

103^D CONGRESS
1ST SESSION

H. R. 851

To amend the Immigration and Nationality Act to authorize the Immigration and Naturalization Service to accept volunteer services.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 1993

Mr. MOORHEAD introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to authorize the Immigration and Naturalization Service to accept volunteer services.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Immigration Service
5 Volunteer Assistance Act”.

6 **SEC. 2. AUTHORIZING USING OF VOLUNTEERS.**

7 (a) IN GENERAL.—Title I of the Immigration and
8 Nationality Act is amended by adding at the end the fol-
9 lowing new section:

1 “USE OF VOLUNTEERS

2 “SEC. 107. (a) Notwithstanding section 1342 of title
3 31, United States Code, the Commissioner may recruit,
4 train, and accept, without regard to the provisions of title
5 5, United States Code, the services of individuals without
6 compensation as volunteers for the Service. Such volun-
7 teers may be used to assist the Service, in a voluntary
8 support role—

9 “(1) in search and rescue missions and similar
10 humanitarian missions in border areas;

11 “(2) in a chaplain program (including counsel-
12 ing, officiating at funerals and weddings, and visit-
13 ing employees off-duty because of illness or injury);

14 “(3) in providing language interpreter services
15 (for languages other than Spanish);

16 “(4) in observing activities in border areas and
17 in reporting observations (such as movements of
18 large groups of people) to the Service; and

19 “(5) in such non-critical, non-operational sup-
20 port functions of the Service as the Attorney Gen-
21 eral determines could be adequately and appro-
22 priately performed by volunteers.

23 The Commissioner shall not use volunteers under this sec-
24 tion to displace personnel of the Service.

1 “(b) The Commissioner is authorized to provide for
2 incidental expenses, such as transportation, uniforms, and
3 subsistence, of such volunteers.

4 “(c)(1) Except as otherwise provided in this sub-
5 section, a volunteer shall not be deemed a Federal em-
6 ployee and shall not be subject to the provisions of law
7 relating to Federal employment, including those relative
8 to hours of work, rates of compensation, leave, unemploy-
9 ment compensation, and Federal employee benefits. Vol-
10 unteers are not authorized to arrest, detain, or interrogate
11 individuals.

12 “(2) For the purpose of the tort claim provisions of
13 title 28, United States Code, a volunteer under this section
14 shall be considered a Federal employee.

15 “(3) For purposes of subchapter I of chapter 81 of
16 title 5, United States Code, relating to compensation to
17 Federal employees for work injuries, volunteers under this
18 section shall be deemed employees of the United States
19 within the meaning of the term ‘employees’ as defined in
20 section 8101 of such title, and the provisions of that sub-
21 chapter shall apply.

22 “(d) There are authorized to be appropriated to carry
23 out this section \$100,000 for each fiscal year (beginning
24 with fiscal year 1994).”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 of such Act is amended by inserting after the item relating
3 to section 106 the following new item:

“Sec. 107. Use of volunteers.”.

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