

71ST CONGRESS
2D SESSION

H. R. 11204

IN THE HOUSE OF REPRESENTATIVES

MARCH 27, 1930

Mr. HUDSON introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce and ordered to be printed

A BILL

To regulate the entry of persons into the United States, to establish a border patrol in the Coast Guard, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Border Patrol Act,
4 1930."

5 ENTRY OF PERSONS INTO THE UNITED STATES

6 SEC. 2. (a) It shall be unlawful for any person to
7 enter the United States from a foreign country at any place
8 other than a point of entry designated by the President,

1 except that this section shall not be applicable in the
2 case of—

3 (1) Any person who in entering the United States
4 complies with the regulations prescribed by the President
5 for the convenience of persons residing or owning property
6 on or adjacent to the boundaries of the United States;

7 (2) Any person who in entering the United States
8 complies with the Air Commerce Act of 1926 and the
9 regulations prescribed thereunder.

10 (b) Any person who violates the provisions of this
11 section shall be guilty of a misdemeanor and, in addition
12 to all other penalties provided by law, be subject to a
13 penalty of \$100. Such penalty shall be a lien against any
14 vessel, vehicle, or aircraft in which the entry in violation
15 of this section is made. Such penalty may be enforced,
16 or may be remitted or mitigated, in the same manner as
17 a penalty for a violation of the customs revenue laws of
18 the United States; but such penalty shall not be enforced
19 if a penalty (whether criminal or civil) for violation of
20 any other law of the United States has been incurred.

21 **BORDER PATROL**

22 **SEC. 3. (a)** There is hereby established an organiza-
23 tion to be known as the United States Border Patrol, which
24 shall operate under and be administered by the commandant
25 of the Coast Guard.

1 (b) There are hereby authorized in the Coast Guard,
2 for service in the border patrol, such additional enlisted
3 ratings as the Secretary of the Treasury may determine.

4 (c) There are hereby authorized in the Coast Guard,
5 for service in the border patrol, the warrant grade of
6 warrant officer (border patrol) and the chief-warrant grade
7 of chief warrant officer (border patrol), and persons hold-
8 ing appointments in said grades shall receive the same pay,
9 allowances, and benefits as other warrant officers and chief
10 warrant officers, respectively, of like length of service, in the
11 Coast Guard.

12 (d) Any officer or enlisted man of the Coast Guard
13 may be detailed by the commandant to duty in connection
14 with the border patrol, as in his judgment circumstances may
15 require.

16 (e) The number of commissioned officers of the line
17 on the active list authorized in the Coast Guard is hereby
18 increased by sixty, distributed among the grades in the
19 proportions provided for distribution in the grades of line
20 officers by section 1 of the Act entitled "An Act to readjust
21 the commissioned personnel of the Coast Guard, and for
22 other purposes," approved March 2, 1929.

23 (f) The Secretary of the Treasury is authorized to
24 establish receiving and training stations, with necessary

1 barracks, other buildings, and equipment, for the training
2 of warrant officers and enlisted men of the border patrol.

3 ENFORCEMENT

4 SEC. 4. (a) It shall be the duty of the border patrol
5 to enforce the provisions of this Act, except at ocean bound-
6 aries of the United States.

7 (b) Any officer or enlisted man of the border patrol
8 may arrest any person entering the United States in viola-
9 tion of this Act; may seize any merchandise in the possession
10 of any person entering the United States in violation of this
11 Act, or any vessel, vehicle, or aircraft, in which the entry
12 in violation of this Act is made; and may deliver any such
13 merchandise, vessel, vehicle, or aircraft, or any person
14 arrested for violation of section 2, into the custody of such
15 officers, at a point of entry, or elsewhere, as the Secretary
16 of the Treasury may by regulation prescribe. (c)

17 EXISTING PATROLS

18 SEC. 5. The President is authorized to discontinue
19 the border patrols of the Bureau of Customs and the Bureau
20 of Immigration, or parts thereof, from time to time after
21 the approval of this Act, when in his judgment such action
22 is advisable by reason of the establishment and effective
23 operation of the border patrol created by this Act.

5
1 EMPLOYEES AND EQUIPMENT

2 SEC. 6. (a) The Secretary of the Treasury is author-
3 ized to appoint such employees and to purchase such motor
4 vehicles, boats, horses, supplies, and equipment as are neces-
5 sary in the administration of this Act.

6 (b) Any vessel or vehicle forfeited to the United
7 States as specified in sections 1 and 2 of the Act entitled
8 "An Act relating to the use or disposal of vessels or vehicles
9 forfeited to the United States for violation of the customs
10 laws or the National Prohibition Act, and for other pur-
11 poses," approved March 3, 1925, may, in the discretion of
12 the Secretary of the Treasury, be taken and used, or may,
13 upon application of the Secretary of the Treasury, be ordered
14 by the court to be delivered to the Treasury Department
15 for use in the enforcement of the provisions of this Act
16 instead of for use as provided in such Act of March 3, 1925.

17 EXECUTION OF OTHER LAWS

18 SEC. 7. There are authorized to be appropriated such
19 amounts as may be necessary for the establishment and
20 maintenance of points of entry designated under this Act,
21 including the acquisition of necessary sites and the construc-
22 tion of necessary buildings, or in the execution of the
23 customs, immigration, and other laws regulating or pro-

1 hibiting the entry into the United States of persons and
2 merchandise as a result of the establishment of such points
3 of entry.

4 EFFECTIVE DATE

5 SEC. 8. This Act shall take effect upon its approval,
6 except that sections 2 and 4 shall take effect upon the 1st
7 day of the seventh month after its approval.

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