

# Wreathed in Worry, Pining for Protection: Latino Forestry Workers and Historical Traumas in Maine

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Most of the workers in the van were sleeping because of the early morning hour, but Edilberto Morales-Luis was feeling nervous. Their driver—who was trying to cover the three-hour commute to the forest quickly to compensate for lost time due to rain—was barreling down a dirt road amid gusty winds. “Why don’t you drive a little bit slower?” Morales-Luis called out, only to have a co-worker tease him for being afraid. It was September 12, 2002, and the crew of fourteen Guatemalan and Honduran H-2 visa guest workers had been hired to thin trees and clear brush for six months in Aroostook County, a remote part of northern Maine bordering Canada. They were working for Evergreen Forestry Services, an Idaho-based reforestation company subcontracting for the Maine-based Seven Islands Land Company.<sup>1</sup>

As the driver, Juan Turcios-Matamoros, transferred from the dirt road onto Johns Bridge, a narrow 260-foot wooden bridge with no guardrail perched over the Allagash Wilderness Waterway, the right side of the van missed the bridge planks and caught on an outer row of steel bolts. The tires started shredding. Startled, several passengers implored him to slow down; they were less than five miles from their destination. Instead of braking, Turcios-Matamoros maintained his speed and tried to steer the right wheels back onto the planks but overcorrected. The van took a sickening skid before flipping over and plunging off the bridge into the whirling water beneath. Shocked but aware he needed to act quickly, Morales-Luis swam to the back of the van, kicked out the rear window, and pushed his way out. “I fought to get [the rest of] them out of there. But I couldn’t,” he later said. The van filled rapidly with water, and the fourteen other men—who included his own uncle—sank to the river bottom. Edilberto swam to shore to get help, but the accident had happened so far from any trafficked roadway that he had to

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<sup>1</sup> Tom Knudson and Hector Amezcua, “The Pineros: Going Home,” *Sacramento Bee*, Nov. 15, 2005, n.p.; “Northeast: Maine H-2B Tragedy,” *Rural Migration News*, 8 (Oct. 2002), <https://migration.ucdavis.edu/rmn/more.php?id=619>.



This map of Maine shows Aroostook County and the sites of the fatal vehicle accidents involving migrant workers on June 26, 1998, near Portage Lake and on September 12, 2002, at Johns Bridge. *Map by Galo Falchettiore.*

wait half an hour to flag down a passing vehicle. It then took almost four hours for rescue crews to arrive. The state police and national guard deployed helicopters and floatplanes, and rescuers were able to eventually heave the van—which still held the bodies—out of the water and onto a large flatbed truck. Juan Perez-Febles, an employee of the Maine Department of Labor’s Migrant and Immigrant Services Division, joined a caravan of vehicles that escorted the truck to the Maine Medical Examiner’s Office. There, he saw the victims’ bodies jumbled together with saws, blades, gasoline cans, and lunch pails. “The tangled mess of flesh, vomit coming out of their mouths. . . . You could see the panic in their faces,” he said. Perez-Febles stayed at the office to interpret for the lone and stressed survivor, Morales-Luis, who identified his co-workers and reconstructed the accident for officials and the media.<sup>2</sup>

According to Maine authorities, the Allagash drownings was the deadliest vehicle accident to date in state history, and the worst non-fire-related workplace accident in the history of U.S. forests. That afternoon, ten relatives of the victims gathered at the bridge, wailing and shaking with grief. Several others needed to be notified, including relatives living in Latin America or other parts of the United States. Juan Turcios, who lived in suburban Atlanta, learned of the death of his son Juan (the driver) over the phone. “I don’t know what I’m going to do. I need some help,” he said, his voice trembling. “Maine is a long way away.” In Maine it is common to ask whether someone is a native Mainer or

<sup>2</sup> Bart Jansen, “Allagash Crash Points Up Warnings about Van,” *Portland Press Herald*, Sept. 14, 2002, p. 12A; Deborah Turcotte, “Excessive Speed Seen as Cause of 2002 Woods Accident,” *Bangor Daily News*, Sept. 6, 2003, <https://archive.bdnblogs.com/2003/09/06/excessive-speed-seen-as-cause-of-2002-woods-accident/>; Knudson and Amezcua, “The Pineros: Going Home”; Robert F. Worth, “Tears for Migrant Workers Killed in Van Crash in Maine,” *New York Times*, Sept. 14, 2002; “14 Killed in Maine’s Deadliest Crash Ever,” *Chicago Tribune*, Sept. 13, 2002; Deborah Turcotte, “‘It Was a Very Gruesome Event,’ Juan Perez-Febles, State’s Monitor Advocate,” *Bangor Daily News*, Sept. 6, 2003, <https://archive.bdnblogs.com/2003/09/06/it-was-a-very-gruesome-event-juan-perez-febles-states-monitor-advocate/>.



This October 2020 photo shows the Johns Bridge, which spans the Allagash Wilderness Waterway in northern Maine. The bridge was the site in September 2002 of a van accident that killed fourteen migrant workers. *Photo courtesy Matt LaRoche.*

“from away.” In 2002 approximately 1,200 immigrants—mostly from Central America—came with special visas to work for Maine timber companies. Yet it took news of the Allagash tragedy for many Mainers to realize that Central American migrants were living and working among them.<sup>3</sup>

While the image of a white lumberjack might flash first in many people’s minds when thinking of the term *woodsman*, the people who cultivate forests in the United States—from Maine to Alabama to Oregon—are mostly migrant workers from Mexico, Central America, and the Caribbean. These *pineros* (men of the pines) perform the hardest and most dangerous manual labor in the forestry industry. They slash away at snarls of vegetation and brush to clear acreage, cut trees to make paper and lumber, bend and stoop to plant millions of other trees, and serve as forest fire fighters on both private and public lands. There are also forestry workers called “tippers” who scale trees and cut the uppermost branches to deliver to another group of workers who labor in factories to create holiday wreaths and centerpieces. This article centers these workers by examining two Maine accidents—the Allagash Waterway drownings of 2002 and a van rollover involving Mexican *pineros* in 1998. Very little systemic change occurred in the four intervening years between these eerily similar tragedies. The particular setting of the Maine forest helps us think about three recent and significant phenomena in U.S. labor: the intentional design of what I term *amnesic landscapes* that entrap and obscure Latino workers;

<sup>3</sup> “Accident Kills 14 Migrant Workers, MRWC Aids Victims,” *Maine Rural Workers Coalition Newsletter*, 5 (Fall 2002), 1, folder 1, box 5, Maine Rural Workers Coalition Papers (Maine Historical Society Archives, Portland); Pam Belluck, “14 Migrant Workers Drown as Van Plunges into Maine Waterway on Way to a Job,” *New York Times*, Sept. 13, 2002; “Allagash, ME Van Crash Kills 14,” *Portland Press Herald*, Sept. 13, 2002, n.p.; Worth, “Tears for Migrant Workers Killed in Van Crash in Maine”; Tom Knudson and Hector Amezcua, “The Pineros: Forest Workers Caught in Web of Exploitation,” *Sacramento Bee*, Nov. 13, 2005, n.p.; Mark Shanahan, “Families Trying to Bring Bodies Home,” *Portland Press Herald*, Sept. 17, 2002, n.p. John Richardson, “Crash,” *ibid.*, Sept. 14, 2002, p. 12A.

the purposefully accelerated ethnic succession of workers by U.S. employers in migrant-powered industries to prevent their political mobilization; and the sobering reality that in many ways, legally contracted guest workers in the United States enjoy no more safety or security than their undocumented counterparts.

Studies of pineros in the Pacific Northwest and Deep South have contributed valuable insights about the working conditions of the nation's multistatus (citizen, guest worker, undocumented) forestry work force. Pineros often endure sixteen-hour days without a break, exorbitant fees for their equipment and supplies, traumatic injuries on the job, and social isolation in remote housing that keeps them distanced from local residents as well as medical, legal, and social services. Tippers and wreath workers endure similarly long hours and isolated employer housing. As Brinda Sarathy explains in her study of pineros in the Pacific Northwest, the part of a forest that grows in the shade of the canopy layer is called the understory. Some of the most grueling labor takes place in this obscured area. Thus, forestry workers of color are "both figuratively and literally hidden in the understory" of the industry, and those in Maine are hidden even deeper within the narrative.<sup>4</sup>

Historiographically, Maine pineros have been overlooked even though people of Caribbean, Mexican, and Central American descent have lived in the urban and rural Northeast for decades. Making pineros more visible in all regions and in the history of American work is essential to understanding that "the fields" are not the only agrarian landscape in which Latin American and Latino people have labored. Much like how fields are pastoralized, forests are frequently romanticized as peaceful and liberating spaces of wilderness. Indeed, forests can be a tranquil and beautiful escape for those who do not labor in that hazardous realm, but as scholars of race and environment including Carolyn Finney have argued, the wilderness can provoke anxiety or fear in a worker or person of color. Though pineros choose to migrate to the United States for forest work and assume that the job comes with some risk, there are many occupational hazards and deprivations that are not revealed to them until they are trapped in a labor contract term and remote location.<sup>5</sup>

Maine also matters because its forestry industry is a prime example of an *amnesic landscape of labor*—a realm of work not designed to retain memories but instead to continually purge histories of how it has lured, entrapped, injured, and even killed multiple waves of workers. During its long history of timber production, Maine has absorbed diverse groups of loggers from inside and outside its borders, including early American colonists, French Canadian contract workers, and Black guest workers from the Caribbean. People across all eras have lost life and limb in the woods, many under the pressure to meet a pace or quota of production. In his article "Deep Forestry," Greg Bankoff argues, "much forest history becomes a narrative of humans in the forest or, more precisely, the rate at which men and women destroy the forest over time." But humans have also destroyed other *humans* in the forest over time, and cases in Maine illustrate how places and industries become palimpsests of worker traumas and historical amnesias.<sup>6</sup>

<sup>4</sup> On working conditions, see Brinda Sarathy, *Pineros: Latino Labour and the Changing Face of Forestry in the Pacific Northwest* (Vancouver, 2012); and Mario J. Sifuentes, *Of Forests and Fields: Mexican Labor in the Pacific Northwest* (New Brunswick, 2016). For more on the history of Latinos and forest-related activism, see Devon G. Peña, *Mexican Americans and the Environment: Tierra y Vida* (Tucson, 2005); Jake Kosek, *Understories: The Political Life of Forests in Northern New Mexico* (Durham, N.C., 2006); and Lorena Oropeza, *The King of Adobe: Reyes López Tijerina, Lost Prophet of the Chicano Movement* (Chapel Hill, 2019). Sarathy, *Pineros*, 10.

