

UNITED STATES DEPARTMENT OF LABOR
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IMMIGRATION AND NATURALIZATION SERVICE
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I N F O R M A T I O N

CONCERNING

ORIGIN, ACTIVITIES, ACCOMPLISHMENTS,
ORGANIZATION AND PERSONNEL

OF THE

IMMIGRATION BORDER PATROL

JANUARY 1936

"Exhibit 2-D"

THE UNITED STATES IMMIGRATION

BORDER PATROL

The Immigration Border Patrol is a branch of the Immigration and Naturalization Service operating under the U. S. Department of Labor. Its primary function is to detect and prevent the smuggling and the surreptitious entry of aliens into the United States in violation of the immigration laws, and to apprehend aliens who have effected unlawful entry, together with alien smugglers. This force also cooperates with other law enforcement agencies.

ORIGIN

With the passage of restrictive immigration laws there sprung up an illicit traffic of aliens across the borders of the United States with which immigrant inspectors on duty at regular ports of entry were powerless to cope. The enactment of the first quota law in 1921 diverted thousands of aliens from our seaports of entry to foreign contiguous territory and adjacent islands which were used as stepping stones to secure illegal entry into the country over the unprotected borders and sea coasts. Three years later, the Immigration Border Patrol was created. In the Appropriation Act approved May 28, 1924, Congress authorized a land border patrol under the Immigration and Naturalization Service and in June of that year the first of the force was established in the field. The Appropriation Act of the following year extended the scope of the new organization's activities by authorizing the expenditure of funds for both a land border and coast patrol.

AUTHORITY

Immigration patrol inspectors derive their principal authority from the Act of Congress approved February 27, 1925 (43 Stat. 1049). This act empowers any employee of the Immigration and Naturalization Service properly authorized to so do under regulations prescribed by the Commissioner, with the approval of the Secretary of Labor, to arrest without warrant any alien who, in his presence or view, is entering or attempting to enter the United States in violation of any law regulating the immigration of aliens, and without warrant to board and search for aliens, any vessel within the territorial waters of the

United States, railway car, conveyance or vehicle, in which he believes aliens are being brought into the United States. Also to execute any warrant or other process issued by any officer, under any law regulating the immigration, exclusion, or expulsion of aliens.

The expression "entering the United States" has been construed by the courts to mean that an alien is engaged in the act of entering until he reaches his intended destination.

NUMERICAL STRENGTH AND EQUIPMENT

The authorized personnel of the Border Patrol consists of 1 supervisor, 1 radio engineer, 8 district supervisors, 22 chief patrol inspectors, 190 senior patrol inspectors, 629 patrol inspectors, 1 instructor in firearms, 27 clerks, 21 motor mechanics and 16 laborers, a total of 916.

Transportation facilities consist of 309 automobiles, 19 trucks, 6 saddle horses, 13 patrol boats and 17 outboard motor crafts.

ORGANIZATION

There are 6 major patrol districts on the Canadian border, 3 on the Mexican border and 1 covering the southeast section of the country, including the Florida and Gulf coasts. Each district is under the general supervision of a district director of Immigration and Naturalization, and under the direct supervision of a district supervisor of Border Patrol if the area of the district, the physical characteristics and the patrol problems warrant. Each of the major districts, except 2, is divided into subdistricts, each operating under the direction of a chief patrol inspector. In all there are 23 such subdistricts, in each of which there are generally from 6 to 12 patrol stations. At these stations senior patrol inspectors are in charge. Senior patrol inspectors are also in charge of shifts or reliefs at the more heavily manned stations, or in charge of special details. All reports pertaining to border patrol activities in the district are submitted through proper channels to the District Director who in turn reports to the Central Office at Washington, D.C.

SELECTION OF APPOINTEES

All positions in the Immigration Border Patrol are subject to civil service, and all appointments are made by selection from lists of eligibles who have qualified by meeting the physical and character requirements, and by passing an open competitive examination conducted by the U. S. Civil Service Commission. A special examination is held for

the position of immigration patrol inspector, but all other positions in the Border Patrol (clerks, mechanics, laborers, etc.), are filled from general registers maintained by the Civil Service Commission for the entire Government Service.

