

107TH CONGRESS
2D SESSION

H. R. 4918

To waive certain defenses to legal claims brought by workers participating
in the bracero program between 1942 and 1969.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2002

Mr. GUTIERREZ (for himself, Mr. FARR of California, Mr. FILNER, Ms. SCHAKOWSKY, Mr. PASTOR, Mrs. NAPOLITANO, Ms. SOLIS, Mr. BACA, Ms. ROYBAL-ALLARD, Mr. SERRANO, Mr. MCGOVERN, Mr. RODRIGUEZ, Mr. FRANK, Mr. MENENDEZ, Ms. MILLENDER-McDONALD, Mr. GONZALEZ, Mr. ORTIZ, Ms. VELÁZQUEZ, Mr. ACEVEDO-VILÁ, Mr. REYES, Mr. LIPINSKI, Mr. BECERRA, Ms. MCKINNEY, Mr. DAVIS of Illinois, and Mr. BERMAN) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To waive certain defenses to legal claims brought by workers
participating in the bracero program between 1942 and
1969.

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 “Bracero Justice Act
5 of 2002”.

1 **SEC. 2. WAIVER OF CERTAIN DEFENSES FOR CERTAIN**
2 **CLAIMS.**

3 (a) **DEFINITION OF ELIGIBLE CLAIM.**—In this sec-
4 tion, the term “eligible claim” means a claim against the
5 United States, Mexico, Wells Fargo Bank, Banco De Mex-
6 ico, Banco Nacional De Credito Rural, S.N.C., as suc-
7 cessor in interest to the Banco De Credito Agricola, S.A.,
8 or Patronato Del Ahorro Nacional, as successor in interest
9 to the Banco Del Ahorro Nacional, S.A., which alleges fail-
10 ure to pay moneys owed to workers participating in the
11 labor importation (bracero) program between January 1,
12 1942, and January 1, 1969, pursuant to bilateral agree-
13 ments between the United States and Mexico and agree-
14 ments between workers and the United States or any other
15 of the entities named in this subsection.

16 (b) **WAIVER OF STATUTE OF LIMITATIONS.**—An eli-
17 gible claim brought under subsection (c) not later than
18 2 years after the date of enactment of this Act shall not
19 be barred by any statute of limitations.

20 (c) **JURISDICTION.**—An eligible claim may be brought
21 in any district court of the United States, and the district
22 courts shall have exclusive jurisdiction of an eligible claim.

23 (d) **WAIVER OF SOVEREIGN IMMUNITY.**—The United
24 States waives sovereign immunity for itself with respect
25 to any eligible claim brought under subsection (c), and any
26 foreign State, as defined in section 1603 of title 28,

- 1 United States Code, shall not be immune from the juris-
- 2 diction of the courts of the United States hearing an eligi-
- 3 ble claim brought under subsection (c).

