

JOHN McCAIN  
ARIZONA

COMMITTEE ON ARMED SERVICES  
COMMITTEE ON FOREIGN RELATIONS  
COMMITTEE ON HOMELAND SECURITY  
AND GOVERNMENTAL AFFAIRS  
COMMITTEE ON INDIAN AFFAIRS

## United States Senate

January 28, 2014

The Honorable Thomas R. Carper  
U.S. Senate Committee on Homeland Security and Government Affairs  
340 Dirksen Senate Office Building  
Washington, DC 20510

241 RUSSELL SENATE OFFICE BUILDING  
WASHINGTON, DC 20510-0303  
(202) 224-2235

2201 EAST CAMELBACK ROAD  
SUITE 115  
PHOENIX, AZ 85016  
(602) 952-2410

122 NORTH CORTEZ STREET  
SUITE 108  
PRESCOTT, AZ 86301  
(928) 445-0833

407 WEST CONGRESS STREET  
SUITE 103  
TUCSON, AZ 85701  
(520) 670-6334

TELEPHONE FOR HEARING IMPAIRED  
(602) 952-0170

Dear Chairman Carper:

On January 27, 2014, Secretary Jeh Johnson issued an interim measure to component heads within DHS that addresses the inappropriate use of Administratively Uncontrollable Overtime (AUO) by employees at DHS. This interim measure will result in the immediate elimination of AUO for some of these employees.

Given recent allegations of abuse of the AUO system, I support the Secretary's efforts to eliminate AUO abuse but this is not a permanent solution. To address this issue sustainably, effectively and equitably, Congress must come up with legislation to replace AUO that will end these abuses and provide a workable pay-system for our Border Patrol agents, who are the primary users of AUO within DHS. If Congress does not act, we run the risk of reducing man-hours along the border and compromising the security-gains along our Southern border these agents have made over the last decade.

Last year, in response to the allegations of abuse of the AUO system, Senator Tester and I drafted legislation to replace AUO and ensure Border Patrol agents are fairly compensated, while saving taxpayers \$1 billion over the next 10 years. Given the urgency of this issue following the Secretary's directive, I ask you to consider placing S.1691, the Border Patrol Agent Pay Reform Act, on the next executive session the committee holds or as soon as otherwise possible.

Thank you for your consideration of this important matter.

Sincerely,



John McCain

cc: The Honorable Tom A. Coburn, M.D.  
Ranking Member  
U.S. Senate Committee on Homeland Security and Government Affairs

The Honorable Jon Tester  
United States Senator