

115TH CONGRESS  
1ST SESSION

# H. R. 1412

To establish a commission to study the removal of Mexican-Americans to Mexico during 1929–1941, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2017

Ms. ROYBAL-ALLARD introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To establish a commission to study the removal of Mexican-Americans to Mexico during 1929–1941, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Commission on the  
5       Removal of Mexican-Americans to Mexico Act”.

6       **SEC. 2. FINDINGS; PURPOSE.**

7       (a) FINDINGS.—Congress finds the following:

8               (1) From 1929 through 1941, Federal, State,  
9       and local Government authorities and certain private  
10      sector entities throughout the United States under-

1       took an aggressive program to forcibly remove indi-  
2       viduals of Mexican ancestry from the United States.

3               (2) As many as 1,200,000 individuals of Mexi-  
4       can ancestry who were United States citizens were  
5       forcibly removed to Mexico.

6               (3) These men, women, and children were re-  
7       moved outside the United States in response to pub-  
8       lic pressure to curtail the employment of Mexican-  
9       Americans, most of whom were United States citi-  
10      zens or residing legally in the United States, during  
11      the Depression.

12              (4) Massive raids were conducted on Mexican-  
13      American communities, and many of the people who  
14      were removed were never able to return to the  
15      United States, their country of birth.

16              (5) These raids targeted individuals of Mexican  
17      ancestry, even when such individuals were United  
18      States citizens or permanent legal residents.

19              (6) These raids also separated such United  
20      States citizens and permanent legal residents from  
21      their families and deprived them of their livelihoods  
22      and constitutional rights.

23              (7) No official inquiry into this matter has been  
24      made.

1 (b) PURPOSE.—It is the purpose of this Act to estab-  
2 lish a fact finding commission to determine whether  
3 United States citizens and permanent legal residents were  
4 forcibly removed to Mexico from 1929 to 1941 in violation  
5 of law as a result of past directives of Federal, State and  
6 local governments and the impact of such removal on  
7 those individuals, their families, and the Mexican-Amer-  
8 ican community in the United States, and to recommend  
9 appropriate remedies.

10 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

11 There is established a commission to be known as the  
12 “Commission on the Removal of Mexican-Americans to  
13 Mexico”.

14 **SEC. 4. DUTIES OF THE COMMISSION.**

15 The Commission shall—

16 (1) review the facts and circumstances sur-  
17 rounding the removal of certain United States citi-  
18 zens and permanent legal residents to Mexico from  
19 1929 to 1941, and the impact of such actions on  
20 these individuals, their families, and the Mexican-  
21 American community in the United States;

22 (2) review past directives of Federal, State, and  
23 local governments that required the removal of these  
24 individuals to Mexico and any other information re-  
25 lated to these directives; and

1           (3) submit to Congress a written report of its  
2 findings and recommendations.

3 **SEC. 5. MEMBERSHIP.**

4           (a) NUMBER AND APPOINTMENT.—The Commission  
5 shall be composed of seven members, who shall be ap-  
6 pointed within 90 days after the date of the enactment  
7 of this Act as follows:

8           (1) Three members appointed by the President.

9           (2) Two members appointed by the Speaker of  
10 the House of Representatives, in consultation with  
11 the minority leader of the House of Representatives.

12           (3) Two members appointed by the President  
13 pro tempore of the Senate, in consultation with the  
14 minority leader of the Senate.

15           (b) QUALIFICATIONS.—Members appointed under  
16 subsection (a) shall possess knowledge or expertise related  
17 to human rights, civil rights, immigration, labor, business,  
18 or other pertinent qualifications.

19           (c) TERM OF OFFICE.—Each member shall be ap-  
20 pointed for the life of the Commission.

21           (d) QUORUM.—Four members of the Commission  
22 shall constitute a quorum, but a lesser number may hold  
23 hearings.

24           (e) INITIAL MEETING.—The initial meeting of the  
25 Commission shall be called by the President within one

1 hundred and twenty days after the date of the enactment  
2 of this Act, or within thirty days after the date on which  
3 legislation is enacted making appropriations to carry out  
4 this Act, whichever is later.

5 (f) CHAIRPERSON AND VICE CHAIRPERSON.—The  
6 Commission shall elect a chairperson and vice chairperson  
7 from among its members. The term of office of each shall  
8 be for the life of the Commission.

9 (g) VACANCIES.—A vacancy in the Commission shall  
10 not affect its powers and shall be filled in the same man-  
11 ner in which the original appointment was made.

