

**GAO**

Statement for the Record to the  
Committee on Homeland Security and  
Governmental Affairs, U.S. Senate

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For Release on Delivery  
Expected at 10:00 a.m. EDT  
Thursday, March 14, 2013

**BORDER SECURITY**

**DHS's Progress and  
Challenges in Securing U.S.  
Borders**

Statement for the Record by Rebecca Gambler, Director  
Homeland Security and Justice



**G A O**

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Highlights of [GAO-13-414T](#), a statement for the record to the Committee on Homeland Security and Governmental Affairs, U.S. Senate

## Why GAO Did This Study

At the end of fiscal year 2004, DHS had about 28,100 personnel assigned to patrol U.S. land borders and inspect travelers at air, land, and sea POEs, at a cost of about \$5.9 billion. At the end of fiscal year 2011, DHS had about 41,400 personnel assigned to air, land, and sea POEs and along the border, at a cost of about \$11.8 billion. DHS has reported that this stronger enforcement presence was one of several reasons why fewer people were attempting to illegally cross the border. However, challenges remain in securing the border. In recent years, GAO has reported on a variety of DHS border security programs and operations.

As requested, this statement addresses some of the key issues and recommendations GAO has made in the following areas: (1) DHS's efforts to secure the border at and between POEs; (2) DHS interagency coordination and oversight of border security information sharing and enforcement efforts; and (3) DHS management of infrastructure, technology, and other assets used to secure the border. This statement is based on prior products GAO issued from January 2008 through February 2013, along with selected updates conducted in February 2013. For the selected updates, GAO reviewed information from DHS on actions it has taken to address prior GAO recommendations.

## What GAO Recommends

While this statement contains no new recommendations, GAO has previously made recommendations to DHS to enhance border security. DHS has generally concurred with these recommendations and has taken actions, or has actions planned or under way, to address them.

View [GAO-13-414T](#). For more information, contact Rebecca Gambler at (202) 512-8777 or [gambler@gao.gov](mailto:gambler@gao.gov).

March 14, 2013

## BORDER SECURITY

### DHS's Progress and Challenges in Securing U.S. Borders

## What GAO Found

U.S. Customs and Border Protection (CBP), part of the Department of Homeland Security (DHS), has reported progress in stemming illegal cross-border activity, but it could strengthen the assessment of its efforts. For example, since fiscal year 2011, DHS has used the number of apprehensions on the southwest border between ports of entry (POE) as an interim measure for border security. GAO reported in December 2012 that apprehensions decreased across the southwest border from fiscal years 2006 to 2011, which generally mirrored a decrease in estimated known illegal entries in each southwest border sector. CBP attributed this decrease in part to changes in the U.S. economy and increased resources for border security. Data reported by CBP's Office of Border Patrol (Border Patrol) show that total apprehensions across the southwest border increased from over 327,000 in fiscal year 2011 to about 357,000 in fiscal year 2012. It is too early to assess whether this increase indicates a change in the trend. GAO reported in December 2012 that the number of apprehensions provides information on activity levels but does not inform program results or resource allocation decisions. Border Patrol is in the process of developing performance goals and measures for assessing the progress of its efforts to secure the border between POEs, but it has not identified milestones and time frames for developing and implementing them, which GAO recommended that it do. DHS agreed and said that it plans to set a date for establishing such milestones and time frames by November 2013.

DHS law enforcement partners reported improvements in interagency coordination and oversight of intelligence and enforcement operations, but gaps remain. GAO reported in November 2010 that information sharing and communication among federal law enforcement officials had increased; however, gaps remained in ensuring law enforcement officials had access to daily threat information. GAO recommended that relevant federal agencies determine if more guidance is needed for federal land closures and that they ensure interagency agreements for coordinating information and integrating operations are further implemented. These agencies agreed and in January 2011, CBP issued a memorandum affirming the importance of federal partnerships to address border security threats on federal lands. While this is a positive step, to fully satisfy the intent of GAO's recommendation, DHS needs to take further action to monitor and uphold implementation of the existing interagency agreements.

Opportunities exist to improve DHS's management of border security assets. For example, DHS conceived the Secure Border Initiative Network as a surveillance technology and deployed such systems along 53 miles of Arizona's border. In January 2011, in response to performance, cost, and schedule concerns, DHS canceled future procurements, and developed the Arizona Border Surveillance Technology Plan (Plan) for the remainder of the Arizona border. GAO reported in November 2011 that in developing the new Plan, CBP conducted an analysis of alternatives, but it had not documented the analysis justifying the specific types, quantities, and deployment locations of technologies proposed in the Plan, which GAO recommended that it do. DHS concurred with this recommendation. GAO has ongoing work in this area and expects to issue a report in fall 2013.

