



**One Hundred Tenth Congress**  
**U.S. House of Representatives**  
**Committee on Homeland Security**  
**Washington, DC 20515**

January 18, 2008

The Honorable Michael Chertoff  
Secretary  
U.S. Department of Homeland Security  
Washington, D.C. 20528

The Honorable Linda M. Springer  
Director  
U.S. Office of Personnel Management  
Theodore Roosevelt Building 5A09  
1900 E St. NW Room  
Washington, D.C. 20415

Dear Secretary Chertoff and Director Springer:

For too long, Customs and Border Protection (CBP) Officers have performed law enforcement duties without the recognition or benefits that go along with the designation of law enforcement officer (LEO) status. To remedy the situation, the Committee on Homeland Security, on a bipartisan basis, included provisions in both the 2007 and 2008 Department of Homeland Security authorization bills granting LEO retirement status to CBP Officers.

As you know, Section 535 of the Consolidated Appropriations Act of 2008 (Public Law 110-161) followed my Committee's lead and amended the civil service retirement system to provide LEO status CBP Officers. This long overdue provision enjoyed broad bipartisan support, and ensured that the dedicated law enforcement officers who quite literally stand at our nation's front door are not treated as second class members of the law enforcement community.

Because these provisions become effective in just a few short months, it is important that the Department of Homeland Security (DHS) and the Office of Personnel Management (OPM) be proactive to ensure a seamless transition. Therefore, pursuant to Rule X(3)(g) and Rule XI of the Rules of the House of Representatives, please respond in writing to the following questions no later than January 26, 2008.

1. What steps has DHS taken to meet the early July 2008 deadline for full implementation of this provision? Has DHS assembled the necessary information to meet the statutory deadline? If not, why not?
2. What is OPM's plan to meet the statutory requirement that it notify eligible CBP Officers by January 26, 2008 of this new retirement benefit to ensure that they can make a timely and informed decision about their participation?
3. To what extent will the notification from OPM of the new benefit include technical guidance, benefit calculations and a description of CBP Officers' rights under the law?
4. To date, have there been any formal or informal efforts to coordinate efforts between DHS and OPM to implement the provision? If not, why not?
5. Have you determined whether new regulations will be necessary to implement the provision? If so, what is the schedule for issuing these regulations so the early July 2008 implementation deadline is fully met?

Additionally, the report language accompanying P.L. 110-161, directs DHS and OPM to provide adequate funding for this benefit in the President's Fiscal Year 2009 budget request. When Congress receives the President's budget plan in a few short weeks, I look forward to seeing a request that is in compliance with this requirement and will assure full implementation of this benefit.

Sincerely,



Bennie G. Thompson  
Chairman

cc: Ranking Member Peter King (R-NY), House Committee on Homeland Security  
Chairman David Price (D-NC), House Appropriations Subcommittee on  
Homeland Security  
Ranking Member Harold Rogers (R-KY), House Appropriations Subcommittee  
on Homeland Security  
The Honorable Jim Nussle, Director, Office of Management and Budget

BGT/hec