Applicants for the position of patrol inspector must be in sound mental and physical condition, of good muscular development and active type, of good eyesight and hearing, at least 5 feet, 7 inches in height, well proportioned as to height and weight, and must have reached their twenty-first but not their thirty-sixth birthday on the date of the close of receipt of applications. The age limits and the physical requirements relating to height do not apply to persons granted preference because of military or naval service. Applicants are first given a written examination which is designed to test their general education and intelligence. It is not a technical examination based upon the immigration laws. The names of applicants who pass the written examination are placed upon the registers for the several districts in the order of the ratings made by them in the examination.

The present practice is to require applicants who have passed the written examination to present themselves before oral examining boards comprised of representatives of the Civil Service Commission, the Immigration and Naturalization Service and the Public Health Service, or some other Government agency. This personal interview is held for the purpose of weighing other elements of fitness for the position than those which can be determined by the written examination. Applicants who are definitely shown by the oral examination to be unsuitable material for the position are eliminated from the registers and are ineligible for appointment.

In addition to the written and oral examinations a searching character investigation is conducted in the case of each prospective appointee by the Civil Service Commission, and if any facts are developed thereby which would render his employment as a member of a law enforcement agency inadvisable, his name is eliminated from the register.

Applicants are also required to appear before a surgeon of the U. S. Public Health Service for medical examination before they are permitted to enter on duty, to finally determine whether all the physical requirements of the position are met.

The oral examination, character investigation and medical examination are not given to all candidates who pass the written examination, but only to such number as may be necessary to meet the replacement needs of the Service. Candidates are given the oral and medical examinations and character investigation in the order of their standing on the register as a result of the written examination.

PROBATIONARY PERIOD

Every new appointee must serve a probationary period of one year, in accordance with Rule VII of the Civil Service Rules. Discipline is necessarily strict and a very high standard of conduct after entering the Service is exacted. If, after a full and fair trial the conduct or services of the appointee are not satisfactory, his services may be summarily terminated at any time during the probationary period, he being notified in writing of the reasons for his separation. After satisfactorily completing the probationary period, his appointment becomes absolute, and his continuance in the Service or separation therefrom is governed by the laws and rules applicable to civil-service employees generally.

SALARY AND PROMOTIONS

Patrol inspectors are appointed at \$1800 per annum, and their salaries range up to \$2000 per annum. There is no automatic system of salary increases for patrol inspectors, and their advancement depends upon their efficiency, length of service, and the funds available for that purpose.

Vacancies in the position of senior patrol inspector, the entrance salary for which is \$2000 per annum, are filled by the promotion of patrol inspectors, selections for advancement to this position being based upon the qualifications of the employee for supervisory duties, his efficiency and length of service.

After two years' service in the Border Patrol officers are eligible for promotion to the position of immigrant inspector through non-competitive examination. These examinations consist of two parts: (1) A personal interview by a board of senior officers of the Immigration and Naturalization Service who consider the employee's personal characteristics and record in the Border Patrol, and (2) a written examination. If the personal interview is satisfactory, the applicant is given a written examination by the Civil Service Commission. This examination is based upon the immigration and naturalization laws and upon the procedure observed by the Department in connection with their enforcement. The entrance salary for immigrant inspectors is \$2100 per annum, and they are given automatic promotions to \$2300 after one year of satisfactory service, and \$2500 after two years of satisfactory service. The maximum salary for this position is \$3000 per annum, but promotions above \$2500 are not automatic.

UNIFORMS

The Immigration Border Patrol is a uniformed organization, and patrol inspectors are required to provide themselves with official uniforms prescribed by the Service. The cost of uniform equipment is approximately \$80, and may be purchased from any manufacturer, provided it conforms to the specifications.

FIREARMS AND OTHER EQUIPMENT

Firearms and ammunition, handcuffs and other equipment are furnished by the Government. Officers are given expert instruction in the care and use of firearms in order that they may become proficient in their use. Competitions between teams representing the various districts are held, and from the showings made by individuals in these matches, a team representing the Service is selected to attend the National Matches held annually at Camp Perry, Ohio, under the auspices of the War Department. In 1935 the Border Patrol team in its first appearance in the National Pistol Match finished fourth with a score only three points below the three teams tied for first place.

