

106TH CONGRESS
1ST SESSION

H. R. 1881

To modify the rate of basic pay and the classification of positions for certain United States Border Patrol agents, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 1999

Ms. JACKSON-LEE of Texas (for herself and Mr. REYES) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To modify the rate of basic pay and the classification of positions for certain United States Border Patrol agents, and for other purposes.

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 “Border Patrol Recruit-
5 ment and Retention Act of 1999”.

6 **SEC. 2. FINDINGS.**

7 Congress finds as follows:

1 (1) The United States, being a nation of immi-
2 grants and a nation operating under laws and agree-
3 ments that establish immigration procedures by
4 which all Border Patrol agents must abide, should
5 authorize a step pay increase for its United States
6 Border Patrol agents after 1 year of service, in an
7 effort to better recruit and retain urgently needed
8 agents to safely guard the Nation's borders.

9 (2) The United States Border Patrol performs
10 critical work, and its agents are assigned duties that
11 involve considerable risks and require unique talents
12 to protect the integrity of the borders of the United
13 States.

14 (3) The Immigration and Naturalization Serv-
15 ice, which is authorized to add a total of 5,000 addi-
16 tional border agents, at a rate of 1,000 per fiscal
17 year from fiscal year 1997 to fiscal year 2001, did
18 not request any additional agents in its proposed
19 budget for fiscal year 2000, despite being in dire
20 need of increasing its border patrol.

21 (4) Due to poor recruitment and retention of
22 United States Border Patrol agents, 7 classes at the
23 Academy have already been canceled and less than
24 400 agents are currently in training. At this rate,
25 training of agents would still fail to meet the fiscal

1 year 1999 and fiscal year 2000 budget requests re-
2 lating to the addition of Border Patrol agents.

3 (5) There is a real need to increase the border
4 patrol along the Southwest border, in States such as
5 Texas, Arizona, California, and New Mexico. Such
6 an increase is necessary and proper.

7 **SEC. 3. BORDER PATROL AGENT PAY AND CLASSIFICATION.**

8 (a) IN GENERAL.—Any Border Patrol agent classi-
9 fied as a GS–1896 position who completes a 1-year period
10 of service at a GS–9 grade and whose current rating of
11 record is fully successful or higher shall be classified at
12 a GS–11 grade and receive pay at the minimum rate of
13 basic pay for a GS–11 position.

14 (b) NONREDUCTION.—Subsection (a) shall not be
15 construed to—

16 (1) limit or reduce the rate of pay of any Bor-
17 der Patrol agent; or

18 (2) reclassify a Border Patrol agent at a lower
19 classification of position.

20 (c) EFFECTIVE DATE.—This section shall take effect
21 on the first day of the first applicable pay period beginning
22 on or after the later of—

23 (1) October 1, 1999; or

24 (2) 120 days after the date of the enactment of
25 this Act.

1 **SEC. 4. OFFICE OF BORDER PATROL RECRUITMENT AND**
2 **RETENTION.**

3 (a) **ESTABLISHMENT.**—Not later than 90 days after
4 the date of enactment of this Act, the Commissioner of
5 the Immigration and Naturalization Service shall establish
6 an Office of Border Patrol Recruitment and Retention
7 within the Immigration and Naturalization Service.

8 (b) **FUNCTIONS.**—The Office of Border Patrol Re-
9 cruitment and Retention shall—

10 (1) develop outreach programs to identify and
11 recruit prospective Border Patrol agents;

12 (2) develop programs to retain Border Patrol
13 agents; and

14 (3) submit recommendations to the Commis-
15 sioner of the Immigration and Naturalization Serv-
16 ice relating to pay and benefits of Border Patrol
17 agents.

18 (c) **REPORT TO CONGRESS.**—Not later than 150 days
19 after the date of enactment of this Act, the Commissioner
20 of the Immigration and Naturalization Service shall sub-
21 mit a report to the Congress on the establishment and
22 activities of the Office of Border Patrol Recruitment and
23 Retention.

1 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated \$50,000,000
3 for fiscal year 2000 and such sums as may be necessary
4 for each fiscal year thereafter to carry out this Act.

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