12 **SEC. 6. POWERS.**

13 (a) HEARINGS.—

14 (1) IN GENERAL.—The Commission or on the  
15 authorization of the Commission, any subcommittee  
16 or member thereof, may for the purpose of carrying  
17 out this Act, hold hearings, sit and act at times and  
18 places, take testimony, and receive evidence as the  
19 Commission or any subcommittee or member con-  
20 siders appropriate.

21 (2) LOCATION.—The Commission may hold  
22 public hearings in any city of the United States that  
23 it finds appropriate.

24 (b) SUBPOENA POWER.—

1           (1) IN GENERAL.—The Commission may issue  
2 subpoenas requiring the attendance and testimony of  
3 witnesses and the production of any evidence relat-  
4 ing to any matter under investigation by the Com-  
5 mission which the Commission is empowered to in-  
6 vestigate by this Act.

7           (2) FAILURE TO OBEY A SUBPOENA.—If a per-  
8 son refuses to obey a subpoena issued under para-  
9 graph (1), the Commission may apply to a United  
10 States district court for an order requiring that per-  
11 son to appear before the Commission to give testi-  
12 mony, produce evidence, or both, relating to the  
13 matter under investigation. The application may be  
14 made within the judicial district where the hearing  
15 is conducted or where such person is found, resides,  
16 or transacts business. Any failure to obey the order  
17 of the court may be punished by the court as civil  
18 contempt.

19           (3) SERVICE OF SUBPOENA.—A subpoena of  
20 the Commission shall be served in the manner pro-  
21 vided for subpoenas issued by a United States dis-  
22 trict court under the Federal Rules of Civil Proce-  
23 dure for the United States district courts.

24           (4) SERVICE OF PROCESS.—All process of any  
25 court to which application is made under paragraph

1       (2) may be served in the judicial district in which  
2       the person required to be served resides or may be  
3       found.

4       (c) OBTAINING OFFICIAL DATA.—The Commission  
5       may secure directly from any department or agency of the  
6       United States, or from any State or local government, in-  
7       formation necessary to enable it to carry out this Act.  
8       Upon request of any member, the head of such department  
9       or agency shall furnish such information to the Commis-  
10      sion.

11      (d) CONTRACT AUTHORITY.—To the extent or in the  
12      amounts provided in advance in appropriation Acts, the  
13      Commission may contract with and compensate govern-  
14      ment and private agencies or persons for any services, sup-  
15      plies, or other activities necessary to enable the Commis-  
16      sion to carry out its duties under this Act.

17      **SEC. 7. STAFF.**

18      (a) IN GENERAL.—The Commission may appoint and  
19      fix the pay of such additional staff as it considers appro-  
20      priate.

21      (b) APPLICABILITY OF CERTAIN CIVIL SERVICE  
22      LAWS.—Any staff of the Commission may be appointed  
23      without regard to the provisions of title 5, United States  
24      Code, governing appointments in the competitive service,  
25      and may be paid without regard to the provisions of chap-

1 ter 51 and subchapter III of chapter 53 of such title relat-  
2 ing to classification and General Schedule pay rates.

3 (c) EXPERTS AND CONSULTANTS.—The Commission  
4 may procure temporary and intermittent services under  
5 section 3109(b) of title 5, United States Code.

6 (d) ADMINISTRATIVE SUPPORT SERVICES.—Upon re-  
7 quest of the Commission, the Administrator of General  
8 Services shall provide to the Commission, on a reimburs-  
9 able basis, the administrative support services necessary  
10 for the Commission to carry out its duties under this Act.

11 **SEC. 8. REPORT.**

12 The Commission shall submit to Congress a written  
13 report not later than the date which is one year after the  
14 date of the initial meeting called pursuant to section 5(d)  
15 of this Act. The report shall contain a detailed statement  
16 of the findings and conclusions of the Commission, to-  
17 gether with its recommendations for legislative actions  
18 that the Commission considers appropriate.

19 **SEC. 9. TERMINATION.**

20 The Commission shall terminate 30 days after sub-  
21 mitting the report under section 8.

22 **SEC. 10. DEFINITIONS.**

23 In this Act:

1           (1) COMMISSION.—The term “Commission”  
2 means the Commission on the Removal of Mexican-  
3 Americans to Mexico established under section 3.

4           (2) MEMBER.—The term “member” means a  
5 member of the Commission.

6           (3) STATE.—The term “State” means any  
7 State of the United States, the District of Columbia,  
8 the Commonwealth of Puerto Rico, and any other  
9 commonwealth, possession, or territory of the United  
10 States.

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