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Chairman Carper, Ranking Member Coburn, and Members of the Committee:

I am pleased to submit this statement on the Department of Homeland Security's (DHS) efforts to secure U.S. borders against threats of terrorism; the smuggling of drugs, humans, and other contraband; and illegal migration since the terrorist attacks of September 11, 2001. At the end of fiscal year 2004, the first full year DHS existed as an agency, it had about 10,500 agents assigned to patrol the U.S. land borders and about 17,600 officers inspecting travelers at air, land, and sea ports of entry (POE),<sup>1</sup> and a total of about \$5.9 billion allocated to secure the entire U.S. border.<sup>2</sup> At the end of fiscal year 2011, both the number of personnel and amount of resources dedicated to border security had significantly increased, with approximately 21,400 agents assigned to patrol the U.S. land borders and more than 20,000 officers assigned to air, land, and sea POEs,<sup>3</sup> amounting to about \$11.8 billion allocated to secure the entire U.S. border.

DHS has reported that this stronger enforcement presence was one of several reasons, including changes in the U.S. economy, why fewer people were attempting to illegally cross the border. However, challenges remain in securing the border both at and between land POEs. For example, DHS data have shown that several hundred thousand persons have entered the country illegally through and between the nation's POEs. Further, our analysis of DHS data indicated that across southwest border sectors, seizures of drugs and other contraband increased 83

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<sup>1</sup>POEs are the facilities that provide for the controlled entry into or departure from the United States for persons and materials. Specifically, a POE is any officially designated location (seaport, airport, or land border location) where DHS officers or employees are assigned to clear passengers and merchandise, collect duties, and enforce customs laws.

<sup>2</sup>The number of border agents includes those assigned to northern and southwest border sectors. The number of officers assigned to POEs does not include those performing trade or agricultural inspections. The \$5.9 billion includes all funds appropriated to DHS for border security in fiscal year 2004.

<sup>3</sup>In fiscal years 2011 and 2012, appropriations acts provided that Border Patrol was to maintain an active duty presence of no fewer than 21,370 agents protecting the border of the United States. Department of Defense and Full-Year Continuing Appropriations Act, 2011, div. B, tit. VI, § 1608, Pub. L. No. 112-10, 125 Stat. 38, 140; Consolidated Appropriations Act, 2012, div. D, tit. II, Pub. L. No. 112-74, 125 Stat. 786, 945-46 (2011).

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percent from fiscal years 2006 through 2011—from 10,321 to 18,898.<sup>4</sup> In fiscal year 2012, DHS data indicate that seizures decreased to 17,891 across the southwest border.

DHS's efforts to secure the border at and between the POEs are the primary responsibility of the U.S. Customs and Border Protection's (CBP) Office of Field Operations (OFO)<sup>5</sup> and Office of Border Patrol,<sup>6</sup> respectively. Other DHS components also play a role in border security. CBP's Office of Air and Marine operates a fleet of air and marine assets in support of federal border security efforts. DHS's U.S. Immigration and Customs Enforcement (ICE) is responsible for investigating cross-border illegal activity and criminal organizations that transport persons and goods across the border. In addition, other federal, state, local, and tribal law enforcement agencies expend resources for border security. For example, the Departments of the Interior (DOI) and Agriculture (USDA) have jurisdiction for law enforcement on federal borderlands administered by their component agencies, including DOI's National Park Service, Fish and Wildlife Service, and Bureau of Land Management, and USDA's Forest Service.

Over the years, we have reported on a variety of DHS border security programs and operations. As requested, my statement discusses progress and challenges in the following areas:

- (1) DHS's efforts to secure the border at and between POEs,
- (2) DHS interagency coordination and oversight of border security information sharing and enforcement efforts, and

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<sup>4</sup>Drugs accounted for the vast majority of all contraband seizures; contraband seizures other than drugs include firearms, ammunition, and money.

<sup>5</sup>OFO is responsible for processing the flow of people and goods that enter the country through air, land, and sea POEs where CBP officers inspect travelers and goods to determine whether they may be legally admitted into the country.

<sup>6</sup>Border Patrol works to prevent the illegal entry of persons and contraband into the United States between POEs by using intelligence information to inform risk relative to threats of cross-border terrorism, drug smuggling, and illegal migration across locations; integrating border security operations with other law enforcement partners to address threats; and developing rapid response capabilities to deploy the resources appropriate to changes in threat.

