



National Border Patrol Council

**Testimony of Brandon Judd
On Behalf of the National Border Patrol Council
For the Committee on Homeland Security and Government Affairs
United States Senate
June 9th, 2014**

Dear Senator Carper and Ranking Member Coburn, members of the Committee, on behalf of the 16,500 rank and file Border Patrol Agents whom I represent, I would like to thank you for having this hearing on S. 1691. In particular, I would like to thank Senators Tester and McCain for introducing this important legislation.

My name is Brandon Judd and I am the President of the National Border Patrol Council. I have been a Border Patrol Agent for nearly 17 years, 15 of which were spent on the Southwest Border in the El Centro, California and Tucson, Arizona Sectors. I am currently assigned to the Van Buren Station in the Houlton, Maine Border Patrol Sector.

The process that brought us to this hearing today started last February with a meeting at the Office of Management and Budget. The Administration and the Council both recognized that the overtime system that governed Border Patrol pay and overtime was hopelessly broken and coming under legal and budgetary scrutiny.

This system, commonly referred to as AUO, was first instituted in the 1970s when there were fewer than 4,000 Border Patrol Agents covering over 6,000 miles of border nationwide. There were no interoperable communication systems, drones, helicopters, night vision technology or even fencing in most areas and in many areas we did not actively patrol 7 days a week 24 hours a day. Today, in contrast, the Border Patrol has over 21,000 agents and securing our border is 24-hour-a-day operation. Unfortunately, the AUO system has remained unchanged and is currently older than most of the Agents it is paying.

Candidly, AUO is a legacy of a bygone era. What worked forty years ago does not work for today's operational needs and threats. Gone are the mom and pop smuggling organizations that were in place when I joined the Border Patrol. They have been replaced by multi-national cartels that smuggle both drugs and illegal aliens into our country. These cartels are well-organized, heavily armed, and pathologically violent. They also have extensive intelligence and surveillance networks and with each tunnel coming into the United States that is discovered, the American public is made aware of just how well-funded and organized these cartels have become. They have learned to exploit the holes in our system in order to shift the cartels' resources to "problem" areas.

Senate bill 1691 creates a uniformed approach by securing the hours necessary to control the border at all entry points. The more manpower we have, the better equipped we will be to handle criminal cartels, aliens, and anyone who wants to do this nation harm. This bill provides the equivalent of 20 percent more manpower, or 5,000 trained agents on the border. In short, this legislation gives us the capacity we need to do our job.

Finally, I would like to address the cost savings. On average, Agents will see a \$6,200 pay reduction per year over what they have traditionally earned under AUO. CBP estimates that the annual costs saving should be in the \$80 million range. We are probably the first labor organization to come before this Committee asking for a pay cut. My Agents are asking you to do this because ensuring proper manpower, stability, and safety, are worth the trade.

Over the last 18 months we have worked diligently with the Administration, the Committee and many dedicated members of your staff. I want to thank everyone who participated in this process for their time, attention, and talent. I do, however, want to urge the Committee to move this measure through markup as quickly as possible. As you are all acutely aware, the number of legislative days left is quickly dwindling. With each passing day this bill is not enacted, we risk border security by not providing agents with the manpower they need to do their job. We owe it to them and to the American public.

Thank you for your consideration. I look forward to your questions.