

105TH CONGRESS  
1ST SESSION

# H. R. 805

To amend title 10, United States Code, to authorize the Secretary of Defense to assign Department of Defense personnel to assist the Immigration and Naturalization Service and the United States Customs Service in the performance of their border protection functions.

---

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 1997

Mr. TRAFICANT (for himself and Mr. HUNTER) introduced the following bill;  
which was referred to the Committee on National Security

---

## A BILL

To amend title 10, United States Code, to authorize the Secretary of Defense to assign Department of Defense personnel to assist the Immigration and Naturalization Service and the United States Customs Service in the performance of their border protection functions.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. ASSIGNMENT OF DEPARTMENT OF DEFENSE**  
2 **PERSONNEL TO ASSIST IMMIGRATION AND**  
3 **NATURALIZATION SERVICE AND CUSTOMS**  
4 **SERVICE.**

5 (a) ASSIGNMENT AUTHORITY OF SECRETARY OF DE-  
6 FENSE.—Chapter 18 of title 10, United States Code, is  
7 amended by inserting after section 374 the following new  
8 section:

9 **“§ 374a. Assignment of personnel to assist border pa-**  
10 **trol and control**

11 “(a) ASSIGNMENT AUTHORIZED.—The Secretary of  
12 Defense may assign up to 10,000 Department of Defense  
13 personnel at any one time to assist—

14 “(1) the Immigration and Naturalization Serv-  
15 ice in preventing the entry of terrorists, drug traf-  
16 fickers, and illegal aliens into the United States; and

17 “(2) the United States Customs Service in the  
18 inspection of cargo, vehicles, and aircraft at points  
19 of entry into the United States.

20 “(b) REQUEST FOR ASSIGNMENT.—The assignment  
21 of Department of Defense personnel under subsection (a)  
22 may only occur—

23 “(1) at the request of the Attorney General, in  
24 the case of an assignment to the Immigration and  
25 Naturalization Service; and

1           “(2) at the request of the Secretary of the  
2       Treasury, in the case of an assignment to the Unit-  
3       ed States Customs Service.”.

4       “(c) REIMBURSEMENT REQUIREMENT.—Section 377  
5 of this title shall apply in the case of Department of De-  
6 fense personnel assigned under subsection (a).”.

7       (b) CLERICAL AMENDMENT.—The table of sections  
8 at the beginning of such chapter is amended by inserting  
9 after the item relating to section 374 the following new  
10 item:

“374a. Assignment of personnel to assist border patrol and control.”.

○