, and who were our allies during the war. The people had little choice but to flee to refugee camps in neighboring Thailand, where families waited, often for many years, before finding American families that would sponsor them so that they could come to America to start a new life.

Once they got here, however, starting all over again was not easy. Traditionally, the Hmong and Mienh people did not live in a market economy. They made a living from the land, practicing swidden agriculture and hunting, fishing and gathering wild foods. These were the skills they had when they arrived in America. Not speaking English, not having skills that were needed in the market economy of the United States, and often facing discrimination, the people turned to what they knew: earning a living from the land. And because this is the way they made a living in their native countries, they happen to be very good at harvesting wild mushrooms and other non-timber forest products.

Now, in 2013, many of these harvesters know no other work in America. They have no other source of income. To suddenly start charging them for state mushroom harvesting licenses would impose a real hardship on them.

The profit margin on mushroom harvesting is small, especially now that the price of gasoline is getting so high. The harvesters buy permits from the Forest Service already. They pay camping fees and they pay for gas (because they drive a lot during the harvest seasons to get to the different picking areas).

In addition, more and more areas are being put off limits to mushroom picking. Due to logging, setting aside land for other uses, and protection for endangered species habitat, the land area on many national forests where mushroom harvesting is permitted in Oregon is shrinking. This too, cuts into the annual incomes of harvester families.

Imposing another licensing fee on harvesters, will have a significant impact on them.

2. The second major problem with SB 578 is that it is discriminatory

I have been told, by former state representative Al King as well as by Rosie Shatkin, of Senator Roblan's staff, that the intent of this bill is to deal "with intense mushroom harvest and destructive practices of out of state harvesters who have the potential to damage future mushrooming opportunities by Oregonians."

Now, we at the Northwest Forest Worker Center recognize that there are problems with some harvesters engaging in unsustainable harvest practices, such as raking. The NFWC has had a citizen-based monitoring program in place for monitoring the matsutake harvest in Oregon's central Cascades for over ten years. Part of the program is educating mushroom pickers about sustainable harvest practices. Because of our advocacy, the Forest Service outlawed the use of long tools in harvesting matsutake on national forest lands many years ago.

Unfortunately, despite our efforts, raking still happens. I am not going to deny that.

But, there is no evidence that indicates that out-of-state harvesters are solely responsible for damage to the resource. It is just as likely that Oregon residents also rake mushroom beds. There simply is no data on who is doing the raking. Furthermore, there is no data on how many harvesters in Oregon are from out of state. Simply put, this bill is attempting to address a problem based on hearsay. In so doing it discriminates against out-of-state harvesters, many of whom happen to be immigrants from Southeast Asia.

The bill is discriminatory in another way. It exempts firewood cutters who have permits to cut firewood on federal public lands from the Forest Service or the Bureau of Land Management from having to buy licenses from the state. But it does not provide this exemption to mushroom harvesters. This is discriminatory.

Moreover, there is a history of racial profiling by the Oregon state police and by Forest Service officers on some ranger districts during mushroom harvest seasons. If this bill is passed, it is likely that racial profiling by law enforcement officers will become an even greater problem for harvesters of color.