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Chairwoman Jo Ann Davis
Subcommittee on Civil Service and Agency Organization
“Time to Bite the Bullet: Fixing Federal Law Enforcement Pay and Benefits”
Opening Statement
July 20, 2004

I want to begin by thanking everyone for being here today. This is an issue of utmost importance to me and I know a lot of other Members of Congress. A year ago the Subcommittee held a hearing on the need for compensation and benefits reform for Federal law enforcement officers. The hearing evaluated the existing inequalities within the Federal law enforcement community and addressed several piece-meal approaches relating to law enforcement officer compensation and benefits reform.

When I use the term law enforcement officer I mean it in the broad sense - the correct sense. As pointed out at the last hearing, when law enforcement officials are killed in the line of duty, their names are inscribed as law enforcement officers on the National Law Enforcement Officers Memorial. Sadly, however, some of those very officers are not recognized as law enforcement officers when they are alive for pay and retirement purposes. This does not sit well with me. It was encouraging at that hearing to hear the Department of Justice witness recognize this current all or nothing disparate treatment among law enforcement personnel and that DOJ is in fact “a strong proponent” of eliminating these disparities. There is no doubt that the Federal law enforcement retirement system must be modernized to reflect the dangers and challenges that await our nation’s protectors in this post 9/11 world.

Another question broached at the hearing was how do we make sure we are paying our federal law enforcement agents properly? There are several factors and questions to consider, such as: (1) Is the current pay scale meeting the needs of law enforcement officers in high cost-of-living areas? (2) Is the current General Schedule classification and basic pay system sufficiently flexible to address specific law enforcement problems? (3) How do we resolve differences in pay flexibilities among agencies, such as employees for DoD and DHS, where law enforcement employees will be converted to more labor market and performance sensitive systems? (4) How do we resolve the perceptions of inequity and existing inconsistencies in premium pay entitlements? and (5) How do we create a premium pay system that eliminates the pay compression problem for GS criminal investigators while not creating another compression or inversion with higher-level employees?

Something needs to be done to correct the inconsistencies and inadequacies that currently exist for our folks who are on the front line risking their lives for our country. We have a lot of highly motivated, talented employees out there and we do not want to lose them or treat them unfairly. That is why shortly after the hearing, I introduced the Federal Law Enforcement Pay and Benefits Parity Act, which was

subsequently signed into law on December 19th of last year. That Act required the Office of Personnel Management to submit a report and recommendations to Congress on eliminating disparity in pay and benefits entitlements among different groups of Federal law enforcement officers. I thought that report – which was due on April 30, 2004 – would never get here. It was finally issued last Thursday, July 15, 2004. I would like to commend OPM for its hard work in putting together a thorough and thoughtful report on Federal Law Enforcement Pay and Benefits – even if it was late.

The report makes several specific recommendations but are all subsumed by OPM's overarching recommendation that Congress grant it the administrative authority, subject to Congressional oversight, to work in conjunction with the Attorney General and other stakeholders to modernize the entire pay and retirement system structure for the Federal law enforcement community, including modernizing the definition of "law enforcement officer" for coverage purposes. OPM believes an administrative solution strikes the appropriate balance between the Federal Government's interests on one hand and the relevant agencies' needs on the other.

I look forward to hearing from OPM on all of its recommendations and findings and the stakeholders on their particular thoughts on the report. All of your comments today will be extremely helpful as the Subcommittee continues to pursue its ongoing efforts to reform Federal law enforcement pay and benefits, aiming towards one government-wide solution.

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