TRAINING

To fit them for the duties of the position, new appointees are given a thorough course of instruction and training in the following among other subjects: Immigration and Naturalization Laws; criminal law and court procedure; rules of evidence; Spanish on the southern border, where every officer must make satisfactory progress towards acquiring a working knowledge of the language during his probationary period; immigration investigation and the interrogation of suspects; border patrolling and smugglers' methods; care and use of equipment; and first aid.

LIVING QUARTERS

Barracks for the men are maintained at the subdistrict headquarters of the Border Patrol, and sleeping accommodations may be provided for officers who desire them, a charge ranging from \$1 to \$4 per month being made. No other living quarters are furnished officers or their families.

DETAILS AND TRANSFERS

When an officer is detailed away from his official station on official business and is absent for more than twenty-four consecutive hours, he is allowed traveling expenses consisting of his transportation and a per diem allowance in lieu of subsistence. The per diem allowance ranges from \$1 to \$5 per day, depending upon the nature of the detail and the extra expense to which the employee is subjected.

Employees who are ordered transferred from one official station to another in the interest of the Government are allowed transfer expenses for themselves, their wives and dependent minor children, and the expenses incident to the shipment of their household effects up to 5,000 pounds.

LEAVE

Annual Leave

Employees of the Border Patrol are entitled to 26 days' annual leave with pay each calendar year. Unused annual leave accumulates for succeeding years until it totals not exceeding 60 days.

Sick Leave

In addition to annual leave, employees are entitled to sick leave with pay at the rate of $1\frac{1}{4}$ days per month, provided they furnish satisfactory certificates showing they were incapacitated for duty. Unused sick leave accumulates until it totals not exceeding 90 days.

Military Leave

Employees of the Border Patrol who are members of the Officers Reserve Corps, the Naval Reserve Force, the Marine Corps Reserve and the National Guard may also be granted leave with pay, usually not in excess of 15 days a year under certain conditions, when they are in training with their respective military organizations.

COMPENSATION FOR INJURIES

Employees of the Immigration Border Patrol are beneficiaries of the Federal Employees' Compensation Act of September 7, 1916, as amended. This act provides certain benefits for disability or death resulting from personal injury suffered by employees while in the performance of their official duties. The benefits of the act include: medical, surgical, and hospital service and necessary transportation to secure them; compensation while disabled for work when loss of pay exceeds 3 days; burial expenses in case of death, including transportation, if the employee dies while away from his home station; and annuities for dependents in case of death.

RETIREMENT

Employees of the Border Patrol are subject to the Retirement Act of May 22, 1920, as amended, which applies to all civil-service employees of the United States. Three and one-half percent of the salary of employees is deducted and placed in the retirement fund to their credit. This money may be withdrawn by them if they leave the Service, and it is payable to their estate if they die before reaching the retirement age. The retirement age for patrol inspectors is 70 years, and their annuity is based upon the amount to their credit in the retirement fund and their total service. The minimum life annuity of an employee who has served 30 years with an

average salary of \$1600 per annum is \$1200 per annum. This annuity increases slightly as the length of service increases, and the amount of money to the employee's credit in the retirement fund increases. Any money left in the retirement fund after the death of an annuitant is payable to his estate, unless he elects to receive a slightly increased annuity and forfeit any sum which may remain to his credit at the time of his death.

The Retirement Act also provides for the retirement of employees who have at least five years' service to their credit if they become totally disabled. This annuity is likewise based upon the length of service and the amount the employee has to his credit in the retirement fund at the time of his disability.

NATURE OF DUTIES

Patrol work is performed on foot, in automobiles, boats, by horse or other conveyance. Patrol officers are required to patrol highways, river fronts, coasts, railroad yards, bridges, wharves, and isolated sections of the border by day and night; search vessels, automobiles, and passenger and freight trains, to prevent violation of the immigration laws; to guard and convey persons apprehended to proper examining officers, or to designated places of detention, and to conduct investigations concerning illegal entries into the United States.