<sup>5</sup> Carolyn Finney, *Black Faces, White Spaces: Reimagining the Relationship of African Americans to the Great Outdoors* (Chapel Hill, 2014).

<sup>6</sup> Greg Bankoff, "Deep Forestry: Shapers of the Philippine Forests," *Environmental History*, 18 (July 2013), 523.

There are several layers to an amnesic landscape. The first is found in the basic characteristics of the space itself. Forests are dense and canopied spaces in which to get lost and feel dwarfed; they can easily obscure workers and their conditions from other observers. A pinero crew knows that phone signals disappear as they make their way deeper into their work site and that medical aid will take several hours to reach them. Additionally, many pineros do not have stable housing. They are brought instead to sleep at motels or campgrounds if they are working through multiple sites. By keeping workers transient, employers prevent them from orienting to a point of home in the landscape. There is no time to pause, reflect, or complain—there is only time to work, sleep, and work again. As the geographer Yi-Fun Tuan writes, “if we think of space as that which allows movement, then place is pause; each pause in movement makes it possible for location to be transformed into place.” Spaces are made into places when they are infused with narrative and meaning, and marked with things such as geographical boundaries, institutions, and homes. Without stable home dwellings, many pineros do not get to make place for themselves and, in turn, be recognized and remembered by others as members of a social community. In a 2010 study of Vermont—a state with a bucolic image propped up in large part by the invisible labor of Mexican dairy farm workers—Claudia Radel, Birgit Schmook, and Susannah McCandless point out that “transnational migrant labor is increasingly a part of the processes by which landscapes throughout the world are shaped (whether for change or maintenance).” Pineros *maintain* the landscape of the vast, wild Maine forest by replanting seedlings while they cut and thin trees, but the pineros themselves get lost and forgotten within the landscape. In turn, their injuries and deaths can likewise be obscured. Much like trees, migrant pineros are seen by their employers as easily replaceable and replenishable if felled.<sup>7</sup>

Secondly, outside of the forest, capitalist and corporate forces contribute to the erasure of memory. If amnesia is a forgetting of people, histories, and events, the U.S. forestry industry (along with others) has intentionally accelerated the process of ethnic succession in its labor force to disorganize and eliminate memories of deadly incidents and injustices, and to preclude worker mobilization that would threaten employer control. In some industries, it might seem that ethnic succession has happened in an “organic” way over time—one wave of workers makes its way into a higher echelon in an industry or moves out of it altogether while a newer wave of workers follows behind. Recently, in industries such as agriculture, meat and poultry processing, and forestry, ethnic succession has been noticeably accelerated by employers before a group of workers is able to establish community and politically mobilize or unionize. In forestry, Mexican migrant workers dominated nationally from the 1980s onward, but employers in the Pacific Northwest, South, and Northeast began recruiting more Central American workers when Mexicans came to know too much about the industry and formed impressive social and political networks within it. Of course, other factors have driven Central American migration to the United States—including the civil wars of the 1980s, economic turbulence, and, more recently, gang violence—but the forestry industry has recruited Central American laborers as a hopefully disruptive presence to Mexican workers’ community knowledge and politicization.

<sup>7</sup> Yi-Fun Tuan, *Space and Place: The Perspective of Experience* (Minneapolis, 1977), 6. Claudia Radel, Birgit Schmook, and Susannah McCandless, “Environment, Transnational Labor Migration, and Gender: Case Studies from Southern Yucatán, Mexico and Vermont, USA,” *Population and Environment*, 32 (Dec. 2010), 193.



Third, willful amnesia reigns at the state and federal government levels. Various divisions in state and federal Departments of Labor put minimal effort into cross-referencing information to ensure pineros' fair treatment and safety. Offices that approve labor recruitment requests, oversee bids and award contracts, and enforce consequences for labor violations operate separately, hardly communicating to make sure an employer or contractor has not already been flagged for worker exploitation or neglect. The result of this diffusion is impunity that leaves current forestry workers abandoned and places future ones in danger. Amnesia is also built into contemporary guest worker programs, including the H-2B visa program used by many forestry workers, tippers, and wreath assemblers to enter the United States. In 1986, under the Immigration and Reform Control Act (IRCA), the H-2 worker category (a category for temporary unskilled laborers introduced by the Immigration and Nationality Act of 1952) was split into the H-2A (seasonal agricultural) and H-2B (temporary nonagricultural) guest worker programs. The H-2 program has been criticized as a copycat successor to the problematic Bracero Program (1942–1964), which imported Mexican male guest workers to the United States for a few months at a time yet minimally enforced minimum wages and adequate working conditions. Like its predecessor, the H-2 program lacks the proper staff and funding for on-the-ground monitoring and enforcement of labor and safety regulations. Though they may be legally contracted, guest workers do not necessarily enjoy more protections compared to their undocumented counterparts. In fact, once they begin work, they experience similar forms of precarity that challenge ideas about guest worker programs as panaceas. H-2 workers—who are employed in a wide range of industries including agriculture, forestry, food service, construction, and hospitality—often do not earn the wages promised to them due to piece rates or wage theft, are bound to one employer for the entirety of their contract, lack adequate housing, and are subject to bodily risks ranging from equipment-related injuries to sexual harassment. In addition, the constant threat of being fired, deported, and blacklisted from the program discourages worker complaints. The laboring conditions and precarities of H-2 workers and undocumented migrants have become intertwined, and with multiple guest worker streams coming into the United States from places as varied as Eastern Europe, the Caribbean, and Southeast Asia, it is becoming ever more difficult to be vigilant over these worker flows. Meanwhile, employers use middlemen figures such as contractors to muddy the waters of their liability.<sup>8</sup>

The fourth and final layer of this amnesic landscape is at the level of the archives. Forestry labor records are not as plentiful as they are for other industries, and where the work force has long been a bonded or contracted one (from Canada, Jamaica, or Mexico and Central America, as has been the case in Maine), workers are recorded in numerical quantities rather than by their names. A tragic death is usually the only way a seasonal

<sup>8</sup> On the Bracero Program, Immigration and Nationality Act of 1952, and the Immigration Reform and Control Act of 1986, see, for example, Kitty Calavita, *Inside the State: The Bracero Program, Immigration, and the I.N.S.* (New Orleans, 2010); Deborah Cohen, *Braceros: Migrant Citizens and Transnational Subjects in the Postwar United States and Mexico* (Chapel Hill, 2011); Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton, 2014); Julie M. Weise, *Corazón de Dixie: Mexicanos in the U.S. South since 1910* (Chapel Hill, 2015); Lori A. Flores, *Grounds for Dreaming: Mexican Americans, Mexican Immigrants, and the California Farmworker Movement* (New Haven, 2016); Mireya Loza, *Defiant Braceros: How Migrant Workers Fought for Racial, Sexual, and Political Freedom* (Chapel Hill, 2016); Ana Raquel Minian, *Undocumented Lives: The Untold Story of Mexican Migration* (Cambridge, Mass., 2018); Sarah R. Coleman, *The Walls Within: The Politics of Immigration in Modern America* (Princeton, 2021); and Alberto García, *Abandoning Their Beloved Land: The Politics of Bracero Migration in Mexico* (Oakland, 2023).

or migrant worker becomes visible in the historical record, and even then, worker deaths have produced very little change to the operation of the industry and thus leave no legislative legacy. Drawing on a combination of newspaper accounts, Maine state documents, court transcripts, and interviews, this article begins with a brief history of Maine's forestry industry and then explains why and how Latin American migrants became part of its work force in the late twentieth century. It then details the financial and physical vulnerabilities pineros experience in their effort to obtain and maintain work in the woods. After discussing a 1998 accident that killed several Mexican workers in Maine, it examines the interstitial period between that incident and the Allagash drownings of 2002 as one in which forestry employers in Maine and elsewhere purposefully transitioned from hiring largely Mexican laborers to Central American ones. It concludes by connecting the precarity of pineros in the deep woods to the working conditions of tippers and wreath makers along the Maine coast. As much as this article speaks to historians of New England, forestry, labor, and immigration, it also hopes to speak to readers as consumers. The paper we use in our daily lives, or the balsam centerpieces and wreaths that we adorn our homes with during the winter holidays, are connected to a diverse set of humans and migrations designed—at many levels—to remain out of our immediate view and long-term memory.

### The Pull of the Northeast and the Life of a Pinero

The forest was a grand resource and it was both the enemy and wealth . . . you were safe if you were fast. . . . Hernias, sprains, broken arms and legs, smashed patellas were part of the work, and the possibility of a mangling death rode on all the men's shoulders even as they defied death with flourishes.

