

*Jeff Flake*  
S.L.C.

3:48 pm  
6-15-15  
BW

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To actively recruit members of the Armed Forces who are separating from military service to serve as Customs and Border Protection Officers.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

**H. R. 1735**

To	<b>AMENDMENT N<sup>o</sup> 2034</b>	military military Depart- rsonnel rposes.
	By <u>Flake</u>	
	To: <u>Amdt. No. 1463</u>	
R	<u>7</u>	and
	<b>Page(s)</b>	
	<small>GPO: 2014 91-623 (mac)</small>	

AMENDMENT intended to be proposed by Mr. FLAKE (for himself, Mr. JOHNSON, Mr. MCCAIN, and Mr. SCHUMER) to the amendment (No. 1463) proposed by Mr. MCCAIN

Viz:

1 At the appropriate place, insert the following:

2 **SEC. \_\_\_\_ . RECRUITING SEPARATING SERVICE MEMBERS**

3 **AS CUSTOMS AND BORDER PROTECTION OF-**

4 **FICERS.**

5 (a) FINDINGS.—Congress finds that—

6 (1) Customs and Border Protection Officers at

7 United States ports of entry carry out critical law

8 enforcement duties associated with screening foreign

1 visitors, returning United States citizens, and im-  
2 ported cargo entering the United States;

3 (2) it is in the national interest for United  
4 States ports of entry to be adequately staffed with  
5 Customs and Border Protection Officers in a timely  
6 fashion, including meeting the congressionally man-  
7 dated staffing level of 23,775 officers for fiscal year  
8 2015;

9 (3) an estimated 250,000 to 300,000 members  
10 of the Armed Forces separate from military service  
11 every year; and

12 (4) recruiting efforts and expedited hiring pro-  
13 cedures should be undertaken to ensure that individ-  
14 uals separating from military service are aware of,  
15 and partake in, opportunities to fill vacant Customs  
16 and Border Protection Officer positions.

17 (b) EXPEDITED HIRING OF APPROPRIATE SEPA-  
18 RATING SERVICE MEMBERS.—

19 (1) IDENTIFICATION OF TRANSFERABLE QUALI-  
20 FICATIONS.—Not later than 60 days after the date  
21 of the enactment of this Act, the Secretary of Home-  
22 land Security, in conjunction with the Secretary of  
23 Defense, shall jointly identify Military Occupational  
24 Safety Codes, Air Force Specialty Codes, and Naval  
25 Enlisted Classifications and Officer Designators and

1 Coast Guard Competencies that are transferable to  
2 the requirements, qualifications, and duties assigned  
3 to Customs and Border Protection Officers.

4 (2) HIRING.—The Secretary of Homeland Security  
5 shall consider hiring qualified candidates with  
6 the Military Occupational Safety Codes, Air Force  
7 Specialty Codes, and Naval Enlisted Classifications  
8 and Officer Designators identified as transferable  
9 under paragraph (1) who are eligible for veterans re-  
10 cruitment appointment authorized under section  
11 4214 of title 38, United States Code.

12 (c) ESTABLISHING A PROGRAM FOR RECRUITING  
13 SERVICE MEMBERS SEPARATING FROM MILITARY SERV-  
14 ICE FOR CUSTOMS AND BORDER PROTECTION OFFICER  
15 VACANCIES.—

16 (1) IN GENERAL.—Not later than 180 days  
17 after the date of the enactment of this Act, the Sec-  
18 retary of Homeland Security, in conjunction with the  
19 Secretary of Defense, shall establish a program to  
20 actively recruit members of the Armed Forces who  
21 are separating from military service to serve as Cust-  
22 oms and Border Protection Officers.

23 (2) ELEMENTS.—The program established  
24 under paragraph (1) shall—

1 (A) include Customs and Border Protec-  
2 tion Officer opportunities in relevant job assist-  
3 ance efforts under the Transition Assistance  
4 Program;

5 (B) place U.S. Customs and Border Pro-  
6 tection officials or other relevant Department of  
7 Homeland Security officials at recruiting events  
8 and jobs fairs involving members of the Armed  
9 Forces who are separating from military serv-  
10 ice;

11 (C) provide opportunities for local U.S.  
12 Customs and Border Protection field offices to  
13 partner with military bases in the region;

14 (D) conduct outreach efforts to educate  
15 members of the Armed Forces with Military Oc-  
16 cupational Safety Codes, Air Force Specialty  
17 Codes, and Naval Enlisted Classifications and  
18 Officer Designators that are transferable to the  
19 requirements, qualifications, and duties as-  
20 signed to Customs and Border Protection Offi-  
21 cers;

22 (E) require the Secretary of Defense and  
23 the Secretary of Homeland Security to work co-  
24 operatively to identify shared activities and op-  
25 portunities for reciprocity related to steps in

1 hiring U.S. Customs and Border Patrol officers  
2 with the goal of minimizing the time required to  
3 hire qualified applicants;

4 (F) require the Secretary of Defense and  
5 the Secretary of Homeland Security to work co-  
6 operatively to ensure the streamlined inter-  
7 agency transfer of relevant background inves-  
8 tigations and security clearances; and

9 (G) include such other elements as may be  
10 necessary to ensure that members of the Armed  
11 Forces who are separating from military service  
12 are aware of opportunities to fill vacant Cus-  
13 toms and Border Protection Officer positions.

14 (d) REPORT TO CONGRESS.—

15 (1) IN GENERAL.—Not later than 90 days after  
16 the date of the enactment of this Act, and December  
17 31 of each year thereafter, the Secretary of Home-  
18 land Security and the Secretary of Defense shall  
19 jointly submit a report to the appropriate congres-  
20 sional committees that includes a description and as-  
21 sessment of the program established under sub-  
22 section (e).

23 (2) CONTENT.—The report required under  
24 paragraph (1) shall include—

- 1 (A) a detailed description of the program  
2 established under subsection (c), including—
- 3 (i) programmatic elements;
- 4 (ii) goals associated with those ele-  
5 ments; and
- 6 (iii) a description of how the elements  
7 and goals will assist in meeting statutorily  
8 mandated staffing levels and agency hiring  
9 benchmarks;
- 10 (B) a detailed description of the program  
11 elements that have been implemented under  
12 subsection (c);
- 13 (C) a detailed summary of the actions  
14 taken under subsection (c) to implement such  
15 program elements;
- 16 (D) the number of separating service mem-  
17 bers made aware of Customs and Border Pro-  
18 tection Officer vacancies;
- 19 (E) the Military Occupational Safety  
20 Codes, Air Force Specialty Codes, and Naval  
21 Enlisted Classifications and Officer Designators  
22 identified as transferable under subsection  
23 (b)(1) and a rationale for such identifications;

1           (F) the number of Customs and Border  
2 Protection Officer vacancies filled with sepa-  
3 rating service members;

4           (G) the number of Customs and Border  
5 Protection Officer vacancies filled with sepa-  
6 rating service members under Veterans' Re-  
7 cruitment Appointment authorized under the  
8 Veterans Employment Opportunity Act of 1998  
9 (Public Law 105-339); and

10           (H) the results of any evaluations or con-  
11 siderations of additional elements included or  
12 not included in the program established under  
13 subsection (c).

14       (e) RULES OF CONSTRUCTION.—Nothing in this sec-  
15 tion may be construed—

16           (1) as superseding, altering, or amending exist-  
17 ing Federal veterans' hiring preferences or Federal  
18 hiring authorities; or

19           (2) to authorize the appropriation of additional  
20 amounts to carry out this section.