As a matter of general routine patrol inspectors are required to perform duty eight hours daily, with one and one-half days off weekly. The nature of the work is such, however, that it is impossible to maintain strictly routine patrols, and in the majority of districts the hours of duty are extremely irregular. The work requires exposure to all kinds of weather, and much night duty. Emergencies constantly arise which necessitate keeping patrol officers on duty for extended periods of time. The force is extremely small for the task it has to perform, and must necessarily be kept in as highly mobile a state as the type of organization will permit; consequently patrol officers are subject to call twenty-four hours a day, and to meet emergencies or unusual conditions in other parts of their districts are occasionally detailed away from their official stations for days or weeks at a time. Furthermore, changing conditions in the various districts may require the transfer of personnel from one district to another, and any person accepting appointment must be willing to accept assignment in or transfer to any part of the United States, and be qualified physically and otherwise to perform the duties in any district to which he may have to be transferred.

OCCUPATIONAL HAZARDS

Besides being extremely arduous, the duties of a patrol inspector involve a number of actual dangers. Twenty-nine men, whose names are listed below, have lost their lives in line of duty in the manner shown. This Honor Roll includes the names of 3 mounted guards, forerunners of the present Border Patrol organization, and 4 immigrant inspectors:

CLARENCE M. CHILDRESS, Mounted Guard. Killed by aliens entering country illegally at El Paso, Texas, on April 16, 1919.

CHARLES L. HOPKINS, Mounted Guard. Killed in encounter with smugglers near Laredo, Texas, on May 8, 1919.

ALPHONSE G. BERNARD, Immigrant Inspector. Run down and killed by smugglers' automobile near Campo, California, on July 11, 1920.

CHARLES GARDINER, Mounted Guard. Killed by smugglers at El Paso, Texas, on October 22, 1922.

JAMES M. McCABE, Immigrant Inspector. Died on March 3, 1923, as a consequence of injuries received at the hands of smugglers on Detroit River, Detroit, Michigan.

JAMES F. MANKIN, Patrol Inspector. Killed while on duty by accidental discharge of Government rifle in patrol car, near Laredo, Texas, September 14, 1924.

FRANK H. CLARK, Patrol Inspector. Shot from ambush by smugglers' scouts near El Paso, Texas, December 13, 1924.

JOSEPH P. RILEY, Patrol Inspector. Killed in wreck of patrol car near Eureka, Montana, April 6, 1925.

AUGUSTIN de la PENA, Patrol Inspector. Killed by alien he was attempting to arrest at Rio Grande City, Texas, on August 2, 1925.

ROSS A. GARDINER, Patrol Inspector. Killed in motorcycle crash while on patrol near Elsinore, California, October 28, 1925.

WILLIAM W. McKEE, Patrol Inspector. Shot from ambush by smugglers near Tucson, Arizona, April 23, 1926.

LON PARKER, Patrol Inspector. Shot from ambush by smugglers near Wills Ranch, Huachuca Mountains, Arizona, July 25, 1926.

THAD PIPPIN, Patrol Inspector. Killed during encounter with smugglers near Pelea, New Mexico, on April 21, 1927.

FRANKLIN P. WOOD, Patrol Inspector. Killed by smugglers on Detroit River near Wyandotte, Michigan, on December 15, 1927.

NORMAN G. ROSS, Patrol Inspector. Killed by alien he had taken into custody near Kane Springs, California, February 10, 1928.

ROBERT H. LOBDELL, Patrol Inspector. Killed by vagrant whom he was questioning near Roseau, Minnesota, December 25, 1928.

EARL A. ROBERTS, Patrol Inspector. Killed by smugglers near Algonac, Michigan, March 24, 1929.

BENJAMIN T. HILL, Patrol Inspector. Killed by smugglers at El Paso, Texas, May 30, 1929.

IVAN E. SCOTTEN, Patrol Inspector. Killed by smugglers near San Elizario, Texas, July 20, 1929.

MILES J. SCANNEL, Senior Patrol Inspector. Killed by aliens whom he was attempting to arrest near Polvo, Texas, September 9, 1929.