-Annie Proulx, *Barkskins*

In her sweeping novel *Barkskins*, Annie Proulx told a story of multiple generations of woodcutters and their descendants in the borderland region between Maine, New Hampshire, and New Brunswick, Canada. As she described, by the late 1700s a mix of European migrants, French Canadians, Nova Scotians, Anglo Americans, and Native Americans cut white pine, spruce, and other timber in the Maine woods for local and international trade. Logging was an unregulated free-for-all, and woodsmen navigated territoriality, economic competition, and physical conflict. In their respective studies of the Maine and New England frontiers, the historians Alan Taylor and Ian Saxine have noted the distinct tensions between colonial proprietors, poorer white settlers, and Native populations over the questions of who was entitled to own and profit from a piece of the wilderness. By the mid-nineteenth century, Canadian workers from the border regions of Quebec and New Brunswick dominated Maine's timber harvesting work force. The higher wages paid in Maine, the ease of crossing the border, and the seasonality of the work attracted hundreds. This influx greatly displeased native Mainers who believed these Canadian migrants depressed wages and working conditions. By the latter half of the nineteenth century, Maine and New Hampshire lumber and papermaking companies began to formally bond Quebecois migrant workers for fixed terms. Loggers lived in remote woodland camps and rushed to perform piecework for their labor contractors, who were under pressure to meet their own production quotas for landowners and corporations. In the early twentieth century, even though Progressive reformers worked

to drive monopoly interests out of U.S. forests, three entities—the Great Northern Nekoosa Corporation, the International Paper Corporation, and the Seven Islands Land Company—came to control the prized, sparsely inhabited forest lands of northwestern Maine. And despite native workers' protests and immigration laws in 1917 and 1924 that placed head taxes on Canadian woodsmen, the legal and illegal migration of Canadian workers continued.<sup>9</sup>

By 1930, Maine was a leader in paper and pulp production, second nationally only to New York. During the Great Depression, native Mainers were hired for forest work in greater numbers, but Canadian woodsmen returned when World War II caused labor shortages across the United States. While other regions and industries began taking advantage of the bracero guest worker program with Mexico, Maine forestry companies continued to supplement their local labor supply with bonded French Canadian workers. The Canadian government, however, began to object to extensive outmigration of their woods workers. As a result, in 1942 the U.S. War Manpower Commission and National Selective Service in Canada jointly allowed only 3,700 bonded woodsmen to cross. The number decreased to 3,500 the following year. Companies in the United States kept fighting for more Canadian workers and succeeded in getting six thousand men nationwide in 1945. After the war, Canadian forestry labor continued to be imported but, much like braceros, their presence was protested by U.S. workers who argued they were being overlooked for jobs and suffering from deteriorating working conditions and obstacles to unionizing. Employers had to justify to the U.S. government their importation of temporary foreign labor and affirm they had exhaustively searched for qualified domestic labor first, but a labor document referencing the early 1960s showed that 4,000–5,000 people were still coming to Maine from Canada every year to work six-month contracts in forests.<sup>10</sup>

Whether Canadians or native Mainers, all forestry workers experienced hazardous conditions. The injury and death benefits offered were disturbingly low for a notoriously dangerous industry. According to a 1970 state document, workers would receive \$2,500 if they lost one hand, one foot, or sight in one eye; \$3,000 if they suffered permanent and total disability; and \$5,000 if they lost both hands, both feet, eyesight in both eyes, one hand and one foot together, or one hand or one foot alongside the sight of one eye. Families of workers would receive \$5,000 if the worker died. When United Farm Workers president Cesar Chavez passed through Maine a few years later in 1974 to drum up support for his union's grape and lettuce boycotts, he tied the fields to the forests by critiquing Maine as "a paper plantation" where "a lot of the workers are not treated very well." The next year, the United Paperworkers International Union began organizing efforts at forestry worker camps, and frustrated Mainers continued to try to intimidate Canadian

<sup>9</sup> Annie Proulx, *Barkskins* (New York, 2016), 196, 299, 301. Alan Taylor, *Liberty Men and Great Proprietors: The Revolutionary Settlement on the Maine Frontier, 1760–1820* (Chapel Hill, 1990); Ian Saxine, *Properties of Empire: Indians, Colonists, and Land Speculators on the New England Frontier* (New York, 2019). Jason L. Newton, "These French Canadian of the Woods are Half-Wild Folk: Wilderness, Whiteness, and Work in North America, 1840–1955," *Labour/Le Travail*, 77 (Spring 2016), 121–50; Bill Parenteau, "Bonded Labor: Canadian Woods Workers in the Maine Pulpwood Industry, 1940–55," *Forest and Conservation History*, 37 (July 1993), 108–9.

<sup>10</sup> Bret Wallach, "Logging in Maine's Empty Quarter," *Annals of the Association of American Geographers*, 70 (Dec. 1980), 544; John H. Clark and Deryck W. Holdsworth, "Wood Pulp and the Emergence of a New Industrial Landscape in Maine, 1880 to 1930," *Maine History*, 52 (Winter 2017–2018), 48; Smith C. McIntire, "The Current Farm Labor Issue as It Relates to Maine," Feb. 20, 1965, box 2, Department of Health and Human Services, Commissioners Correspondence (Maine State Archives, Augusta); Parenteau, "Bonded Labor," 110, 112.



workers away by breaking their equipment and conducting strikes. By the end of the 1970s, Maine employers' tremendous reliance on Canadian workers was waning, and in the next decade contingents of Spanish-speaking migrant workers would come to the far Northeast and transform the oft-used label *woodsman* into *pinero*.<sup>11</sup>

As the northernmost and demographically whitest and oldest state in the Northeast, Maine may seem an unlikely place for Latino and Latin American workers to intentionally migrate and stay. This underestimates, however, the power of word of mouth, labor circuits, and workers' need to fill seasonal gaps in their income. In the Pacific Northwest, for example (which had become the national center of timber production by the 1960s), labor contractors persuaded ex-braceros, Tejano migrants, and Mixtec and Triqui migrants from southern Mexico working in the Northwest's pear and olive orchards to come to the forests after those seasons ended. Over time, these workers began arriving on their own after hearing about jobs through social and kinship networks. By the mid-1980s, the forestry contractor and labor force of the Pacific Northwest had transitioned from being mostly white to mostly Latino. Similarly, Latinos entered Maine's forestry work force because of preexisting East Coast migrant labor circuits. Puerto Ricans had started working in the Northeast during the World War II era via their own guest worker program, and had joined African American, Caribbean, Native American, and Canadian laborers already working in the agricultural and railroad industries. As guest worker programs ended or people transitioned to other industries, workers made decisions about how to piece together different forms of seasonal labor for an annual income. Gradually, Mexican workers joined others on "the Eastern stream" and harvested crops including Florida citrus, Carolina tobacco, New York apples, Rhode Island cranberries, and Maine blueberries. Over time, more Latin Americans and Latinos realized they could either take on Maine forestry work while they waited for other crop harvests to begin, or come to Maine specifically for the forest industry because it reputedly paid higher wages than agriculture.<sup>12</sup>

In addition to kinship networks, H-2B visa recruiters have brought and continue to bring large numbers of Mexicans, Haitians, Jamaicans, and Central Americans to the Maine woods. Some forestry companies hire external recruiters to gather workers in Latin America, while others send their own representatives to hire workers and guide them through the visa application process. In both cases, recruiters entice workers with claims that they will make several dollars an hour over a contract term of several months. What they often wait to reveal is that the worker will have to pay up-front for many expenses related to their H-2B visa and job. Unlike H-2A visa agricultural workers, who are theoretically entitled to free housing, transportation, and reimbursement for travel to and from their home country, H-2B workers receive none of those benefits. Ostensibly, the cost of migrating to the United States as an H-2B worker should only amount to a plane ticket plus a few hundred dollars for the administrative expense of visa paperwork. This is a significant amount to a migrant, but it pales in comparison to the thousands of dollars they might have paid a smuggler. Over the years, however, employers and contracting agencies have been charging H-2B aspirants ever-higher administrative and visa paperwork fees that have climbed into the thousands of dollars. Many migrants end up borrowing money

<sup>11</sup> "Certification and Use of Temporary Foreign Labor for Agricultural and Logging Employment," Sept. 22, 1970, pp. 1–3, box 11, Commissioners Correspondence. John Connors, "It's about Community Building," in *Latino Voices in New England*, ed. David Carey Jr. and Robert Atkinson (Albany, 2009), 121; Wallach, "Logging in Maine's Empty Quarter," 546.

<sup>12</sup> Sarathy, *Pineros*, 42, 122, 128.

from friends, relatives, or even loan sharks who require the migrants' homes and possessions as collateral, to overcome this first financial hurdle.<sup>13</sup>

After making it into the United States, pineros are often expected to coordinate their own transportation to their work site. In fact, the crew that died in the Allagash had originally rented a van in Louisiana and driven it to Maine themselves. If the labor contractor provides the ride instead, workers are charged a fee often more expensive than a plane ticket. Workers then must pay a foreman or contractor a daily or weekly commuting fee to be driven to and from their secluded work sites in the forest. These middlemen hold a tremendous amount of power and sometimes abuse it to create a continuous cycle of debt to entrap workers. By deducting things such as blankets, tools, and food from their paychecks, contractors have shorted pineros out of hundreds of thousands of dollars nationwide. Some contractors even take workers' visas and personal papers (including car and home titles) away from them until their contract is done, effectively holding them hostage. Rafael Pérez Pérez, a Mexican bookseller who worked in the H-2B program in 1996 as a tree planter in Mississippi, was horrified when his paycheck for fifteen hours of work grossing \$105.01 (\$7 an hour) came to only \$1.98 after deductions and other forms of wage theft. "If we worked 12 hours, the foreman would write down eight," he said. "If we planted 2,000 trees, they'd say you planted 500 of them bad. They had the perfect formula to have the worker unable to escape." Many workers are also shocked that they have to pay for their own equipment. A 2000 *Maine Times* article, for example, reported a broker who recruited thirty-five Mexican brush cutters and tree trimmers to Maine by promising an H-2B visa and salary of \$11 an hour. When the workers arrived, they discovered they had to buy a machine that cost \$1,000 plus pay for its gas and oil, and pay the broker a fee of \$1,200 to \$1,900 for the visa and other paperwork.<sup>14</sup>

Once they are in the forest, workers experience other surprises. While the Maine forest may signify spaciousness, quiet, and freedom to many, it is a more daunting and confining landscape for workers expected to clear and replant it. First, labor contractors and foremen provide workers with little to no training about the equipment they will be using, including chainsaws, axes, and large weed wackers. Though some migrants come with previous experience cultivating communal forests in Latin America, most do not have any prior knowledge. When thinning, cutting, or clearing masses of trees, workers must avoid flying, falling, or snapping tree limbs that can rip into a face or pierce an eyeball, or being gashed in the leg by their own or others' saws. A 1980 study noted that staff at the Northern Maine Medical Center were routinely warned to expect terrible chainsaw wounds. Furthermore, because workers are often forced to purchase their own safety

<sup>13</sup> David Griffith, *American Guestworkers: Jamaicans and Mexicans in the U.S. Labor Market* (University Park, 2006); Cindy Hahamovitch, *No Man's Land: Jamaican Guestworkers in America and the Global History of Deportable Labor* (Princeton, 2011); Maria L. Quintana, *Contracting Freedom: Race, Empire, and U.S. Guestworker Programs* (Philadelphia, 2022). Knudson and Amezcua, "The Pineros: Forest Workers Caught in Web of Exploitation"; Tom Knudson and Hector Amezcua, "The Pineros: Hidden Hazards," *Sacramento Bee*, Nov. 14, 2005, n.p.; Vanessa Casanova and Josh McDaniel, "'No Sobra Y No Falta': Recruitment Networks and Guest Workers in Southeastern U.S. Forest Industries," *Urban Anthropology and Studies of Cultural Systems and World Economic Development*, 34 (Spring 2005), 73; Arnold Brodbeck, Conner Bailey, and Wade Morse, "Seasonal Migrant Labor in the Forest Industry of the Southeastern United States: The Impact of H-2B Employment on Guatemalan Livelihoods," *Society and Natural Resources*, 31 (no. 9, 2018), 1025.