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(3) DHS management of infrastructure, technology, and other assets used to secure the border.

This statement is based on related reports and testimonies we issued from January 2008 through February 2013 that examined DHS efforts to secure the U.S. border (see Related GAO Products at the end of this statement). It also includes selected updates we conducted in February 2013. Our reports and testimonies incorporated information we obtained and analyzed from officials from various DHS components; the Departments of Justice (DOJ), DOI, and USDA; and state and local law enforcement agencies. More detailed information about our scope and methodology can be found in our reports and testimonies. For the updates, we collected information from DHS on actions it has taken to address recommendations made in prior reports on which this statement is based. We also reviewed publicly available documents, such as CBP's budget justification for fiscal year 2013. We conducted all of this work in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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## CBP Has Reported Progress in Stemming Illegal Cross-Border Activity, but Could Strengthen Assessment of Its Efforts

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### Border Patrol Has Reported Some Success in Reducing Illegal Migration, but Challenges Remain in Assessing Efforts

Since fiscal year 2011, DHS has used changes in the number of apprehensions on the southwest border between POEs as an interim measure for border security, as reported in its annual performance reports. As we reported in December 2012, our data analysis showed that apprehensions across the southwest border decreased 69 percent from fiscal years 2006 through 2011.<sup>7</sup> These data generally mirrored a decrease in estimated known illegal entries in each southwest border sector. As we testified in February 2013, data reported by Border Patrol following the issuance of our December 2012 report show that total apprehensions across the southwest border increased from over 327,000 in fiscal year 2011 to about 357,000 in fiscal year 2012.<sup>8</sup> It is too early to assess whether this increase indicates a change in the trend for Border Patrol apprehensions across the southwest border. Through fiscal year 2011, Border Patrol attributed decreases in apprehensions across sectors in part to changes in the U.S. economy, achievement of strategic objectives, and increased resources for border security.

In addition to collecting data on apprehensions, Border Patrol collects other types of data that are used by sector management to help inform assessment of its efforts to secure the border against the threats of illegal migration and smuggling of drugs and other contraband. These data

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<sup>7</sup>GAO, *Border Patrol: Key Elements of New Strategic Plan Not Yet in Place to Inform Border Security Status and Resource Needs*, [GAO-13-25](#) (Washington, D.C.: Dec. 10, 2012).

<sup>8</sup>GAO, *Border Patrol: Goals and Measures Not Yet in Place to Inform Border Security Status and Resource Needs*, [GAO-13-330T](#) (Washington, D.C.: Feb. 26, 2013).

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show changes, for example, in the (1) percentage of estimated known illegal entrants who are apprehended, (2) percentage of estimated known illegal entrants who are apprehended more than once (repeat offenders), and (3) number of seizures of drugs and other contraband.<sup>9</sup> Our analysis of these data show that the percentage of estimated known illegal entrants apprehended from fiscal years 2006 through 2011 varied across southwest border sectors. The percentage of individuals apprehended who repeatedly crossed the border illegally declined by 6 percent from fiscal years 2008 through 2011. Further, the number of seizures of drugs and other contraband across the border increased from 10,321 in fiscal year 2006 to 18,898 in fiscal year 2011.

As we reported in December 2012, Border Patrol sectors and stations track changes in their overall effectiveness as a tool to determine if the appropriate mix and placement of personnel and assets are being deployed and used effectively and efficiently, according to officials from Border Patrol headquarters.<sup>10</sup> Border Patrol data showed that the effectiveness rate for eight of the nine sectors on the southwest border improved from fiscal years 2006 through 2011.<sup>11</sup> Border Patrol headquarters officials said that differences in how sectors define, collect, and report turn back data (entrants who illegally crossed the border but

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<sup>9</sup>Border Patrol's estimate of known illegal entries includes illegal, deportable entrants who were apprehended, in addition to the number of entrants who illegally crossed the border but were not apprehended because they crossed back into Mexico (referred to as turn backs) or continued traveling into the U.S. interior (referred to as got aways). We defined these illegal entries as estimated "known" illegal entries to clarify that the estimates do not include illegal entrants for which Border Patrol does not have reasonable indications of cross-border illegal activity. These data are collectively referred to as known illegal entries because Border Patrol officials have what they deem to be a reasonable indication that the cross-border activity occurred. Indications of illegal crossings are obtained through various sources such as direct agent observation, referrals from credible sources (such as residents), camera monitoring, and detection of physical evidence left on the environment from animal or human crossings.

