



**U.S. Customs and  
Border Protection**

FEB 7 2012

TO: Jon A. Batt  
Director  
Office of Field Operations

FROM: Michael J. Wenzler *for [Signature]*  
Director, Labor-Management Relations  
Office of Human Resources Management

SUBJECT: Agency Head Review  
Memorandum of Understanding – Agricultural Specialist Defense Training

The attached Memorandum of Understanding (MOU) signed January 12, 2012, memorializes an agreement between the U.S. Customs and Border Protection (CBP) and the National Treasury Employees Union (NTEU) concerning defense tactics training for CBP Agricultural Specialists. The negotiated terms have been reviewed in accordance with 5 U.S.C. §7114(c) and under Department of Homeland Security, Customs and Border Protection Delegation Order 10-001 dated February 23, 2010.

The MOU does not violate existing law, rule or regulation, and is hereby approved. This approval does not constitute a waiver of, or exception to, any existing law, rule, regulation, or policy.

If you have any questions or need additional assistance, you may contact Don Stakes, Chief Labor Negotiator, by telephone at (202) 863-6335, or by electronic mail at [Donald.Stakes@dhs.gov](mailto:Donald.Stakes@dhs.gov).

CC: Colleen M. Kelley, National President, NTEU  
Jonathan Levine, Assistant Counsel for Negotiations, NTEU  
Deborah Eres, Deputy Director, Labor-Employee Relations Field Services  
Michael Pfeiffer, Supervisory CBP Officer, Office of Field Operations

Attachment

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
U.S. CUSTOMS AND BORDER PROTECTION (CBP)  
AND  
NATIONAL TREASURY EMPLOYEES UNION (NTEU)**

**I. Introduction**

This Memorandum of Understanding (MOU) is entered into by, and between the United States Customs and Border Protection, (hereinafter referred to as "Agency") and the National Treasury Employees Union (hereinafter referred to as "Union").

**II. Background**

On August 1, 2011, the Agency formally notified the Union of its plan to implement Agricultural Specialist (CBPAS) Defense Tactics Training. The parties held a telephonic briefing on December 5, 2011 to discuss the planned change. On December 19, 2011, the Union provided proposals. Based on the Union's proposals, the parties have come to an agreement and it is memorialized herein.

**III. Purpose**

This MOU constitutes the parties' agreement on all matters related to the Agency's CBPAS Defense Tactics Training.


**IV. Terms or Provisions of Agreement:**

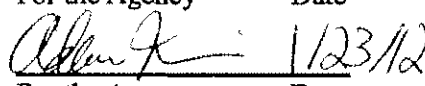
1. CBP has decided to provide defense tactics training to Agriculture Specialists that focuses on physical self-protection techniques.
2. Attendance at the lecture portion of the defense tactics training referenced in 1 above will be mandatory for all Agriculture Specialists but the physical exercise related portion of the training will not be mandatory.
3. Until such time as CBP determines that it can legally provide training in the use of intermediate force devices to Agriculture Specialists inasmuch as they do not have arrest or detention authority, no such training will be provided.

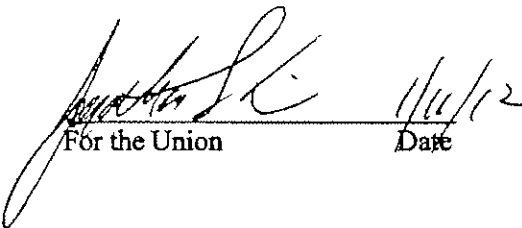
**V. Effective Date and Termination**

This MOU will be submitted for Agency head review immediately after the final signature of the chief negotiators. This MOU will become effective thirty-one (31) days after the date it is signed by the last chief negotiator or after Agency head review, whichever occurs first. Either party may request to reopen this MOU for revision or modification in accordance with Article 26 (Bargaining) of the CBP & NTEU National Collective Bargaining Agreement.

**VII. Signatures**

  
For the Agency                      Date 1/16/12

  
For the Agency                      Date 1/23/12

  
For the Union                      Date 1/16/12