<sup>14</sup> Ian Yaffe to Lori Flores, Aug. 24, 2020, e-mail (in Lori A. Flores's possession). Rafael Pérez and three other workers eventually sued their employer in a class-action suit in federal court. The settlement for 380 guest workers was \$127,500; Pérez recovered \$4,175. Knudson and Amezcua, "Pineros: Forest Workers Caught in Web of Exploitation." Lee Burnett, "The Employer's Side: They're Subs until They Get Hurt," *Maine Times*, Nov. 30, 2000, p. 7.

goggles, chaps, hard hats, and boots, many of them decline this protective gear because they are already so disillusioned by the several unanticipated expenses and deductions. Another form of wage theft occurs when pineros are forced to work on a piece rate instead of a guaranteed minimum wage. If workers are tasked with planting seedlings to replenish a forest, they only earn a few cents per seedling, and some companies implement a minimum daily quota of 2,500 (or more) per pinero. Planters trudge through the woods saddled with gear including jugs of gasoline, oil, and water strapped to their belts as well as seedling bags that weigh up to fifty or even one hundred pounds swinging from their hips. The bags are sometimes so heavy that the workers' legs blister, bleed, or go numb. In extreme heat, cold, wind, or rain, pineros make their way across rocky terrain and slippery slopes, and through clouds of insects or pesticide residue. Working fast in rows, they swing hoedads high into the air and slam them onto the ground to break the earth, plant the seedling, and stamp the dirt back over. This repetitive sequence of lift, slam, stoop, plant, and stomp creates significant muscular and skeletal injury over time. The average tree planter rams a shovel into dirt two hundred times an hour, bends over 1,600 times, and walks ten miles per day. Finally, some pineros experience verbal abuse and haranguing by their foremen (or U.S. Forest Service officers if they are working on federal forest land) who care about the workers' speed and production more than their safety. If a pinero did want to speak up and complain about any of these conditions, the culture of masculinity in forest work deters them. "If you say something, [the foreman] say[s]: 'Oh, you chicken. You lazy. You're just a troublemaker,'" one worker remarked. There is also a fear that complaining will result in being fired, deported, or blacklisted from the H-2 visa program the following year.<sup>15</sup>

Laboring in remote woodlands where other people do not see them, silvicultural workers and their bodies are rendered vulnerable in multiple ways. In her book *The Right to Maim*, about disability, biopolitics and state violence, Jasbir K. Puar writes about the intentional injuring and disabling caused by "exploitative labor conditions, racist incarceration and policing practices, militarization, and other modes of community disenfranchisement" that determine "which bodies are vested with futurity." A work culture in which debilitation is "a normal consequence of laboring," to use Puar's words, may not kill pineros immediately but result in a more prolonged and painful "slow death" because their bodies have been clearly "marked out for wearing out." Pineros' precarity manifests not only while they are working with tools and trees but in their housing as well. If they stay at budget motels, trailer parks, or campsites, workers are sometimes so far from in-town conveniences that they must hunt deer or fish to make a meal, or endure painful illnesses and injuries because medical care facilities are inaccessible. Some Latino Mainers noted pineros' isolation and tried to fill some of their needs. Juan Perez, a Guatemalan migrant who had labored in Florida citrus, Atlanta construction, and Maine blueberries for over a decade, opened his own grocery store in May 2000 in the small town of Harrington, Maine. His store offered staples such as tortillas, chorizo, avocados, mangos, and Latin American breads, cheeses, spices, and candies. For workers who could not reach the store, Perez created a "traveling bodega" with his truck and delivered groceries to pineros

<sup>15</sup>Wallach, "Logging in Maine's Empty Quarter," 548. Brinda Sarathy and Vanessa Casanova, "Guest Workers or Unauthorized Immigrants? The Case of Forest Workers in the United States," *Policy Sciences*, 41 (June 2008), 107; Knudson and Amezcua, "The Pineros: Forest Workers Caught in Web of Exploitation"; Knudson and Amezcua, "The Pineros: Hidden Hazards"; Charlotte Gill, *Eating Dirt: Deep Forests, Big Timber, and Life with the Tree-Planting Tribe* (Vancouver, 2011), 91.

who eagerly greeted him with wads of cash. For a fee, he also processed money orders for workers' remittances to their families, making him an important intermediary figure in a lonely landscape.<sup>16</sup>

### Two Accidents, Three Nations

In 1980 and 1993, the U.S. Congress held hearings on the conditions of Latino pineros, and lawmakers were shocked by their findings. A resulting congressional report created a watch list of contractors and companies that had violated state and federal safety, health, and labor laws. Ultimately, however, very little changed due to a lack of close monitoring and communication between government departments, and violators continued to win bids for federal and state government forestry projects. The lack of historical memory and oversight at the federal level was mirrored at the state level in Maine, as evidenced by a transportation accident involving a crew of Mexican forestry workers that preceded the Allagash incident of 2002. In the summer of 1998, the Bowater company, a paper mill operator in the U.S. East and Canada, contracted the Superior Forestry Service of Arkansas to perform thinning operations in the forests of Aroostook County, Maine. From its headquarters in Tilly, Arkansas, Superior surveyed its H-2B recruits—primarily Mexican migrants—and sent a crew of fifteen men to Maine in a company-owned van. The crew foreman, thirty-three-year-old Carmerino Solano-Rogas, drove the workers and chauffeured them daily between their temporary housing and work sites. On the morning of June 26, 1998, Solano-Rogas had to drive the crew from the town of Portage Lake to a part of the forest fifty miles away to cut underbrush and saplings. Because the workers were not being paid for their travel time, Solano-Rogas likely felt pressured to speed up their commute. He reached a high velocity while rounding a curve, causing the van to blow a tire and roll over on the road multiple times. After escaping from the van, a crying Solano-Rogas flagged down passing motorists Robert O'Leary and Rob Burke for help. The men came upon the red van lying upside down. "Some [workers] were sitting on logs and others were sitting on the ground holding the heads of their friends. It looked like a war zone. It looked like a bomb had gone off in the middle of them," O'Leary said. The cellular phone inside in the van did not work, so O'Leary and Solano-Rogas had to travel far to seek help. An excruciating four hours passed before medical assistance arrived. Two men, twenty-seven-year-old Lorenzo Soriano Cortes and twenty-eight-year-old Ramon Guzman, died in the meantime. The ten others who were distributed to various hospitals suffered injuries including lacerations, broken limbs, head injuries, and punctured lungs. The parallels between this accident and the 2002 Allagash drownings were striking—both involved Latin American migrant crews of the same size and drivers who arguably felt pressured to speed because of uncompensated commuting time, and lives were lost in both rollovers because of their remote locations and four-hour wait for medical assistance.<sup>17</sup>

<sup>16</sup> Jasbir K. Puar, *The Right to Maim: Debility, Capacity, Disability* (Durham, N.C., 2017), xvi, 12, 15, 65. Knudson and Amezcua, "The Pineros: Forest Workers Caught in Web of Exploitation"; Kevin Wack, "Traveling Bodega Brings Migrants Slice of Home," *Los Angeles Times*, July 27, 2003, <http://articles.latimes.com/2003/jul/27/news/adna-bodega27>.

<sup>17</sup> Knudson and Amezcua, "The Pineros: Hidden Hazards." *Cortes v. Superior Forestry Services, Inc.*, No. Civ. 99-CV-19-B, 2000 WL 760741 (D.Me. March 15, 2000), 2–3; Wayne Brown, "Two Killed, 10 Injured in Roll-over," *Bangor Daily News*, June 27–28, 1998, pp. A1, A13; Nancy Garland, "Fatal Crash Spurs Suit by Mexican," *ibid.*, Feb. 6–7, 1999, pp. A1, A3.

Seven months after the 1998 Portage Lake accident, a family in Mexico filed a lawsuit against Superior Forestry and Bowater. Andreas Cortes, the brother of the dead victim Lorenzo Soriano Cortes, sued for wrongful death, negligence, and “reckless and outrageous conduct” in the treatment of their workers. Investigations found that Solano-Rogas, in addition to driving at an unsafe speed, was operating with a suspended driver’s license at the time of the accident. Andreas requested punitive damages for the family, claiming that Lorenzo had been their primary financial support. In response, the Superior Company argued that the lawsuit could not override the workers’ compensation already provided to the Cortes family by Superior Forestry. The company had also paid for the return of Cortes’s body to Mexico and his funeral. Andreas kept fighting for damages, arguing that Lorenzo and his co-workers were forced into a rideshare situation that was not operated safely or conscientiously. U.S. District Judge Morton A. Brody ultimately ruled in favor of Superior, and the Cortes family received no further remuneration. After the immediate press attention, it appears that the 1998 rollover incident quickly faded in Maine memory.<sup>18</sup>

On a national scale, between 1998 and 2002 the forest industry experienced significant changes, but none regarding workers’ safety. First, forestry employers began asking for many more guest workers. From 1996 to 2001, forestry led all U.S. employment sectors in its requests for H-2B visas. Maine raised its own requests for foreign tree workers from fifty in 1996 to 1,200 in 2002. Soon, forest workers were the second largest group of H-2B visa recipients in the nation after landscape laborers. Proving the refrain that “there is nothing so permanent as a temporary worker,” H-2 visa requests became the norm in forestry, as they had in other industries. Second, the epicenter of the nation’s forestry-related production shifted once more. The forestry workers’ union Pineros y Campesinos Unidos del Noroeste (founded in 1985) had become well known in the Pacific Northwest for the lawsuits and strikes it led on behalf of Latino and immigrant forest workers. Skitish forestry companies began moving their operations to the South for its lower cost of living, lack of strong unions, and tax breaks from local and state governments. By the late 1980s and 1990s, the region had become the new hub for tree harvesting and replanting. Its intensively managed pine plantations could be used for timber extraction, processing (for wood pulp, chip, and paper mills), and replanting. As Anna Lowenhaupt Tsing observed, “timber trees were a new kind of sugarcane: managed for uniform growth, without multispecies interference, and thinned and harvested by machines and anonymous workers.” Latinos of varied immigration statuses (citizens, H-2A and H-2B visa holders, resident aliens, and undocumented workers) began arriving in places such as Monroeville, Alabama; Franklin, Georgia; and Tilly, Arkansas, for forestry work. According to one study of early 2000s Alabama, forestry employees comprised 84 percent H-2B visa holders, 4 percent U.S. citizens, 4 percent undocumented migrants, and 8 percent “other,” who might have included resident aliens or H-2A visa holders taking on extra work. Most likely, the U.S. citizens worked inside the wood product mills because those jobs offered more competitive salaries and benefits.<sup>19</sup>

<sup>18</sup> Garland, “Fatal Crash Spurs Suit by Mexican,” A1, A3; *Cortes v. Superior Forestry Service, Inc.*, 1, 3, 7. Ramon Guzman’s family retained an attorney in California, but I did not find further information on a lawsuit.