<sup>10</sup>Border Patrol calculates an overall effectiveness rate using a formula in which it adds the number of apprehensions and turn backs in a specific sector and divides this total by the total estimated known illegal entries—determined by adding the number of apprehensions, turn backs, and got aways for the sector. Border Patrol views its border security efforts as increasing in effectiveness if the number of turn backs as a percentage of estimated known illegal entries has increased and the number of got aways as a percentage of estimated known illegal entries has decreased.

<sup>11</sup>The exception was the Big Bend sector, which showed a decrease in the overall effectiveness rate from 86 percent in fiscal year 2006 to 68 percent in fiscal year 2011.

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were not apprehended because they crossed back into Mexico) and got away data (entrants who illegally crossed the border and continued traveling into the U.S. interior) used to calculate the overall effectiveness rate preclude comparing performance results across sectors. Border Patrol headquarters officials stated that until recently, each Border Patrol sector decided how it would collect and report turn back and got away data, and as a result, practices for collecting and reporting the data varied across sectors and stations based on differences in agent experience and judgment, resources, and terrain. Border Patrol headquarters officials issued guidance in September 2012 to provide a more consistent, standardized approach for the collection and reporting of turn back and got away data by Border Patrol sectors. Each sector is to be individually responsible for monitoring adherence to the guidance. According to Border Patrol officials, it is expected that once the guidance is implemented, data reliability will improve. This new guidance may allow for comparison of sector performance and inform decisions regarding resource deployment for securing the southwest border.

Border Patrol is in the process of developing performance goals and measures for assessing the progress of its efforts to secure the border between ports of entry and for informing the identification and allocation of resources needed to secure the border, but has not identified milestones and time frames for developing and implementing them. Since fiscal year 2011, DHS has used the number of apprehensions on the southwest border between ports of entry as an interim performance goal and measure for border security as reported in its annual performance report. Prior to this, DHS used operational control as its goal and outcome measure for border security and to assess resource needs to accomplish this goal.<sup>12</sup> Operational control—also referred to as effective control—was defined as the number of border miles where Border Patrol had the capability to detect, respond to, and interdict cross-border illegal activity. DHS last reported its progress and status in achieving operational control of the borders in fiscal year 2010. At that time, DHS reported achieving operational control for 1,107 (13 percent) of 8,607 miles across U.S. northern, southwest, and coastal borders.<sup>13</sup> Along the southwest border,

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<sup>12</sup>Border Patrol sector officials assessed the miles under operational control using factors such as operational statistics, third-party indicators, intelligence and operational reports, resource deployments, and discussions with senior Border Patrol agents.

<sup>13</sup>GAO, *Border Patrol Strategy: Progress and Challenges in Implementation and Assessment Efforts*, [GAO-12-688T](#) (Washington, D.C.: May 8, 2012).



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DHS reported achieving operational control for 873 (44 percent) of the about 2,000 border miles.<sup>14</sup> At the beginning of fiscal year 2011, DHS transitioned from using operational control as its goal and outcome measure for border security. We testified in May 2012 that the interim goal and measure of number of apprehensions on the southwest border between POEs provides information on activity levels but does not inform program results or resource identification and allocation decisions, and therefore until new goals and measures are developed, DHS and Congress could experience reduced oversight and DHS accountability.<sup>15</sup> Further, studies commissioned by CBP have found that the number of apprehensions bears little relationship to effectiveness because agency officials do not compare these numbers with the amount of cross-border illegal activity.<sup>16</sup>

Border Patrol officials stated that the agency is in the process of developing performance goals and measures, but has not identified milestones and time frames for developing and implementing them. According to Border Patrol officials, establishing milestones and time frames for the development of performance goals and measures is contingent on the development of key elements of its new strategic plan, such as a risk assessment tool, and the agency's time frames for implementing these key elements—targeted for fiscal years 2013 and 2014—are subject to change. We recommended that CBP establish milestones and time frames for developing a performance goal, or goals, for border security between ports of entry that defines how border security is to be measured, and a performance measure, or measures, for assessing progress made in securing the border between ports of entry and informing resource identification and allocation efforts. DHS concurred with our recommendations and stated that it plans to set milestones and timeframes for developing goals and measures by November 2013.

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<sup>14</sup>GAO, *Border Security: Preliminary Observations on Border Control Measures for the Southwest Border*, [GAO-11-374T](#) (Washington, D.C.: Feb. 15, 2011)

<sup>15</sup>[GAO-12-688T](#).

<sup>16</sup>For example, see Homeland Security Institute, *Measuring the Effect of the Arizona Border Control Initiative* (Arlington, Va.: Oct. 18, 2005).

