

BETTER FACILITIES FOR ENFORCEMENT OF THE CUSTOMS AND IMMIGRATION LAWS

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AUGUST 1, 1940.—Ordered to be printed
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Mr. GEORGE, from the Committee on Finance, submitted the following

REPORT

[To accompany S. 3778]

The Committee on Finance, to whom was referred the bill (S. 3778) to amend the act entitled "An act to provide better facilities for the enforcement of the customs and immigration laws," approved June 26, 1930, having had the same under consideration, report it back to the Senate with an amendment and recommend that the bill, as amended, do pass.

The committee amendment is to strike out the words "Secretary of Labor" on page 2, line 2 of the bill, and insert in lieu thereof the words "Attorney General". This amendment is made necessary by the fact that the Immigration and Naturalization Service, which was in the Department of Labor at the time that S. 3778 was introduced, has since been transferred to the Department of Justice under Reorganization Plan No. V. Under the provisions of the joint resolution of June 4, 1940, this transfer takes effect on June 14, 1940.

The purpose of S. 3778 is twofold.

(1) An act of June 26, 1930, authorizes the Secretary of the Treasury and the Secretary of Labor to acquire land at points along the Canadian and Mexican borders and to erect buildings and other improvements thereon to provide better facilities for the enforcement of the customs and immigration laws. The act limits the amount which may be expended for each single project to \$3,000 and for each joint project to \$6,000.

Seven joint inspection stations have been constructed under this authority. The buildings erected have four-room living quarters for each of two families, one joint office room and an inspection portico but are without necessary conveniences.

Since these stations are in isolated locations, remote from public services, it is necessary to provide a well and water supply system, means for disposal of sewage, a small electric-generating plant, as well as storage space for provisions and supplies. However, because of the

statutory limitation referred to, the rise in wage rates due to recently enacted legislation which requires the stipulation in the contract of minimum wage rates, and the increased cost of building materials, it has been found impossible to undertake further erection of such projects even by eliminating the barest necessities.

In view of these facts, coupled with the obligation of providing these inspection stations, usually located in isolated places, with the facilities required for the health and comfort of the customs and immigration officers and their families who will occupy them, as well as for the traveling public, authority to expend a maximum of \$5,000 for each single project and \$10,000 for each joint project is considered highly desirable. The following is a recent example of the restrictive effect which the cost limitations of existing law have had:

The living quarters at one of the customs border-patrol stations along the Mexican border are so inadequate as to be actually dangerous to human health. The Treasury Department has sought to construct a new building at this point. Specifications with solicitation for bids were mailed to 26 contractors, but only 2 bids were received. These were both slightly over \$5,000. Since the building is for the Customs Service only, the act of June 26, 1930, places a limit of \$3,000 upon its cost. Provision was made in the bidding form for the omission of certain features if necessary to bring the building within the \$3,000 limit, but the bids were too high to permit the project to be proceeded with even with the maximum number of eliminations. Without the passage of S. 3778, it will be impossible under the limitations imposed by existing law to erect at this point an appropriate building of even the most modest character.

(2) S. 3778 also authorizes the Secretary of the Treasury to expend out of the funds appropriated for the general maintenance and operation of the Customs Service, the necessary amounts for erection of protective gates across highways and roads which cross the international boundaries and fences along the international border in the immediate vicinity of such highways and roads, for the purpose of preventing the illegal entry of merchandise and contraband and to aid generally in enforcing the customs laws.

Much difficulty has been experienced in recent years in combating illegal entry, and the erection of gates which will permit the closing of unguarded highways and of fences along certain especially troublesome sections of the border will aid materially in the prevention of smuggling.

It should be emphasized that S. 3778 does not require the appropriation of any funds. Its purpose is simply to make available existing appropriations for the purposes contemplated by the bill. The bill has been cleared with the Bureau of the Budget which has indicated that it is in accord with the program of the President.

Your committee believe that this is meritorious legislation, and strongly recommend its enactment at the present session of Congress.

S. 3778 was introduced by the chairman of your committee at the request of the Treasury Department as indicated by the following letter from the Acting Secretary of the Treasury.

TREASURY DEPARTMENT,
Washington, March 16, 1940.

The PRESIDENT OF THE SENATE.

SIR: The act of Congress approved June 26, 1930 (46 Stat. 817), authorizes the Secretary of the Treasury and the Secretary of Labor to acquire land at points along the Canadian and Mexican borders and to erect buildings and other improvements thereon to provide better facilities for the enforcement of the customs and immigration laws. The act limits the amount which may be expended for each single project to \$3,000 and for each joint project to \$6,000.

Seven joint inspection stations have been constructed under this authority. The buildings erected have four-room living quarters for each of two families, one joint office room and an inspection portico, but are without necessary conveniences.

Since these stations are in isolated locations remote from public services, it is necessary to provide a well and water-supply system, means for disposal of sewage, a small electric-generating plant, as well as storage space for provisions and supplies. However, because of the statutory limitation referred to, the rise in wage rates due to recently enacted legislation which requires the stipulation in the contract of minimum wage rates, and the increased cost of building materials, it has been found impossible to undertake further erection of such projects even by eliminating the barest necessities.

In view of the facts, coupled with the obligation of providing these inspection stations, usually located in isolated places, with the facilities required for the health and comfort of the customs and immigration officers and their families who will occupy them, as well as for the traveling public, authority to expend a maximum of \$5,000 for each single project and \$10,000 for each joint project is considered highly desirable. A further change is suggested to make it clear that the limitation imposed by the proviso is intended to apply specifically to projects constructed under authority of the legislation under consideration.

It has also been found desirable and in the interest of the revenue to secure legislation which will authorize the Secretary of the Treasury to expend out of the funds appropriated for the general maintenance and operation of the Customs Service, the necessary amounts for erection of protective gates across highways and roads which cross the international boundaries and fences along the international border in the immediate vicinity of such highways and roads, for the purpose of preventing the illegal entry of merchandise and contraband and to aid generally in enforcing the customs laws.

Much difficulty has been experienced in recent years in combating illegal entry, and the erection of gates which will permit the closing of unguarded highways and of fences along certain especially troublesome sections of the border will aid materially in the prevention of smuggling.

I have the honor to request, therefore, that the accompanying draft of bill amending the act of June 26, 1930, be enacted into law.

A duplicate of this bill is being forwarded to the Speaker of the House of Representatives.

The Treasury Department has been advised by the Bureau of the Budget that this proposed legislation is in accord with the program of the President.

Very truly yours

HERBERT E. GASTON,
Acting Secretary of the Treasury.

