

Calendar No. 253

119TH CONGRESS
1ST SESSION**S. 727**

To correct the inequitable denial of enhanced retirement and annuity benefits
to certain U.S. Customs and Border Protection Officers.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 25, 2025

Mr. PETERS (for himself, Mr. HAWLEY, and Mr. KING) introduced the fol-
lowing bill; which was read twice and referred to the Committee on
Homeland Security and Governmental Affairs

NOVEMBER 3, 2025

Reported by Mr. PAUL, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To correct the inequitable denial of enhanced retirement and
annuity benefits to certain U.S. Customs and Border
Protection Officers.

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. SHORT TITLE.**

4 This Act may be cited as the “U.S. Customs and Bor-
5 der Protection Officer Retirement Technical Corrections
6 Act”.

1 **SEC. 2. ADJUSTMENT RELATED TO TRANSITION RULES.**

2 (a) **DEFINED TERM.**—In this section the term “Eligi-
3 ble Individual” means any individual who—

4 (1) received a tentative offer of employment as
5 a U.S. Customs and Border Protection Officer be-
6 fore July 6, 2008; and

7 (2) entered into duty as a U.S. Customs and
8 Border Protection officer on or after July 6, 2008,
9 as a result of an offer described in paragraph (1).

10 (b) **TREATMENT OF ELIGIBLE INDIVIDUALS.**—Eligi-
11 ble Individuals—

12 (1) are considered to be individuals serving as
13 U.S. Customs and Border Protection Officers on
14 July 6, 2008, for purposes of section 535(e) of the
15 Department of Homeland Security Appropriations
16 Act, 2008 (division E of Public Law 110–161; 121
17 Stat. 1844); and

18 (2) are entitled to—

19 (A) the minimum annuity amount required
20 under section 535(e)(2)(C) of such Act; and

21 (B) an exemption from mandatory retire-
22 ment otherwise required under section
23 8425(b)(1) of title 5, United States Code.

24 (c) **IMPLEMENTATION.**—

(1) SUBMISSION OF INFORMATION.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall—

(A) create a list of all Eligible Individuals;

(B) notify each Eligible Individual of the annuity correction described in subsection (b); and

(C) provide the Director of the Office of Personnel Management with all of the information that is necessary for making annuity corrections with respect to Eligible Individuals.

(2) COMPLETION OF ANNUITY CORRECTION.—

After receiving the information described in paragraph (1)(C), the Director of the Office of Personnel Management shall make the annuity correction described in subsection (b) with respect to each Eligible Individual, including a retroactive annuity adjustment for Eligible Individuals who retired before the date of the enactment of this Act.

(d) WAIVERS AND GUIDANCE.—

(1) WAIVERS.—The Secretary of Homeland Security may retroactively waive the maximum entry age requirement under 3307(g) of title 5, United States Code, to the extent necessary, to ensure that each Eligible Individual is eligible for immediate re-

1 tirement with the annuity correction described in
2 subsection (b).

3 ~~(2) GUIDANCE.~~—The Director of the Office of
4 Personnel Management, in consultation with the
5 Secretary of Homeland Security, shall issue appro-
6 priate guidance to assist in the implementation of
7 the annuity correction described in subsection (b).

8 ~~(c) GOVERNMENT ACCOUNTABILITY OFFICE.~~—The
9 Comptroller General of the United States—

10 ~~(1)~~ shall review U.S. Customs and Border Pro-
11 tection (referred to in this subsection as “CBP”)
12 hiring practices, policies, and procedures related to
13 eligibility for enhanced retirement benefits referred
14 to in this section by assessing—

15 ~~(A)~~ the process for determining whether an
16 employee qualifies for such benefits, including
17 considering any potential factors that would
18 make an employee ineligible for such enhanced
19 retirement benefits;

20 ~~(B)~~ the internal controls used by CBP to
21 ensure that all eligible employees, and only eli-
22 gible employees, receive such enhanced retire-
23 ment benefits;

24 ~~(C)~~ the policies regarding the use of em-
25 ployees’ personnel files to ensure compliance

1 with current laws governing retirement benefits;
 2 and

3 ~~(D)~~ the adequacy of the training provided
 4 to CBP senior executives regarding human re-
 5 sources and hiring practices at CBP; and

6 ~~(2)~~ not later than 18 months after the date of
 7 the enactment of this Act, shall submit a report to
 8 the Committee on Homeland Security and Govern-
 9 mental Affairs of the Senate and the Committee on
 10 Homeland Security of the House of Representatives
 11 that describes the results of the review conducted
 12 pursuant to paragraph ~~(1)~~.