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**CBP Has Taken Action to Strengthen POE Inspection Programs and Officer Training, and Has Additional Actions Planned or Underway**

As part of its homeland security and legacy customs missions, CBP inspects travelers arriving at POEs to counter threats posed by terrorists and others attempting to enter the country with fraudulent or altered travel documents and to prevent inadmissible aliens, criminals, and inadmissible goods from entering the country. In fiscal year 2012, CBP inspected about 352 million travelers and over 107 million cars, trucks, buses, trains, vessels, and aircraft at over 329 air, sea, and land POEs. We have previously identified vulnerabilities in the traveler inspection program and made recommendations to DHS for addressing these vulnerabilities, and DHS implemented these recommendations. We reported in January 2008 on weaknesses in CBP's inbound traveler inspection program,<sup>17</sup> including challenges in attaining budgeted staffing levels because of attrition and lack of officer compliance with screening procedures, such as those used to determine citizenship and admissibility of travelers entering the country as required by law and CBP policy.<sup>18</sup> Contributing factors included a lack of focus, complacency, lack of supervisory presence, and lack of training. We recommended that CBP enhance internal controls in the inspection process, implement performance measures for apprehending inadmissible aliens and other violators, and establish measures for training provided to CBP officers and new officer proficiency. DHS concurred with these recommendations and has implemented them. Specifically, in January 2008, CBP reported, among other things, that all land port directors are required to monitor and assess compliance with eight different inspection activities using a self-inspection worksheet that is provided to senior CBP management. At that time, CBP also established performance measures related to the effectiveness of CBP interdiction efforts. Additionally, in June 2011, CBP began conducting additional classroom and on-the-job training, which incorporated ongoing testing and evaluation of officer proficiency.

In December 2011, we reported that CBP had revised its training program for newly hired CBP officers in accordance with its own training

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<sup>17</sup>GAO, *Border Security: Despite Progress, Weaknesses in Traveler Inspections Exist at Our Nation's Ports of Entry*, [GAO-08-329T](#) (Washington, D.C.: Jan. 3, 2008).

<sup>18</sup>The Immigration and Nationality Act, implementing regulations, and CBP policies and procedures for traveler inspection at all POEs require officers to establish, at a minimum, the nationality of individuals and whether they are eligible to enter the country. See 8 U.S.C. § 1225(a); 8 C.F.R. § 235.1(a), (b), (f)(1).

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development standards.<sup>19</sup> Consistent with these standards, CBP convened a team of subject-matter experts to identify and rank the tasks that new CBP officers are expected to perform. As a result, the new curriculum was designed to produce a professional law enforcement officer capable of protecting the homeland from terrorist, criminal, biological, and agricultural threats.

We also reported that CBP took some steps to identify and address the training needs of its incumbent CBP officers but could do more to ensure that these officers were fully trained. For example, we examined CBP's results of covert tests of document fraud detection at POEs conducted over more than 2 years and found weaknesses in the CBP inspection process at the POEs that were tested. In response to these tests, CBP developed a "Back to Basics" course in March 2010 for incumbent officers, but had no plans to evaluate the effectiveness of the training. Additionally, CBP had not conducted an analysis of all the possible causes or systemic issues that may have contributed to the test results. We recommended in December 2011 that CBP evaluate the "Back to Basics" training course and analyze covert tests, and DHS concurred with these recommendations. In April 2012, CBP officials notified GAO that it had completed its evaluation of the "Back to Basics" training course and implemented an updated, subsequent training course. In November 2012, CBP officials stated they had analyzed the results of covert tests prior to and since the implementation of the subsequent course. GAO is currently reviewing CBP's analysis of the covert test results and other documentation CBP has provided to determine the extent to which CBP has addressed this recommendation. Further, in July 2012 CBP completed a comprehensive analysis of the results of its document fraud covert tests from fiscal years 2009 to 2011. In addition, we reported that CBP had not conducted a needs assessment that would identify any gaps between identified critical skills and incumbent officers' current skills and competencies. We recommended in December 2011 that CBP conduct a training needs assessment. DHS concurred with this recommendation. In January 2013, CBP notified GAO it had developed a survey of incumbent officers to seek feedback on possible gaps in training. CBP is currently analyzing the survey results and preparing a report, which will recommend a path forward to address training needs. According to CBP,

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<sup>19</sup>GAO, *Border Security: Additional Steps Needed to Ensure Officers are Fully Trained*, [GAO-12-269](#) (Washington, D.C.: Dec. 22, 2011).

