



# NATIONAL FRATERNAL ORDER OF POLICE

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11 April 2023

The Honorable Gary C. Peters  
United States Senate  
Washington, D.C. 20510

The Honorable Joshua D. Hawley  
United States Senate  
Washington, D.C. 20510

Dear Senators Peters and Hawley,

I am writing on behalf of the members of the Fraternal Order of Police to advise you of our support for S. 311, the "U.S. Customs and Border Protection Officer Retirement Corrections Act."

In 2008, U.S. Customs and Border Protection implemented a law passed by Congress allowing Customs and Border Patrol (CBP) officers to qualify for enhanced retirement benefits to make up for the actuality that they are required to retire at 57 if they have 20 years of service and make substantial retirement contributions. This law also created a system in which those hired before July 6, 2008, could still receive their benefits and the enhanced retirement annuity rate, even though they would not have surpassed twenty years of service before their obligatory retirement date.

However, the agency incorrectly informed officers that were offered jobs before that date but did not start until after that they would also be eligible for these enhanced benefits. In 2020, the agency realized its mistake and reversed its promised benefits, even after these officers have been paying larger retirement contributions for more than a decade.

Your legislation would correct this technicality and require CBP to recognize the officers impacted by the mistake and award them the retirement benefits they paid for and were guaranteed. It also would adjust the annuities of eligible people who retired prior to the bill's enactment and would give the U.S. Department of Homeland Security the authority to waive the requirement that the impacted officers must work for 20 years to gain access to the higher annuity payments.

On behalf of the more than 364,000 members of the Fraternal Order of Police, I thank you both for your leadership on this issue. If I can be of any further assistance, please do not hesitate to contact me or Executive Director Jim Pasco in our Washington D.C. office.

Sincerely,

Patrick Yoes  
National President