WILLIAM D. McCALIB, Patrol Inspector. Killed by escaped convict at Alice, Texas, January 7, 1930.

HARRY E. VINCENT, Patrol Inspector. Run down by automobile while inspecting traffic near Oceanside, California, March 25, 1930.

ROBERT W. KELSAY, Senior Patrol Inspector. Killed by smugglers at Laredo, Texas, on June 25, 1930.

LAURENCE E. DOTEN, Immigrant Inspector, shot and killed by train robber while inspecting train at Emo, Ontario, August 24, 1930.

LAWRENCE C. JONES, Immigrant Inspector. Shot and killed by train robber while inspecting train at Emo, Ontario, August 24, 1930.

FRANK VIDMAR, Patrol Inspector, Killed in collision of patrol car with street car while pursuing smuggler at Niagara Falls, N.Y., on March 24, 1932.

CHARLES F. INCH, Patrol Inspector. Killed under wheels of moving freight train while pursuing alien at Detroit, Michigan, June 26, 1932.

DOYNE C. MELTON, Patrol Inspector. Shot and killed in battle between smugglers and patrol officers at El Paso, Texas, December 7, 1933.

BERT G. WALTHALL, Patrol Inspector. Killed by Mexican liquor smugglers at El Paso, Texas, December 27, 1933.

ACCOMPLISHMENTS

In the eleven fiscal years of its existence the Immigration Border Patrol, with a force averaging approximately 750 officers, patrolling some 6,000 miles of land border, including the Great Lakes and connecting rivers, and an additional 1,500 miles of sea coast, has apprehended 218,925 violators of the immigration laws, including 3,146 smugglers of aliens, and an additional 17,233 persons for violations of other laws, both State and Federal. The first figure indicates how intensely this small force of officers has applied itself to the task of guarding our frontiers against the illegal entry of aliens, the last how wholeheartedly it has assisted and cooperated with other Federal, State, county, and municipal law enforcement agencies in the furtherance of their duties. During this period patrol officers effected the seizure of 4,978 automobiles, 1,814 boats and other conveyances, and 40 aircraft. The estimated value of these seizures, together with seizures of smuggled contraband and other merchandise effected, was \$5,618,616.

During this eleven-year period patrol officers patrolled 66,284,075 miles, of which 60,609,997 miles were patrolled by motor, 1,166,235 by railroad, 408,354 by horse, 138,075 by boat, 11,545 by aircraft and 3,949,869 afoot.

COOPERATION

In addition to cooperating with other law enforcement agencies by endeavoring to assist in the apprehension of criminals and fugitives from justice in general, patrol inspectors are expected to be of service to the general public, insofar as such activity does not conflict with their law enforcement duties. They are on constant lookout for persons in distress, and have acted the "Good Samaritan" on numerous occasions. These so-called "Good Samaritan" acts have frequently resulted in the saving of lives. Persons have been rescued from drowning; stranded travelers dug out of snowdrifts and conveyed to shelter; property saved from destruction by fire, and victims of highway and other accidents given first-aid treatment and removed to hospitals.

The organization depends greatly for its success on the cooperation and assistance of the public and the officers strive diligently to cultivate the friendship of the law abiding residents of the various border districts. Such contacts constitute an extremely prolific source of valuable information, and thousands of citizens are at all times willing to communicate their observations to the Border Patrol officers.

APPLICATIONS

Examinations for immigration patrol inspector are not held at regular stated intervals but only when additional eligibles are necessary. A list containing nearly 19,000 names has been compiled as a result of an examination held in 1935. About 100 appointments have been made annually in the past and in view of the large number of eligibles now available it is unlikely that another examination will be necessary for several years.

Neither the Civil Service Commission nor the Immigration and Naturalization Service is prepared to receive applications for examinations until such examinations have been announced, and interested persons should not write for application blanks until an examination is scheduled. Announcements of civil-service examinations are posted on bulletin boards in post offices and other Federal buildings and are generally published in the press, and applicants should endeavor through these sources to keep themselves informed of pending examinations in which they are interested. Announcements of examinations contain complete instructions concerning the filing of applications.