<sup>19</sup> Casanova and McDaniel, “No Sobra Y No Falta,” 57; Josie Huang, “Migrant,” *Portland Press Herald*, Sept. 13, 2002, n.p.; Griffith, *American Guestworkers*, 41. Anna Lowenhaupt Tsing, *The Mushroom at the End of the World: On the Possibility of Life in Capitalist Ruins* (Princeton, 2015), 41. Josh McDaniel and Vanessa Casanova, “Forest Management and the H2B Guest Worker Program in the Southeastern United States: An Assessment of



As had happened in agriculture, food service, construction, and other industries in the United States, forestry employers had shifted to hiring migrants for harder and lower-paying jobs outdoors, often citing their better “work ethic” compared to citizens but disregarding the desperate and vulnerable circumstances that forced migrants to accept unfavorable wages and conditions. Forestry employers also decided to shift from recruiting Mexican and Mexican American pineros (because these groups had become bolder in articulating their grievances) to newer Central American workers. One labor contractor candidly told an interviewer, “the Mexicans will leave if they don’t agree with how things are going. The Guatemalans don’t complain. They don’t have brothers, cousins, friends . . . with experience working in the U.S., so they don’t know the tricks and the rules.” From the 1980s onward, greater numbers of Central American migrants entered forestry and other industries previously dominated by Mexican-origin workers. These new pineros did not possess the community knowledge that forestry accidents were frequent and grave. By intentionally recruiting a different Latin American work force, employers attempted to erase histories of past labor injustices and traumas and pit contingents of workers against each other.<sup>20</sup>

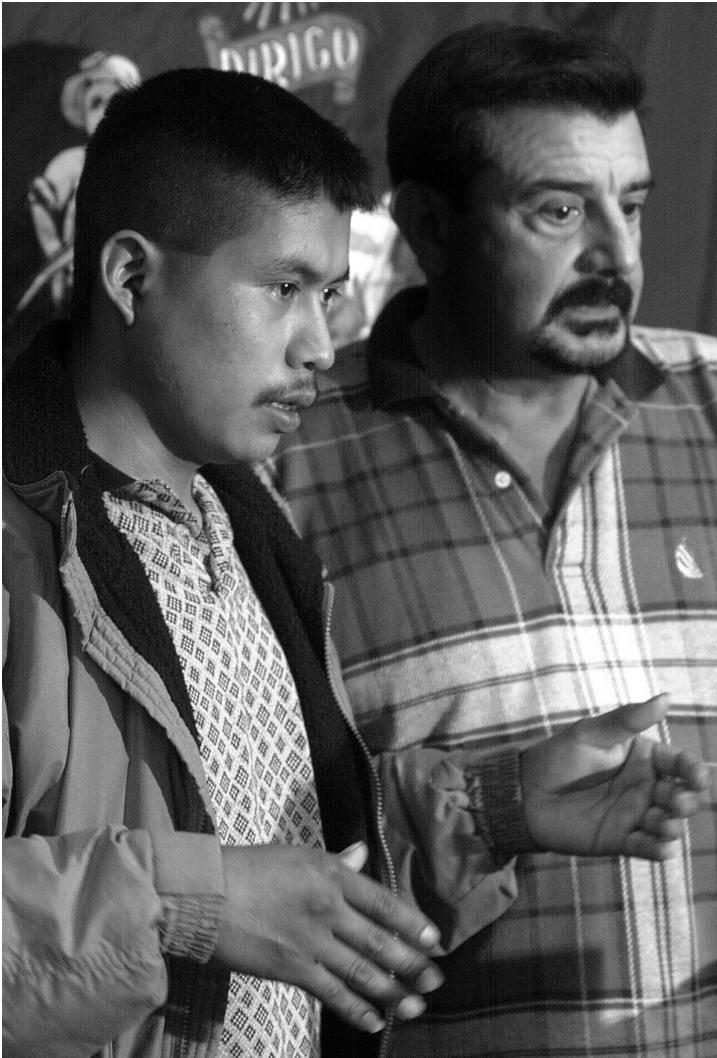
Examining the aftermath of the 1998 and 2002 Maine forestry accidents reveals that the main difference between them lay in the greater amount of local, national, and international attention paid to the later Allagash drownings. This was likely because of the number of deaths. Officials from the Honduran embassy in Washington, D.C., and the Guatemalan and Honduran consulates in New York traveled to Maine in 2002 to assist the investigation and coordinate burial arrangements for the victims. As Honduran president Ricardo Maduro ordered his ten countrymen’s bodies to be returned together, Evergreen’s insurance company Liberty Mutual chartered a flight from Augusta to the Honduran capital of Tegucigalpa and paid for the men’s burials. Meanwhile, the Guatemalan victims were placed on a plane from Portland to Guatemala City. Silvano Villatoro, a friend of the victims who hailed from the same small mountain town of La Democracia, accompanied the bodies.<sup>21</sup>

The fourteen dead men, who ranged in age from twenty to fifty-four, left behind eleven widows and fifty-seven children in Latin America. The families who received the bodies knew they were entitled to compensation and that their loved ones had already been underpaid. Each worker in the 2002 Allagash accident—who had been promised a prevailing wage of either \$8.27 an hour to plant trees or \$10.13 an hour to thin trees and clear brush—averaged closer to \$5 or \$7.50 an hour. This shortfall was caused by the industry actually paying acre piece rates instead of hourly wages, and by the various deductions charged to the workers, including for their housing and equipment, and a fee of \$84 per week to ride the company van for their commute to the forest. They had, in essence, been handing over a significant portion of their earnings to be put in harm’s way and, eventually, to die. Evergreen’s insurance company committed to paying “lost time” benefits of \$300 a week for five hundred weeks to each victim’s family in Guatemala and Honduras.

Contractors and Their Crews,” *Journal of Forestry*, 103 (April/May 2005), 114; Brodbeck, Bailey, and Morse, “Seasonal Migrant Labor in the Forest Industry of the Southeastern United States,” 1014; Josh McDaniel and Vanessa Casanova, “Pines in Lines: Tree Planting, H-2B Guest Workers, and Rural Poverty in Alabama,” *Southern Rural Sociology*, 19 (no. 1, 2003), 73–74; Casanova and McDaniel, “No Sobra Y No Falta,” 50.

<sup>20</sup> Casanova and McDaniel, “No Sobra Y No Falta,” 75.

<sup>21</sup> Richardson, “Crash”; Mark Shanahan, “Van Crash Victims Starting Trip Home,” *Portland Press Herald*, Sept. 20, 2002, pp. 1A, 14A.



Edilberto Morales-Luis (left) was the lone survivor of a van accident in northern Maine in September 2002 that claimed the lives of fourteen of his co-workers. On the right is Maine Department of Labor employee and interpreter Juan Perez-Febles. *Courtesy* Portland Press Herald, *Sept. 14, 2002.*

One woman who suffered a double loss of her husband and son fought for two separate benefit streams. When it came to twenty-four-year-old survivor Edilberto Morales-Luis, the insurance company requested more medical proof that he suffered disabling physical or emotional injuries before granting him any long-term benefits. By this time, Morales-Luis was back in Guatemala and had limited access to a proper medical evaluation. He claimed to still suffer from headaches, limited shoulder mobility, and frequent nightmares about the accident.<sup>22</sup>

<sup>22</sup> Worth, "Tears for Migrant Workers Killed in Van Crash in Maine"; "Northeast"; Deborah Turcotte, "Tragedy in the Allagash: One Year Later, Mending Broken Lives," *Bangor Daily News*, Sept. 6, 2003, <https://archive.bdnblogs.com/2003/09/06/tragedy-in-the-allagash-one-year-later-mending-broken-lives/>. Knudson and Amezcua, "The Pineros: Forest Workers Caught in Web of Exploitation"; Knudson and Amezcua, "The Pineros: Going

In the meantime, Morales-Luis was subsisting on monetary contributions from the public. After the *New York Times* covered the Allagash tragedy, almost \$80,000 in cash donations came in from around the country to the Migrant Relief Fund established by local Mainers in the town of Caribou. The fund raised enough money to send \$5,900 checks to each victim's family. Edilberto reportedly received \$6,850. In addition, Evergreen's owner gave Morales-Luis a check for \$1,400 before he boarded his flight home. Like many other migrant workers, Edilberto did not keep his earnings in a bank and had been carrying that amount of money on his person when he fell in the water. The driver he flagged down to help him had given him dry clothes to change into, and Edilberto had accidentally left his wet clothes and money in the man's truck. Concerned members of the public tried to help the Allagash victims' families in other ways, too. Migrant worker advocates attempted to bring the men's widows to the United States to testify in court against the Evergreen and Seven Islands Companies, but the State Department did not permit the women's travel. Members of the Latino-directed nonprofit Maine Rural Workers Coalition (established in 1998) tried to exert political pressure a few days after the drownings, informing Senator Hillary Clinton about the incident at a fund-raising event; they also met with Maine governor Angus King and Maine Department of Labor officials to ask for reforms such as more than one Spanish-speaking staff member at the state's Department of Labor.<sup>23</sup>

Several people interviewed shared the belief that the Allagash Waterway incident marked the moment that many Mainers realized that Latino migrants lived and worked among them. As Portland resident and longtime migrant worker health advocate Blanca Santiago said, the drownings "made it clear how isolated these men were." Yet despite all the ways that the forestry industry kept them invisible and marginalized, some of the Allagash victims had engaged in certain forms of place-making in Maine that became more evident after their deaths. In the wintry town of Caribou, for instance, twelve of the dead workers rented a three-bedroom, two-bathroom apartment located over a gun shop owned by white resident Sonny Tracy. Tracy had hosted some of the men in that group every forestry season since 1997. "They were like my boys. They called me Papa," he said. Every year, from June to October, the pineros made "Papa" and his apartment two important touchstones in Maine. They cooked meals of chicken, rice, vegetables, and tortillas for each other on the two stoves they installed in the apartment. They showed Tracy pictures of their children, and Tracy threw the men birthday parties to make them feel cared for and acknowledged. Another way pineros set down roots in Maine was by engaging in romantic, sexual, and familial relationships with local women. Juan Turcios-Matamoros fathered a daughter with a Mainer while also supporting a wife and three children in Honduras. Another worker, Carlito Izaguirre, married a local woman and became

Home"; Deborah Turcotte, "Allagash Accident Survivor Carries Tragedy's Burden," *Bangor Daily News*, Sept. 12, 2003, <https://archive.bdnblogs.com/2003/09/12/allagash-accident-survivor-carries-tragedys-burden/>.