13 **SECTION 1. SHORT TITLE.**

14 *This Act may be cited as the “U.S. Customs and Bor-*
 15 *der Protection Officer Retirement Technical Corrections*
 16 *Act”.*

17 **SEC. 2. ADJUSTMENT RELATED TO TRANSITION RULES.**

18 *(a) DEFINED TERM.—In this section the term “Eligi-*
 19 *ble Individual” means any individual who—*

20 *(1) received a tentative offer of employment as a*
 21 *U.S. Customs and Border Protection Officer before*
 22 *July 6, 2008; and*

23 *(2) entered into duty as a U.S. Customs and*
 24 *Border Protection officer on or after July 6, 2008, as*
 25 *a result of an offer described in paragraph (1).*

1 (b) *TREATMENT OF ELIGIBLE INDIVIDUALS.—Eligible*
 2 *Individuals—*

3 (1) *are considered to be individuals serving as*
 4 *U.S. Customs and Border Protection Officers on July*
 5 *6, 2008, for purposes of section 535(e) of the Depart-*
 6 *ment of Homeland Security Appropriations Act, 2008*
 7 *(division E of Public Law 110–161; 121 Stat. 1844);*
 8 *and*

9 (2) *are entitled to—*

10 (A) *the minimum annuity amount required*
 11 *under section 535(e)(2)(C) of such Act; and*

12 (B) *an exemption from mandatory retire-*
 13 *ment otherwise required under section 8425(b)(1)*
 14 *of title 5, United States Code.*

15 (c) *IMPLEMENTATION.—*

16 (1) *SUBMISSION OF INFORMATION.—Not later*
 17 *than 120 days after the date of the enactment of this*
 18 *Act, the Secretary of Homeland Security shall—*

19 (A) *create a list of all Eligible Individuals;*

20 (B) *notify each Eligible Individual of the*
 21 *annuity correction described in subsection (b);*
 22 *and*

23 (C) *provide the Director of the Office of Per-*
 24 *sonnel Management with all of the information*

1 *that is necessary for making annuity corrections*
 2 *with respect to Eligible Individuals.*

3 (2) *COMPLETION OF ANNUITY CORRECTION.—*

4 *After receiving the information described in para-*
 5 *graph (1)(C), the Director of the Office of Personnel*
 6 *Management shall make the annuity correction de-*
 7 *scribed in subsection (b) with respect to each Eligible*
 8 *Individual, including a retroactive annuity adjust-*
 9 *ment for Eligible Individuals who retired before the*
 10 *date of the enactment of this Act.*

11 (d) *WAIVERS AND GUIDANCE.—*

12 (1) *WAIVERS.—The Secretary of Homeland Se-*
 13 *curity may retroactively waive the maximum entry*
 14 *age requirement under 3307(g) of title 5, United*
 15 *States Code, to the extent necessary, to ensure that*
 16 *each Eligible Individual is eligible for immediate re-*
 17 *irement with the annuity correction described in sub-*
 18 *section (b).*

19 (2) *GUIDANCE.—The Director of the Office of*
 20 *Personnel Management, in consultation with the Sec-*
 21 *retary of Homeland Security, shall issue appropriate*
 22 *guidance to assist in the implementation of the annu-*
 23 *ity correction described in subsection (b).*

24 (e) *GOVERNMENT ACCOUNTABILITY OFFICE.—The*
 25 *Comptroller General of the United States—*

1 (1) *shall review U.S. Customs and Border Pro-*
2 *tection (referred to in this subsection as “CBP”) hir-*
3 *ing practices, policies, and procedures related to eligi-*
4 *bility for enhanced retirement benefits referred to in*
5 *this section by assessing—*

6 (A) *the process for determining whether an*
7 *employee qualifies for such benefits, including*
8 *considering any potential factors that would*
9 *make an employee ineligible for such enhanced*
10 *retirement benefits;*

11 (B) *the internal controls used by CBP to*
12 *ensure that all eligible employees, and only eligi-*
13 *ble employees, receive such enhanced retirement*
14 *benefits;*

15 (C) *the policies regarding the use of employ-*
16 *ees’ personnel files to ensure compliance with*
17 *current laws governing retirement benefits; and*

18 (D) *the adequacy of the training provided*
19 *to CBP senior executives regarding human re-*
20 *sources and hiring practices at CBP; and*

21 (2) *not later than 18 months after the date of the*
22 *enactment of this Act, shall submit a report that de-*
23 *scribes the results of the review conducted pursuant to*
24 *paragraph (1) to—*

- 1 (A) *the Committee on Homeland Security*
2 *and Governmental Affairs of the Senate;*
3 (B) *the Committee on Homeland Security of*
4 *the House of Representatives; and*
5 (C) *the Committee on Oversight and Gov-*
6 *ernment Reform of the House of Representatives.*

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