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if an additional training need is identified and funding is available, CBP will develop or revise the current training program. In February 2013, CBP officials stated it plans to complete this process by April 15, 2013.

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**DHS Law Enforcement Partners Reported Improved Results for Interagency Coordination and Oversight of Intelligence and Enforcement Operations, but Gaps Remain**

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**DOI and USDA Reported Improved DHS Coordination to Secure Federal Borderlands, but Critical Gaps Remained in Sharing Intelligence and Communications for Daily Operations**

Illegal cross-border activity remains a significant threat to federal lands protected by DOI and USDA law enforcement personnel on the southwest and northern borders and can cause damage to natural, historic, and cultural resources, and put agency personnel and the visiting public at risk. We reported in November 2010 that information sharing and communication among DHS, DOI, and USDA law enforcement officials had increased in recent years.<sup>20</sup> For example, interagency forums were used to exchange information about border issues, and interagency liaisons facilitated exchange of operational statistics. However, gaps remained in implementing interagency agreements to ensure law enforcement officials had access to daily threat information to better ensure officer safety and an efficient law enforcement response to illegal activity. For example, in Border Patrol's Spokane sector on the northern border, coordination of intelligence information was particularly important

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<sup>20</sup>GAO, *Border Security: Additional Actions Needed to Better Ensure a Coordinated Federal Response to Illegal Activity on Federal Lands*, [GAO-11-177](#) (Washington, D.C.: Nov. 18, 2010).

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because of sparse law enforcement presence and technical challenges that precluded Border Patrol's ability to fully assess cross-border threats, such as air smuggling of high-potency marijuana.

We recommended DHS, DOI, and USDA provide oversight and accountability as needed to further implement interagency agreements for coordinating information and integrating operations. These agencies agreed with our recommendations, and in January 2011, CBP issued a memorandum to all Border Patrol division chiefs and chief patrol agents emphasizing the importance of USDA and DOI partnerships to address border security threats on federal lands. While this is a positive step, to fully satisfy the intent of our recommendation, DHS would need to take further action to monitor and uphold implementation of the existing interagency agreements to enhance border security on federal lands.

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**Northern Border Partners Reported Interagency Forums Improved Coordination, but DHS Oversight Was Needed to Resolve Interagency Conflict in Roles and Responsibilities**

DHS has stated that partnerships with other federal, state, local, tribal, and Canadian law enforcement agencies are critical to the success of northern border security efforts. We reported in December 2010 that DHS efforts to coordinate with these partners through interagency forums and joint operations were considered successful, according to a majority of these partners we interviewed.<sup>21</sup> In addition, DHS component officials reported that federal agency coordination to secure the northern border was improved. However, DHS did not provide oversight for the number and location of forums established by its components, and numerous federal, state, local, and Canadian partners cited challenges related to the inability to resource the increasing number of forums, raising concerns that some efforts may be overlapping. In addition, federal law enforcement partners in all four locations we visited as part of our work cited ongoing challenges between Border Patrol and ICE, Border Patrol and Forest Service, and ICE and DOJ's Drug Enforcement Administration in sharing information and resources that compromised daily border security related to operations and investigations. DHS had established and updated interagency agreements to address ongoing coordination challenges; however, oversight by management at the component and local levels has not ensured consistent compliance with provisions of these agreements.

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<sup>21</sup>GAO, *Border Security: Enhanced DHS Oversight and Assessment of Interagency Coordination Is Needed for the Northern Border*, [GAO-11-97](#) (Washington, D.C.: Dec. 17, 2010).

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We also reported in December 2010 that while Border Patrol's border security measures reflected that there was a high reliance on law enforcement support from outside the border zones, the extent of partner law enforcement resources that could be leveraged to fill Border Patrol resource gaps, target coordination efforts, and make more efficient resource decisions was not reflected in Border Patrol's processes for assessing border security and resource requirements. We recommended that DHS provide guidance and oversight for interagency forums and for component compliance with interagency agreements, and develop policy and guidance necessary to integrate partner resources in border security assessments and resource planning documents. DHS agreed with our recommendations and has reported taking action to address them. For example, in June 2012, DHS released a northern border strategy, and in August 2012, DHS notified us of other cross-border law enforcement and security efforts taking place with Canada. However, in order to fully satisfy the intention of our recommendation, DHS would need to develop an implementation plan that specifies the resources and time frames needed to achieve the goals set forth in the strategy.