<sup>23</sup> "Crash-victim Survivors' Fund Hits \$71,000," *Kennebec Journal*, Oct. 8, 2002, clipping, folder 1, box 6, Maine Rural Workers Coalition Papers; Deborah Turcotte, "Somber Job in Wake of Allagash Tragedy Honduran Attorney Keeps Victims' Records," *Bangor Daily News*, Sept. 9, 2003, <https://archive.bdnblogs.com/2003/09/09/somber-job-in-wake-of-allagash-tragedy-honduran-attorney-keeps-victims-records/>; "Allagash Crash Survivor's Claim Stalls," *ibid.*, Dec. 5, 2002, <https://archive.bdnblogs.com/2002/12/05/allagash-crash-survivors-claim-stalls/>; Turcotte, "Allagash Accident Survivor Carries Tragedy's Burden"; Anonymous Maine Ranger interview by Flores, Oct. 2020, notes (in Flores's possession). Connors, "It's about Community Building," 121; "MRWC Meets Clinton at Pingree Fundraiser," *Maine Rural Workers Coalition Newsletter*, 5 (Fall 2002), 4, folder 1, box 5, Maine Rural Workers Coalition Papers; "MRWC Voices Concern to Governor," *ibid.*, 4; Minutes of MRWC meeting with Maine governor Angus King, Sept. 17, 2002, folder 6, box 1, *ibid.*

integrated into the Caribou community. Given these relationships, a memorial service for all fourteen victims was held in the Presque Isle Baptist Church. Presque Isle, like many other towns in Maine, has a name derived from French—in this case, it is *presqu'île*, “almost an island” or the “island of almost.” The fallen pineros almost made it to their work site, almost made it back home to their apartment in Maine, almost made it back to Mexico and Central America. The lack of labor regulation and vigilance in the understory, however, prevented them from reaching their desired destinations.<sup>24</sup>

In terms of larger consequences, the 2002 accident resulted in only superficial changes for Maine forestry companies. Several private landowners and an insurance company sponsored nonmandatory first aid courses and a van safety class for workers and supervisors. Approximately two-thirds of the nearly four hundred foreign tree thinners hired in the spring of 2003 attended the first aid courses. Meanwhile, the U.S. Department of Labor’s Occupational Safety and Health Administration and Wage and Hour Division warned labor contractors that they would be subject to spot inspections during the summer, yet it is unclear whether those occurred. Forestry companies also dismissed the idea of constructing pinero housing closer to the forests, citing the cost and impracticality of building housing with plumbing, hot water, electricity, and heat. No one tackled the deeper issue of unpaid commuting time that might cause drivers to speed recklessly. In an interview with me, Jorge Acero, Maine Monitor Advocate for Migrant and Seasonal Farmworkers, shared his opinion that “workers should be compensated from the moment they get into the van” to relieve the pressure to rush to and from work sites.<sup>25</sup>

The Evergreen company specifically came under review by the U.S. Department of Labor (USDOL) to assess its history of compliance with the Fair Labor Standards Act (1938) and the Migrant and Seasonal Agricultural Worker Protection Act (1983). The first act created the right to a minimum wage and overtime pay for workers. The second act required employers to provide workers with information about their legal entitlements, detailed accounting of their pay, and transportation in safe insured vehicles, among other things. It was likely difficult to pin down employers for violations of the latter, as they could argue that forestry workers fell outside the agricultural category, which offered more protections. Evergreen had been scrutinized for its labor violations before; three years prior it had paid a \$25,000 fine to the USDOL for failing to compensate foreign workers for overtime in several locations in Maine and New Hampshire. In December 2002 the USDOL revoked Evergreen’s operating license and fined the company \$17,000 (\$1,000 for every person in the van and \$2,000 for not registering the van and driver). Evergreen owner Peter Smith appealed the license revocation, which tied up legal proceedings and allowed him to slip into a new presidential position at another forestry company, Progressive Environmental, which was then awarded \$238,000 in government contracts to work on forests in Oregon and Montana. Though it came too late, in 2005 the *Sacramento Bee* journalists Hector Amezcua and Thomas Knudson published an award-winning investigative

<sup>24</sup> Blanca Santiago interview by Flores, Oct. 1, 2018, notes (in Flores’s possession). Worth, “Tears for Migrant Workers Killed in Van Crash in Maine”; Meredith Good, “Victims,” *Portland Press Herald*, Sept. 14, 2002, n.p.; Deborah Turcotte, “Ceremony Honors Van Crash Victims,” *Bangor Daily News*, Sept. 13, 2003, <https://archive.bdnblogs.com/2003/09/13/ceremony-honors-van-crash-victims-family-friends-gather-at-bridge-1-year-later/>; Deborah Turcotte, “Burden of Multiple Deaths Shared, Care of Honduran Men’s Bodies Fell to Richmond Funeral Director,” *ibid.*, Sept. 9, 2003, <https://archive.bdnblogs.com/2003/09/09/burden-of-multiple-deaths-shared-care-of-honduran-mens-bodies-fell-to-richmond-funeral-director/>.

<sup>25</sup> Jorge Acero interview by Flores, Aug. 10, 2021, notes (in Flores’s possession); Turcotte, “Tragedy in the Alagash.”



series on pineros' working conditions that revealed, among other things, that the U.S. government had long possessed files about Evergreen's mistreatment of workers. "Subject has a lengthy and woeful history of non-compliance," a federal inspector wrote in a 1998 report. The company had altered timecards, failed to pay overtime (which cheated workers out of more than \$250,000), and transported workers in an unsafe van. In the end, Evergreen kept receiving H-2B workers because the USDOL's Employment and Training Administration authorized the company's labor requests without cross-referencing its reputation with the Wage and Hour Division, which had issued the citations.<sup>26</sup>

On a national level, the H-2B program and the forestry industry continued to be plagued throughout the 2000s by a lack of proper monitoring and enforcement of worker protections. President George W. Bush's administration established a "Healthy Forests" initiative in 2003 and invited foreign guest workers to labor on federal land, but mistreatment abounded in the program. Meanwhile, pineros kept dying in transportation accidents. On March 27, 2004, in Washington State, five workers died in a van crash. On August 4 of the same year in Shasta County, California, a worker was crushed after he fell off a moving truck. On January 3, 2005, a van plunged down an embankment in Oregon and killed two more. Meanwhile, a Canadian investigative panel cited "unacceptably high rates of deaths and serious injuries" among British Columbia's forest workers and called for sweeping changes. Like their U.S. counterparts, Canadian forestry workers experienced poor nutrition, inadequate training, and debilitating musculoskeletal injury and degeneration. In 2012 forest work accounted for 2 percent of all occupational fatalities nationwide, with ninety-two deaths per every 100,000 workers. In 2017 and 2018, according to the Bureau of Labor Statistics, U.S. forestry workers experienced fatality rates more than ten times the national average.<sup>27</sup>

Despite these disturbing statistics, Latin American migrants continued to apply to be H-2B forestry workers into the twenty-first century. The prospect of being able to send large remittances sparks many migrants' hopes of paying for their relatives' food, education, home construction, or small business. A *Bangor Daily News* article in June 1999 asserted that Central American pineros in Maine took home an average of \$3,000 for eight months of work, which was about five times more than the minimum wage they would make in their home countries. A study of Alabama in the early 2000s estimated that the average Mexican pinero could earn ten times as much in Alabama forests as they would in Mexico, while Guatemalan and Honduran migrants could earn up to twenty-five times more. A 2018 study—based on forty-nine interviews in eight Guatemalan communities—found that the average H-2B forest worker in the United States made five times more money than he would have made in rural Guatemala and was able to remand \$982 every month for an average of seven months. While it is unclear from these studies whether the forest workers studied included wreath workers, in recent years migrants from multiple countries have sought out H-2B contracts to perform wreath work in

<sup>26</sup> "Evergreen under Review," *Kennebec Journal*, Nov. 3, 2002, p. A12; Knudson and Amezcua, "The Pineros: Hidden Hazards"; Knudson and Amezcua, "The Pineros: Forest Workers Caught in Web of Exploitation." Fair Labor Standards Act, 52 Stat. 1060 (1938); Migrant and Seasonal Agricultural Worker Protection Act, 96 Stat. 2583 (1983).

<sup>27</sup> Knudson and Amezcua, "The Pineros: Forest Workers Caught in Web of Exploitation"; Knudson and Amezcua, "The Pineros: Going Home"; Knudson and Amezcua, "The Pineros: Hidden Hazards." Sarathy and Casanova, "Guest Workers or Unauthorized Immigrants?," 112; Sarathy, *Pineros*, 81; U.S. Department of Labor, Bureau of Labor Statistics, "News Release," Dec. 16, 2019, <https://www.bls.gov/news.release/pdf/cfoi.pdf>, 2, 7.



