

Border Patrol Agents Singled-Out Again for Huge Reductions in Pay

Wednesday, 20 February 2013

On February 19, 2013, the National Border Patrol Council (NBPC) received official notice from Customs and Border Protection (Agency) regarding the Agency's proposed sequestration plan. The Agency intends to implement these plans if Congress does not do what is necessary to avoid sequestration. Included with this message is a copy of the notice that details the proposed cuts for the Office of Border Patrol (OBP), Office of Field Operations (OFO) and Office of Air and Marine (OAM). Some of the cuts outlined in the notice include: decertification of administratively uncontrollable overtime (AUO), furloughs, a reduction of travel expenses, and assigning two agents to a vehicle.

While it is great to finally receive a notice from the Agency that actually contains some information, the NBPC would like to address a false statement that appears in the beginning of the notice. The statement leads one to believe that the NBPC failed to respond to the invitation to engage in discussions regarding fiscal uncertainty. This statement is a blatant lie, and NBPC representatives are in possession of email correspondence that proves it. Fortunately, when confronted about their lie, the Agency agreed to retract this erroneous statement.

From the onset of the possibility of sequestration, the NBPC actively and consistently attempted to elicit information from the Agency in order to properly inform and educate our members. In fact, as of 3:00 p.m. on February 19, 2013, the Agency was still unable or intentionally refused to release any information to the NBPC about the Agency's plan for sequestration.

On February 20, 2013, NBPC executive committee members met with Agency officials and received the fiscal uncertainty briefing. The Agency highlighted the plan but acknowledged how it may change and is subject to Secretary Napolitano's approval. As is illustrated below, the discrepancy in pay cuts is shocking and offensive:

1. The Agency budget for Salary and Expenses is \$8,169,959,000. The Agency needs to cut \$558,257,000 from this figure. Of this amount, approximately \$5,915,000,000 is actual salary and related benefits that are paid to all Agency employees (72.4% of the total Salary and Expenses budget.)

2. The Agency's proposed overtime cuts in each component are:

- a. OAM: 2 million
- b. OFO: 35 million
- c. OBP: 248 million

3. Administrative furloughs will be mandatory for all Agency employees. Administrative furlough days will be up to fourteen (14)

non-consecutive workdays throughout FY 2013.

4. There are several other categories where cuts will be made, some of those are:

- a. Buildings and maintenance
- b. Fleet management
- c. Travel
- d. Relocation

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thing that should leap off of the page is the enormous disparity of overtime cuts between the three components. The manpower figures for OAM are unknown, fairly inconsequential to this argument, and therefore will not be addressed. OFO and OBP have almost the same number of employees, with OFO having a few hundred more. The Agency is mandated by law to cut 6.4% from the aggregate Salaries and Expenses budget, from which the Border Patrol appears to be picking up the lion's share of the tab (87% of the proposed cuts).

Naturally the NBPC inquired

about the disparity and nobody can or will tell us the real reason.

However, Bianca Warner, the Executive Director of Mission Support, was nice enough to point out how she believes Border Patrol agents are simply overpaid and confirmed how the Agency has been targeting AUO to pay Agency bills for several years, regardless of sequestration. This is rather unsettling considering Bianca Warner's salary for 2011 was \$170,512.00.

The Agency has consistently attacked Border Patrol

agents for several years with pay reform proposals that have singled-out Border Patrol agents for huge pay reductions. The intended purpose of the proposals is to redistribute Border Patrol agent salaries to fund OFO management salaries. The complete disdain for Border Patrol agents needs to be addressed by the Agency and not encouraged as it has been in the past.

For now, the drastic, proposed cuts are only necessary

if Congress does not act. In circumstances like this, the NBPC may negotiate the impact and implementation of select topics that are related to conditions of employment. In other words, not every topic is considered negotiable. The NBPC cannot just say that we do not agree with implementing furloughs, decertifying AUO, reducing the vehicle fleet, rationing gas, reducing training, or assigning two agents to vehicles. Instead, the NBPC can only try to mitigate the way these measures are implemented through impact and implementation bargaining and hopefully ensure they are implemented in a fair manner.

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NBPC met with AFGE to request assistance on pressuring the Agency to reconsider the decision to take such drastic and lopsided cuts from the Border Patrol, which in turn makes the border less secure. We are in the process of drawing up a form letter for members to use to communicate with Congressional representatives. We will need all agents to utilize this letter to contact their elected officials. Please keep an eye on the NBPC website for further updates, when available.

For additional information regarding sequestration and administrative furloughs, please visit the following sites:

AFGE

OPM

Download an official copy of the Agency's notice to the NBPC

Download an official copy of the Agency's notice to the National Treasury Employees Union

Download an official copy of this notice

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