

114TH CONGRESS
1ST SESSION

S. 2367

To provide for hardship duty pay for border patrol agents and customs and border protection officers assigned to highly-trafficked rural areas.

IN THE SENATE OF THE UNITED STATES

DECEMBER 8, 2015

Mr. MCCAIN introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To provide for hardship duty pay for border patrol agents and customs and border protection officers assigned to highly-trafficked rural areas.

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. HARDSHIP DUTY PAY FOR BORDER PATROL**
4 **AGENTS AND CUSTOMS AND BORDER PRO-**
5 **TECTION OFFICERS.**

6 (a) IN GENERAL.—Subchapter V of chapter 55 of
7 title 5, United States Code, is amended by adding at the
8 end the following:

1 **“§ 5550c. Hardship duty pay for border patrol agents**
 2 **and customs and border protection offi-**
 3 **cers**

4 “(a) DEFINITIONS.—In this section—

5 “(1) the term ‘border patrol agent’ has the
 6 meaning given that term in section 5550;

7 “(2) the term ‘customs and border protection
 8 officer’ means—

9 “(A) a customs and border protection offi-
 10 cer, as defined in section 8331; and

11 “(B) a customs and border protection offi-
 12 cer, as defined in section 8401; and

13 “(3) the term ‘highly-trafficked rural area’
 14 means any rural area through which illicit narcotics
 15 and undocumented aliens are routinely smuggled, as
 16 designated by the Commissioner of U.S. Customs
 17 and Border Protection.

18 “(b) HARDSHIP PAY.—In addition to any other com-
 19 pensation to which a border patrol agent or customs and
 20 border protection officer is otherwise entitled, a border pa-
 21 trol agent or customs and border protection officer who
 22 is assigned to highly-trafficked rural areas shall be entitled
 23 to receive hardship duty pay.

24 “(c) ESTABLISHMENT OF RATE.—The Commissioner
 25 of U.S. Customs and Border Protection shall establish the
 26 rate of hardship duty pay for purposes of subsection (b),

1 which may not exceed the rate of special pay to which
 2 members of a uniformed service are entitled under section
 3 310 of title 37.”.

4 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

5 (1) Section 5550(c)(2) of title 5, United States
 6 Code, is amended by striking “or section 5542(g)”
 7 and inserting “, section 5542(g), or section 5550c”.

8 (2) The table of sections for subchapter V of
 9 chapter 55 of title 5, United States Code, is amend-
 10 ed by adding at the end the following:

“5550c. Hardship duty pay for border patrol agents and customs and border
 protection officers.”.

