

Washington, D.C. - In a Homeland Security Appropriations Subcommittee hearing chaired by Congressman David Price (D-NC) yesterday, the head of U.S. Customs and Border Protection (CBP) praised a provision in last year's Homeland Security funding law that designated U.S. Customs and Border Protection officers work at ports of entry as "law enforcement officers." Price, who is chairman of the Subcommittee, was responsible for including the provision in the law.

By designating these CBP officers as law enforcement officers, they will now be eligible for enhanced retirement benefits, which will help with recruiting and retaining personnel. Prior to enactment of the law, CBP officers working at ports of entry did not have access to benefits enjoyed by other federal law enforcement personnel, such as FBI agents, U.S. Border Patrol agents, and Immigration and Customs Enforcement agents.

"I cannot think of one thing in 35 years of law enforcement that has been more positive . . . than what you have done," said CBP Commissioner Ralph Basham. He added, "We believe over the years that our officers have been doing law enforcement work and this is the recognition they deserve."

The President's budget proposal for Fiscal Year 2009 proposes to reverse this gain by repealing and defunding the conversion to law enforcement officer status. Price criticized that proposal at yesterday's hearing and asserted that such a reversal of policy would not happen on his watch.

"When we visited ports of entry on the border last year, we heard about CBP's problems in recruiting and retaining officers, and we decided to do something about it," Price said of his decision to include the provision in the funding bill. "These officers are stationed at our ports of entry to protect our country and they have been serving as law enforcement officers for as long as they've been on duty. It's long past time to appropriately recognize them for their service, and the White House shouldn't try to block us from doing that."

Below is the language from the Consolidate Appropriations Act (Public Law 110-161) that explains the provision designating CBP officers as law enforcement officers.

Law Enforcement Officer Status for CBP Officers

The Committees on Appropriations include \$50,000,000, as proposed by the House, to fund the implementation of new section 535, which will convert CBP Officers to Law Enforcement Officer status, and fund the fiscal year 2008 costs of retirement and compensation adjustments required of CBP beginning July 1, 2008.

This change in status will aid in retention of experienced CBP Officers and recruitment of new Officers needed to help CBP meet its expanding inspection, enforcement, and regulatory workload. It will also align compensation and benefits of these Officers with the law enforcement character of their work. The Committees on Appropriations recognize such conversion will require additional agency funding in fiscal year 2009, and request the Department and OMB to include adequate resources for this purpose in the fiscal year 2009 budget submission.