

At a Glance

S. 1444, Border Patrol Enhancement Act

As ordered reported by the Senate Committee on Homeland Security and Governmental Affairs on July 19, 2023

By Fiscal Year, Millions of Dollars	2024	2024-2028	2024-2033
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0

Spending Subject to Appropriation (Outlays)	76	1,165	not estimated
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Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Statutory pay-as-you-go procedures apply?	No
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

The bill would

- Increase overtime pay for border patrol agents at the GS-12 level
- Require Customs and Border Protection (CBP) to develop a staffing model for border patrol agents and contract with an independent, external organization to evaluate the model
- Authorize CBP to hire up to 600 border patrol agents each year until its staffing level meets the model’s recommendation
- Impose various reporting requirements on CBP and the Government Accountability Office

Estimated budgetary effects would mainly stem from

- Additional compensation for border patrol agents
- Administrative and personnel costs associated with hiring additional border patrol agents

Detailed estimate begins on the next page.



Bill Summary

S. 1444 would require Customs and Border Protection (CBP) to develop a model to determine the number of border patrol agents the agency needs. Under the bill, an independent research organization would be required to evaluate the model and submit any recommendations for improvement to the Congress and CBP. S. 1444 would authorize CBP to hire 600 additional agents each year until the number of active agents meets the level determined by the model. S. 1444 also would increase the rate of pay for pre-scheduled overtime for border patrol agents at the GS-12 level. Lastly, the bill would impose various reporting requirements on CBP and the Government Accountability Office (GAO).

Estimated Federal Cost

The estimated budgetary effect of S. 1444 is shown in Table 1. The costs of the legislation fall within budget function 750 (administration of justice).

Table 1.
Estimated Increases in Spending Subject to Appropriation Under S. 1444

	By Fiscal Year, Millions of Dollars					2024-2028
	2024	2025	2026	2027	2028	
Border Patrol Hiring						
Estimated Authorization	1	26	123	278	425	853
Estimated Outlays	1	21	101	237	380	740
Border Patrol Overtime						
Estimated Authorization	82	86	86	88	90	432
Estimated Outlays	74	85	86	88	90	423
Reports						
Estimated Authorization	1	1	0	0	0	2
Estimated Outlays	1	1	0	0	0	2
Total Changes						
Estimated Authorization	84	113	209	366	515	1,287
Estimated Outlays	76	107	187	325	470	1,165

Basis of Estimate

CBO assumes that the bill will be enacted by the end of 2023 and that the estimated amounts will be available each year. This estimate incorporates information from CBP but is based on CBO's projections of staffing levels for border patrol agents.

In total, CBO estimates that implementing S. 1444 would cost \$1.2 billion over the 2024-2028 period. Such spending would be subject to the availability of appropriated funds.



Border Patrol Hiring

S. 1444 would require CBP to develop a border patrol agent staffing model and submit it to an independent research organization for evaluation. The bill would authorize CBP to hire an additional 600 agents each year above attrition until agent staffing levels meet the level recommended by the model. According to CBP, the agency is already developing such a model. CBO expects that the agency would need an additional \$2 million over the 2024-2028 period to have an outside contractor evaluate the model.

Based on estimated attrition and the time needed to hire and train each agent, CBO expects that CBP could, on net, hire an additional 1,600 agents over the 2024-2028 period, but meeting the agency's staffing needs would take more than five years to accomplish. CBO estimates that in 2023 the annual cost for each agent is about \$240,000, including compensation, equipment, and processing. Additionally, CBO estimates that training costs about \$40,000 for each new agent. Finally, we estimate that CBP would incur \$10 million in costs for administrative, recruitment, and retention activities. On that basis, and accounting for anticipated inflation, CBO estimates that implementing this provision would cost \$740 million over the 2024-2028 period.

Increasing Border Patrol Overtime Pay

Under current law, border patrol agents may choose from three options for overtime each biweekly pay period in advance of each year:

- 20 hours of overtime work with a supplemental increase in pay of 25 percent over base salary,
- 10 hours of overtime work with a supplemental increase in pay of 12.5 percent over base salary, or
- no overtime work.

S. 1444 would increase overtime supplemental pay to 50 percent over base salary for border patrol agents at the GS-12 level for all overtime hours.

Using information from CBP, CBO estimates that about 65 percent of CBP's 19,000 border patrol agents are at the GS-12 level and will earn an average hourly base wage of \$51.01 in 2024. In addition, CBO expects that about 95 percent of agents would choose to work 20 hours of overtime in each pay period and 2 percent of agents would choose to work 10 hours if the bill were enacted. Therefore, agents who work 20 and 10 hours of overtime would make an additional \$6,375 and \$4,783 in 2024, respectively. Using information about expected agent staffing levels and accounting for anticipated inflation, CBO estimates that implementing this provision would cost \$423 million over the 2024-2028 period.

**Reporting Requirements**

S. 1444 would require various reports from CBP and GAO. Based on the costs of similar activities, CBO estimates that implementing those requirements would cost \$2 million over the 2024-2028 period.

Pay-As-You-Go Considerations

Enacting the bill would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

Increase in Long-Term Net Direct Spending and Deficits

CBO estimates that enacting S. 1444 would not increase net direct spending or deficits in any of the four consecutive 10-year periods beginning in 2034.

Mandates

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

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