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## Opportunities Exist to Improve DHS's Management of Border Security Assets

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### DHS Has Deployed Assets to Secure the Borders, but Needs to Provide More Information on Plans, Metrics, and Costs

In November 2005, DHS launched the Secure Border Initiative (SBI), a multiyear, multibillion-dollar program aimed at securing U.S. borders and reducing illegal immigration. Through this initiative, DHS planned to develop a comprehensive border protection system using technology, known as the Secure Border Initiative Network (SBI*net*), and tactical infrastructure—fencing, roads, and lighting. Under this program, CBP increased the number of southwest border miles with pedestrian and vehicle fencing from 120 miles in fiscal year 2005 to about 650 miles

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presently.<sup>22</sup> We reported in May 2010 that CBP had not accounted for the impact of its investment in border fencing and infrastructure on border security.<sup>23</sup> Specifically, CBP had reported an increase in control of southwest border miles, but could not account separately for the impact of the border fencing and other infrastructure. In September 2009, we recommended that CBP determine the contribution of border fencing and other infrastructure to border security.<sup>24</sup> DHS concurred with our recommendation and, in response, CBP contracted with the Homeland Security Studies and Analysis Institute to conduct an analysis of the impact of tactical infrastructure on border security. CBP reported in February 2012 that preliminary results from this analysis indicate that an additional 3 to 5 years are needed to ensure a credible assessment.

Since the launch of SBI in 2005, we have identified a range of challenges related to schedule delays and performance problems with *SBI<sub>net</sub>*. *SBI<sub>net</sub>* was conceived as a surveillance technology to create a “virtual fence” along the border, and after spending nearly \$1 billion, DHS deployed *SBI<sub>net</sub>* systems along 53 miles of Arizona’s border that represent the highest risk for illegal entry. In January 2011, in response to concerns regarding *SBI<sub>net</sub>*’s performance, cost, and schedule, DHS canceled future procurements. CBP developed the Arizona Border Surveillance Technology Plan (the Plan) for the remainder of the Arizona border.

In November 2011, we reported that CBP does not have the information needed to fully support and implement its Plan in accordance with DHS and Office of Management and Budget (OMB) guidance.<sup>25</sup> In developing the Plan, CBP conducted an analysis of alternatives and outreach to potential vendors. However, CBP did not document the analysis justifying

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<sup>22</sup>The length of the border with Mexico is defined by the U.S. International Boundary and Water Commission at 1,954 miles. The length of the land border is 675 miles, while the length of the border along the Colorado River and Rio Grande River is 1,279 miles.

<sup>23</sup>GAO, *Secure Border Initiative: DHS Has Faced Challenges Deploying Technology and Fencing Along the Southwest Border*, [GAO-10-651T](#) (Washington, D.C.: May 4, 2010).

<sup>24</sup>GAO, *Secure Border Initiative: Technology Deployment Delays Persist and the Impact of Border Fencing Has Not Been Assessed*, [GAO-09-896](#) (Washington, D.C.: Sept. 9, 2009).

<sup>25</sup>GAO, *Arizona Border Surveillance Technology: More Information on Plans and Costs Is Needed before Proceeding*, [GAO-12-22](#) (Washington, D.C.: Nov. 4, 2011).

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the specific types, quantities, and deployment locations of border surveillance technologies proposed in the Plan. Specifically, according to CBP officials, CBP used a two-step process to develop the Plan. First, CBP engaged the Homeland Security Studies and Analysis Institute to conduct an analysis of alternatives beginning with ones for Arizona. Second, following the completion of the analysis of alternatives, the Border Patrol conducted its operational assessment, which included a comparison of alternative border surveillance technologies and an analysis of operational judgments to consider both effectiveness and cost. While the first step in CBP's process to develop the Plan—the analysis of alternatives—was well documented, the second step—Border Patrol's operational assessment—was not transparent because of the lack of documentation. As we reported in November 2011, without documentation of the analysis justifying the specific types, quantities, and deployment locations of border surveillance technologies proposed in the Plan, an independent party cannot verify the process followed, identify how the analysis of alternatives was used, assess the validity of the decisions made, or justify the funding requested. We also reported that CBP officials have not yet defined the mission benefits expected from implementing the new Plan, and defining the expected benefit could help improve CBP's ability to assess the effectiveness of the Plan as it is implemented.