Maine, either as a supplement to their other seasonal labor or as a core source of income to bring home.<sup>28</sup>

### Wreath Work

During the winter holiday season, countless U.S. shoppers buy wreaths and tabletop centerpieces to bring the intoxicating smell of fir and pine into their homes. The labor behind these cozy and beautiful products is invisible, hidden behind a bucolic narrative that they are made by artisans filled with holiday spirit. Wreath making is a sector of the forestry industry that employs women as well as men—male “tippers” climb trees and cut off the top segments, which are then delivered to male and female factory workers who create wreaths and other decorative accessories such as tabletop lighted trees and centerpieces. At one point dozens of wreath-making companies operated in the “Downeast” coastal region of Maine, and wreath tipping and assembling used to be the way that many local white residents made extra income at Christmastime. “You do it between clamming, lobstering and blueberrying. You do fairly decent if you do a good job. It’s just part of living here,” one resident told the *Bangor Daily News* in November 2004. After he and his stepson went tipping, his wife would assemble the wreaths on their kitchen table. The family was paid \$32 for every dozen they turned in. Over the years, however—as has happened with the summer blueberry harvest—what was once a seasonal moneymaking activity for locals has become a largely migrant occupation. Contingents of workers from Mexico, Puerto Rico, Guatemala, El Salvador, and Haiti now make up Maine’s wreath-making work force as both tippers and assemblers. Workers usually arrive in mid-to-late October and work through November and into mid-December (though some factories keep producing up until Christmas Day). While some migrants come to wreath work from earlier stints in the apple, broccoli, blueberry, or lobster/seafood industries, many Latin American migrants come to Maine specifically for the wreath season.<sup>29</sup>

Inside a wreath factory, workers are arranged in rows at tables and wear sturdy gloves to protect themselves from sticky tree sap and scratches from branches and brush. After cutting tips to their desired size, workers group the branches into bouquets to begin fastening them to a wreath ring. The worker either wraps wire around the boughs to secure them in place or uses a machine to attach a clamp, and repeats this process multiple times with more branches, moving around the ring to complete a wreath that can range anywhere from eight to seventy-five inches in diameter. Final decorations such as bows, pinecones, berries, and bells are threaded through before throwing the completed wreath into a bin. This labor is performed extremely fast, as workers are paid by the total number of wreaths they create by the end of the workday. Experienced wreath makers can make anywhere between 250 and 500 wreaths in a ten-to-twelve-hour shift. To keep track of their production, each worker has tickets with their station number that they adhere to each wreath. A supervisor then rips them off and logs them in the worker’s final count if the wreath looks satisfactory. If tippers are rushing to meet wreath makers’ pace, branches

<sup>28</sup> Associated Press, “Demand Up for Workers,” *Bangor Daily News*, June 28, 1999, n.p.; Casanova and McDaniel, “No Sobra Y No Falta,” 52–53, 56; Brodbeck, Bailey, and Morse, “Seasonal Migrant Labor in the Forest Industry of the Southeastern United States,” 1014, 1016, 1021.

<sup>29</sup> Katherine Cassidy, “Mainers Welcome ‘Tipping’ Season: Wreath Industry Supplies Income,” *Bangor Daily News*, Nov. 17, 2004, p. 1. Edgar Allen Beem, “Wreathmaking Time in Washington County, Maine,” *Yankee*, Oct. 12, 2011, <https://newengland.com/yankee-magazine/seasons/winter/washington-county-wreathmakers/>.





In the photograph above, a wreath worker in Maine uses a mechanical clamp to secure groups of branches. The photograph on the facing page shows a bundle of finished wreaths with worker tags attached. *Photos courtesy Juana Rodriguez Vasquez, Nov. 2020.*

for, and how much they pay workers. I was making giant wreaths. . . . selling [online] for \$100 apiece. I was being paid \$1 for them!” she remarked.<sup>31</sup>

In Rodriguez Vasquez’s opinion, wreath workers have not mobilized to raise this piece rate because there are two different groups of laborers, each with its own reasons for not taking up the issue:

We’ve tried to have the wages increased . . . but there weren’t enough people who would speak up for it. On one hand there are some people who come back every year, who have developed the skill. If they’re good at it, they’re gonna make good money, even if they’re only getting paid 80 cents. There are people who are making 400, 500 wreaths a day in 10-hour, 12-hour shifts. . . . Then the people who are new are not gonna speak up, because they’re new. So I don’t think we could ever get it to a point where we were all in the same spot to do something about it.

Maine’s wreath industry has flourished in recent years because of a brilliant publicity move by the Worcester Wreath Company to sell its surplus wreaths to an organization called Wreaths Across America, which decorates veterans’ tombstones at Arlington National Cemetery. After pictures of green and red wreaths against the snow-covered backdrop of the cemetery circulated on social media, the demand for them exploded. Wreaths Across America has raised millions in funding, and it coordinates 1,400–1,600 wreath-laying ceremonies a year at various locations across the United States and abroad. This success has necessitated a tremendous increase in the number of H-2B workers brought to Maine for tipping and wreath assembling in Worcester’s multiple factories.<sup>32</sup>

<sup>31</sup> *Ibid.*

<sup>32</sup> *Ibid.* Eric Russell, “As Wreaths Across America Has Grown, So Has Scrutiny about Its Practices,” *Portland Press Herald*, Dec. 9, 2018; Ian Yaffe interview by Flores, Sept. 29, 2018, notes (in Flores’s possession).



In an important demographic shift during the last decade, more migrants from Haiti who speak Haitian Creole (Kreyòl) have joined migrants from Central America and Mexico in wreath making. Upon the 1986 passage of IRCA—which awarded “amnesty” and legal status to immigrants who were “Special Agricultural Workers”—Caribbean workers on the East Coast were placed at an extreme disadvantage because the majority of them (particularly Jamaicans) labored in the sugar industry and sugar had been deemed a nonagricultural product. As sugar companies increasingly turned to mechanization to avoid worker strikes and lawsuits, Caribeño cane cutters lost their foothold in the H-2 program and were left with fewer work options in the United States. Apple picking in the Northeast has remained one of them, and after this concentrated harvest period, Jamaicans and Haitians look for other seasonal opportunities including wreath work. Maine wreath companies have also turned to Haitian workers because hiring Mexican and Central American workers has become riskier in a climate of heightened border surveillance. On various occasions, the Border Patrol has conducted raids of the Worcester Company and other Maine businesses to apprehend undocumented workers using false documents. The discovery at Worcester of undocumented Mexican and Central American employees caused the company to lose its high-profile contract with L.L. Bean (a competitor, Whitney Wreaths, snatched it up in 2009 and became the largest mail-order wreath company in the nation). Worcester then pivoted to recruiting small crews of authorized Haitian workers coming off of apple-picking and blueberry-raking jobs, and has

hired more Haitians ever since. According to Jorge Acero of the Maine Department of Labor, Worcester's Haitian workers are placed together in company-owned dormitories away from those of Mexican, Puerto Rican, and Central American employees. This could be because of worker-produced friction (some Spanish-speaking workers have exhibited racism toward, and rejected living with, Black newcomers), but it could also spring from tensions created by labor contractors who want to keep workers as atomized as possible.<sup>33</sup>

Wreath work employs both men and women, which brings up another source of precarity not yet discussed: sexual harassment on the job. Worcester Wreath Company houses its workers in co-ed housing complexes. Except for workers who have been coming for years or a new worker accompanying a seasoned colleague, employees have little to no control over where they are housed. In the fall of 2018, Worcester and its six labor contractors hired seven hundred H-2B wreath workers from Mexico and Haiti. During the first week of the season, multiple women reported being sexually harassed by one of the company's crew chiefs. Damian Mejia allegedly dropped by unannounced at the women's rooms, offered them alcohol, and insisted upon sex. The women rebuffed the contractor, but they still relied on him for their paychecks and to drive them to laundromats and grocery stores in town. Eventually a group of eight workers—four of the targeted women and four male allies—confronted the contractor about his actions. The next day, Mejia's wife, Brianna Mejia-Bouchard, fired all eight of them for "serious misconduct" and kicked them out of their company housing. Richard Rivera O'Neill, who had been coming from Puerto Rico to Maine since 2009 to pick blueberries and then started making wreaths, was one of the men who witnessed the harassment. As a U.S. citizen, O'Neill did not feel the same fear as H-2B workers did in speaking out against abuse. He met with company president Morrill Worcester and two managers to discuss the incident. The company offered to relocate the workers to alternative job and housing sites within the Worcester business, but the group declined the offer, hired a lawyer, and took their complaints to the Maine Department of Labor. Claiming the case was not under its purview, the department recommended the workers approach the Maine Human Rights Commission. One of the women workers, Walesca Rodriguez from Puerto Rico, filed official discrimination and retaliation complaints against Damian Mejia, Brianna Mejia-Bouchard, and the Worcester Wreath Company. In June 2021, the commission found that Mejia-Bouchard (not Damian) had subjected Rodriguez to a hostile work environment and unlawfully retaliated against her, and voted 3–2 that Worcester Wreath did not discriminate or retaliate against Rodriguez. Unsatisfied with this determination, Rodriguez and fellow Puerto Rican worker Richard Rivera filed a lawsuit against Worcester Wreath in September 2021 seeking back pay, compensatory damages for their termination and housing eviction, and civil rights training for its employees.<sup>34</sup>

<sup>33</sup> Cindy Hahamovitch, *No Man's Land: Jamaican Guestworkers in America and the Global History of Deportable Labor* (Princeton, 2011), 203–21. Judy Harrison, "Wreath Workers Face Charges of Visa Fraud," *Bangor Daily News*, Dec. 28, 2007, p. 1; Sharon Kiley Mack, "Wreath Company Signs U.S. Immigration Deal," *ibid.*, March 9, 2011, n.p.; Acero interview.

