

70TH CONGRESS
1ST SESSION

H. R. 11755

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 1928

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

A BILL

To establish a border patrol for the more efficient enforcement of laws applicable to the international and maritime borders of the United States.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That in order to more effectively enforce the laws applica-
- 4 ble to the international and maritime borders of the United
- 5 States, its Territories, and possessions subject to its jurisdic-
- 6 tion, there is hereby created an agency to be known as the
- 7 United States Border Patrol.

1 SEC. 2. The United States Border Patrol shall con-
2 sist of such border patrol police as is now or may hereafter
3 be authorized: *Provided*, That any existing border police,
4 to whatever department or establishment accredited to-
5 gether with their existing appropriations, equipment, and
6 appurtenances, may at the discretion of the President be
7 transferred to the United States Border Patrol.

8 SEC. 3. The United States Border Patrol, under such
9 regulations as the President may prescribe, shall perform
10 such patrol and police duties for all departments and Fed-
11 eral establishments as may be necessary in connection with
12 the enforcement of all laws applicable to the international
13 and maritime borders of the United States, its Territories, and
14 possessions subject to its jurisdiction.

15 SEC. 4. Property of any kind which is seized for vio-
16 lation of the laws of the United States, together with a
17 report of the facts of seizure, shall be immediately delivered
18 to the chief officer of the district charged with the enforce-
19 ment of the law for the violation of which the property
20 was seized. Upon delivery of the property and receipt of
21 such report the said chief officer shall proceed to forfeiture in
22 accordance with the law and regulations of his department.

23 When the said property is forfeited it may, in lieu of
24 sale, be used for any Government purpose by any agency
25 of the United States and when surplus to the needs of one

1 agency may be transferred to any other agency of the Gov-
2 ernment requiring its use. The United States Border Patrol
3 shall have priority of claim over any other Government
4 agency to the possession and use of such property as may
5 have been originally seized by it. The Government agency
6 to which the property is allocated shall pay all expenses
7 incident to seizure and forfeiture.

8 SEC. 5. The appropriation of any Government agency
9 which acquires hereunder any vehicle, vessel, or other prop-
10 erty, including motor-propelled passenger-carrying vehicles,
11 shall hereafter be available for payment of expenses of
12 maintenance, repair, and operation of said vessels, vehicles,
13 and other property. Said appropriations shall also be avail-
14 able for the payment of the actual costs incident to seizure
15 and forfeiture, and if the seizure is made under any section
16 of law under which liens are recognized for the payment
17 of the amount of such lien allowed by the court: *Provided*,
18 That any property which has been forfeited or allocated
19 and is found unserviceable or surplus to the needs of any
20 Government agency shall be disposed of in the same man-
21 ner as other surplus property.

22 SEC. 9. For the purposes of administration the United
23 Patrol shall have all the right of search and seizure, as well
24 as the power to take necessary action to execute judicial
25 writs, to the same extent that is authorized in the case of

1 any officer of the United States engaged in the enforcement
2 of any law applicable to these borders.

3 SEC. 7. In the discharge of their duties members of
4 the Border Patrol shall be regarded as peace officers and
5 shall be accorded all protection and immunities accorded to
6 other Federal officers of similar character by any Federal
7 statutes now existing or hereafter enacted.

8 SEC. 8. The members of the Border Patrol are hereby
9 designated as beneficiaries of the Bureau of the Public
10 Health Service, which shall furnish to them the same hos-
11 pital treatment and out-patient relief as is accorded under
12 the law to the officers and enlisted men of the Coast Guard.

13 SEC. 9. For the purposes of administration the United
14 States Border Patrol shall be established within the Depart-
15 ment of Labor, and the Secretary of Labor, except as herein
16 otherwise provided, is hereby authorized to make such rules
17 and regulations as may be necessary to carry out the pro-
18 visions of this Act.