<sup>34</sup> Yaffe interview by Flores, Sept. 29, 2018. Christina Ocampo, "Your Christmas Wreaths Are Built on the Backs of Exploited Workers," Dec. 17, 2018, press release, *Mano en Mano*, <https://www.manomaine.org/news/your-christmas-wreaths-are-built-on-the-backs-of-exploited-workers>; Eric Russell, "Migrant Workers at Maine Wreath Company Say Labor Contractor Sexually Harassed Them," *Portland Press Herald*, Dec. 20, 2018; Susan Sharon, "Migrant Workers at Maine Wreath Company Say They Were Fired after Complaining about Harassment," Dec. 22, 2018, *Maine Public*, <https://www.maine-public.org/post/migrant-workers-maine-wreath-company-say-they-were-fired-after-complaining-about-harassment>. Maine Human Rights Commission, "Commission Meeting Minutes," June 14, 2021, [https://www.maine.gov/mhrc/sites/maine.gov/mhrc/files/inline-files/202106\\_m.pdf](https://www.maine.gov/mhrc/sites/maine.gov/mhrc/files/inline-files/202106_m.pdf); Beth Brogan,



Geographies of wreath work remain invisible to consumers because wreaths are often sold in the digital realm or through national mail-order catalogs. Many purchasers will never know that wreath-makers are some of the many vulnerable low-wage migrant workers around the nation. This is, of course, not the only example of how consumers' knowledge of a product is divorced from knowledge of the laborers—we experience this alienation with everything from our technological gadgets to our clothing and food. Yet the forestry industry illuminates a lack of consciousness and memory-keeping about supply chains. Since employers can argue that the employees are not technically theirs but the responsibility of the labor contractor, they can evade sanctions and punishment. There are worker advocacy organizations, such as Maine's *Mano en Mano* (which hired former wreath worker Juana Rodriguez Vasquez full time in 2016) that help monitor workers' conditions on the ground. Every blueberry and wreath season, *Mano en Mano* runs a Welcome and Resource Center that connects arriving workers to resources including food and clothing drives, educational programs, legal aid and transportation services, and Haitian Kreyòl translation. These offerings intend to break down language barriers, prevent isolation and confusion, and help workers recognize each other as a bonded community. During the COVID-19 pandemic, resources were offered virtually through telephone or Zoom conversations. In 2020 and 2021, *Mano en Mano* acquired state housing funds to coordinate hotel housing in Bangor for seasonal blueberry and forestry workers who were quarantining or waiting for COVID-19 test results. At the hotel, *Mano en Mano* coordinated the delivery of food and other essential items.<sup>35</sup>

The COVID-19 pandemic bluntly reminded the forestry industry of its dependence on Latin American and Caribbean migrant labor. In late October 2020, the wreath season was delayed because three crews of tippers were held at the borders of various countries as they waited for their visas and paperwork to be processed. "I don't think locals realize how much migrant workers bring to the community and economy here," Rodriguez Vasquez affirmed. "The stores here sell a lot [during the work seasons] and migrants are contributing a lot to the economy, and they don't realize that. They just see negativity around their arrival. Blueberries, lobster, wreaths, Bar Harbor restaurants and tourism, hotels. . . . people don't realize how much it affects them if migrants are not able to come." Laboring under a simultaneous visibility and invisibility, migrant workers in Maine are grumbled about by some people and yet are essential to the smooth workings of the state's touristic economy and appeal.<sup>36</sup>

In an amnesic labor landscape such as this, there is a lack of resolution and acceptance of responsibility on multiple levels for forestry workers' lives, injuries, and deaths. The attempts to acknowledge pineros and preserve memories of those lost have been carried out by communities outside of the forestry industry's power structure. One year after the Allagash drownings, more than a dozen family members and friends of the men who died gathered on the banks of the waterway. A Catholic priest spoke, and mourners left

"Migrant Workers from Puerto Rico Sue Worcester Wreath Co. in Maine for Sex Discrimination, Retaliation, Unlawful Eviction," *News Center Maine*, Sept. 15, 2021, <https://www.newscentermaine.com/article/news/local/downeast/migrant-workers-from-puerto-rico-sue-worcester-wreath-co-in-maine-for-sex-discrimination-retaliation-unlawful- eviction/97-1ce86dd3-988d-4a35-83e9-d1c546f7d287>.

<sup>35</sup> Mike Guare interview by Flores, Oct. 5, 2018, notes (in Flores's possession); Yaffe interview by Flores, Oct. 9, 2020, notes, *ibid*.

<sup>36</sup> Rodriguez Vasquez interview.

behind two wooden plaques on the bridge engraved with the victims' names. At the end of the ceremony, participants helped Sherry Izaguirre, the widow of one of the workers, place fifteen lighted candles in holders on a wreath—one for each of the men who were in the van—and lay the wreath on the water to watch it drift away. The mourners' use of a product created by another group of forestry workers to honor the dead pineros was poignant, as was the testimony of other community members. A year after the drownings, funeral home director Chuck Kincer said he still experienced flashbacks about the Honduran victims whom he had to dress in suits before placing them in their caskets for air transportation. He remembered the ten dead men lined up before him and became emotionally overwhelmed at the thought that one village in Honduras had to cope with so many deaths. Meanwhile, nine migrant workers who moved into the Caribou apartment where some of the victims had lived claimed they often heard the dead men's voices throughout the home. In her explanation of "social haunting," the sociologist Avery Gordon describes "the ways in which historical injustices remain affective even when they are 'supposedly over and done with'; or when their oppressive nature and effects remained ignored and/or denied." The haunting is not about something being *absent*, but something lingering and *present*. "Haunting is not about invisibility or unknowability per se, it refers us to what's living and breathing in the place hidden from view: people, places, histories, knowledge, memories, ways of life, ideas," Gordon states.<sup>37</sup>

Grief can be ameliorated by bringing a person's name to air and space, creating a physical monument, or conducting a ritual or ceremony to mark the dead in memory. Back in 1998, mourners placed wooden crosses near Robin's Brook to commemorate the Mexican forestry crew. In 2016, the student chapter of the Society of American Foresters at the University of Maine in Orono produced a site of remembrance for the Central American Allagash victims. They erected a monument engraved with the pineros' names at the Six Mile Gate in the North Maine Woods near the town of Ashland, since it was the gate that workers often used (and still use) to enter the woods on their commute. Two relatives of the dead workers attended the memorial service along with church leaders, Maine Department of Conservation employees, and several H-2B workers from Honduras who returned for forestry work in Maine every year. The monument holds the following names:

*From Honduras*

Carlos Izaguirre  
 José Santo Alvarado Hernández  
 Pablo Euceda Amaya  
 Alcides Chávez Hernández  
 Doionisio Funez Díaz  
 Sebastián García García  
 Delkin Padilla Alvarado  
 Juan Turcios Matamoros  
 José Santos Euceda Cebeda  
 Alexci Alcántara Acosta

*From Guatemala*

Sebastián Morales Domingo  
 Cecilio Morales Domingo  
 Juan Saézn Méndez  
 Alberto Sales Domingo

In Guatemala, another memorial is the gravesite of Juan Saézn Méndez, the drowned uncle of the lone survivor, Edilberto Morales-Luis. Méndez's headstone carries the

<sup>37</sup>Turcotte, "Ceremony Honors Van Crash Victims." Turcotte, "Burden of Multiple Deaths Shared"; Turcotte, "Tragedy in the Allagash." Avery Gordon, "Some Thoughts on Haunting and Futurity," *Borderlands*, 10 (Oct. 2011), 2–3.

Spanish inscription *El sueño Americano nos privo de tu presencia*, or “The American Dream deprived us of your presence.” These two memorials across borders—as well as this article—perform two types of work. On the one hand, they name and make visible a group of men who were largely ignored and devalued. On the other, they exemplify the problematic ways some Latin American migrants to the United States only become visible in the archives and historical record via their deaths.<sup>38</sup>

In October 2020, I tried to drive myself to the exact spot of the Allagash drownings and take photographs of Johns Bridge. The fall foliage was beautiful, but as the highway ended and rougher logging roads began, I could feel the distance, isolation, and need to complete the hours-long journey as quickly as possible. The trip was intimidating and lonely, devoid of phone or GPS signals. When I finally reached a checkpoint into the woods, I stopped to ask the employees if they thought my vehicle could handle the rougher roads to the bridge. When they asked why I wanted to travel that far into the woods amid truckers and hunters, I mentioned “an accident that happened almost twenty years ago.” One of them immediately replied, “You mean the one with all the Mexicans?” There were no Mexicans involved in that accident—only Central Americans—and yet their question was perfectly illustrative. Memories of Latin American migrant workers and labor traumas remain jumbled, and even though the amnesia might not be willful or total on everybody’s part, it most certainly exists.

What, if anything, did the U.S. forestry industry learn between these worker tragedies? In answering that question, it is difficult to muster optimism. The contractor system persists, as does the lack of interagency communication on state and federal levels, and there still is negligible enforcement of consequences for labor law violators. Geographic shifts in forestry production, along with intentionally accelerated ethnic succession and an H-2 program haunted by the ghosts of bracerismo keep wages low, conditions substandard, and workers chronically deportable. As the historian Cindy Hahamovitch has argued, “the [H-2] program survived . . . because it continued to offer a symbolic alternative to unmanaged migration, because it allowed Americans to believe there is a legal, practical, and ethical way to import the world’s poor without having to let them stay.” The realities of forestry workers’ conditions certainly dispel myths about guest worker programs being a cure-all. In 2018 the industries that received the most H-2B visa workers were landscaping (49 percent), hotels (20 percent), forestry (18 percent), and restaurants (6 percent). In fiscal year 2019, forestry moved up to second place. The U.S. government does not devote the funding or staff to properly monitor H-2 workers’ labor conditions on the ground; as a result, these guest workers’ written protections do not exist in a real way. Rather, the structural vulnerabilities experienced by legally contracted workers once they begin their jobs rival those of undocumented workers.<sup>39</sup>

Breaking free of this abusive pattern would require more state and federal funds allocated to workplace inspections, a more concerted effort to cross-reference information about labor violations, and a redesigned system of legal redress and compensation. As

<sup>38</sup> “Memorial Honors Fallen Migrant Workers,” *Fiddlehead Focus (Madawaska, ME)*, July 28, 2016, <http://fiddleheadfocus.com/2016/07/28/news/community/state/memorial-honors-fallen-migrant-workers/>; Knudson and Amezcua, “The Pineros: Forest Workers Caught in Web of Exploitation”; Knudson and Amezcua, “The Pineros: Hidden Hazards.”

<sup>39</sup> Hahamovitch, *No Man’s Land*, 226. Brodbeck, Bailey, and Morse, “Seasonal Migrant Labor in the Forest Industry of the Southeastern United States,” 1015; Congressional Research Service, “H-2A and H-2B Temporary Worker Visas: Policy and Related Issues,” June 9, 2020, <https://fas.org/sgp/crs/homsec/R44849.pdf>, 28.

they stand today, labor laws and institutions can only serve workers who have the time, space, and rootedness to wait for justice. They ignore the lived reality of migrants or guest workers who often do not remain in a state or country long enough to properly file a grievance or receive timely compensation. As long as pineros are treated like trees that can be continuously felled and replaced, the residue of past traumas will float through under-stories to wreathe new waves of workers.