In addition, we reported that CBP's 10-year life cycle cost estimate for the Plan of \$1.5 billion was based on an approximate order-of-magnitude analysis, and agency officials were unable to determine a level of confidence in their estimate, as best practices suggest. Specifically, we found that the estimate reflected substantial features of best practices, being both comprehensive and accurate, but it did not sufficiently meet other characteristics of a high-quality cost estimate, such as credibility, because it did not identify a level of confidence or quantify the impact of risks. GAO and OMB guidance emphasize that reliable cost estimates are important for program approval and continued receipt of annual funding. In addition, because CBP was unable to determine a level of confidence in its estimate, we reported that it would be difficult for CBP to determine what levels of contingency funding may be needed to cover risks associated with implementing new technologies along the remaining Arizona border.

We recommended in November 2011 that, among other things, CBP document the analysis justifying the technologies proposed in the Plan, determine its mission benefits, and determine a more robust life cycle cost estimate for the Plan. DHS concurred with these recommendations,



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and has reported taking action to address some of the recommendations. For example, in October 2012, CBP officials reported that, through the operation of two surveillance systems under *SBlnet*'s initial deployment in high-priority regions of the Arizona border, CBP has identified examples of mission benefits that could result from implementing technologies under the Plan. Additionally, CBP initiated action to update its cost estimate for the Plan by providing revised cost estimates in February and March 2012 for the Integrated Fixed Towers and Remote Video Surveillance System, the Plan's two largest projects. We currently have ongoing work for congressional requesters to assess CBP's progress in this area and expect to issue a report with our final results in the fall of 2013.

In March 2012, we reported that the CBP Office of Air and Marine (OAM)—which provides aircraft, vessels, and crew at the request of its customers, primarily Border Patrol—had not documented significant events, such as its analyses to support its asset mix and placement across locations, and as a result, lacked a record to help demonstrate that its decisions to allocate resources were the most effective ones in fulfilling customer needs and addressing threats.<sup>26</sup> OAM issued various plans that included strategic goals, mission responsibilities, and threat information. However, we could not identify the underlying analyses used to link these factors to the mix and placement of resources across locations. OAM did not have documentation that clearly linked the deployment decisions in the plan to mission needs or threats. For example, while the southwest border was Border Patrol's highest priority for resources in fiscal year 2010, it did not receive a higher rate of air support than the northern border. Similarly, OAM did not document analyses supporting the current mix and placement of marine assets across locations. OAM officials said that while they generally documented final decisions affecting the mix and placement of resources, they did not have the resources to document assessments and analyses to support these decisions. However, we reported that such documentation of significant events could help the office improve the transparency of its resource allocation decisions to help demonstrate the effectiveness of these resource decisions in fulfilling its mission needs and addressing threats. We recommended in March 2012 that CBP document analyses,

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<sup>26</sup>GAO, *Border Security: Opportunities Exist to Ensure More Effective Use of DHS's Air and Marine Assets*, [GAO-12-518](#) (Washington, D.C.: Mar. 30, 2012).

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including mission requirements and threats, that support decisions on the mix and placement of OAM's air and marine resources. DHS concurred with our recommendation and stated that it plans to provide additional documentation of its analyses supporting decisions on the mix and placement of air and marine resources by 2014.

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### DHS US-VISIT Program Technology Provides an Opportunity to Identify Illegal Migration through Overstays

DHS took action in 2004 to better monitor and control the entry and exit of foreign visitors to the United States by establishing the U.S. Visitor and Immigrant Status Indicator Technology (US-VISIT) program, which tracks foreign visitors using biometric information (such as fingerprints) and biographic information. DHS has incrementally delivered US-VISIT capabilities to track foreign entries, and a biometrically enabled entry capability has been fully operational at about 300 air, sea, and land POEs since December 2006.<sup>27</sup>

Since 2004, however, we have identified a range of DHS management challenges to fully deploying a biometric exit capability intended, in part, to track foreigners who had overstayed their visas and remained illegally in the United States. For example, in November 2009, we reported that DHS had not adopted an integrated approach to scheduling, executing, and tracking the work needed to deliver a comprehensive exit solution.<sup>28</sup> In August 2010, we reported that the DHS pilot programs to track the exit of foreign visitors at air POEs had limitations curtailing the ability to inform a decision for a long-term exit solution at these POEs.<sup>29</sup>

In the absence of a biometric entry and exit system, DHS uses various methods for identifying overstays, primarily biographic data, and sharing of overstay information.<sup>30</sup> US-VISIT identifies overstays by analyzing biographic data maintained in the Arrival and Departure Information

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<sup>27</sup>GAO, *Homeland Security: Key US-VISIT Components at Varying Stages of Completion, but Integrated and Reliable Schedule Needed*, [GAO-10-13](#) (Washington, D.C.: Nov. 19, 2009).

<sup>28</sup>[GAO-10-13](#).

<sup>29</sup>GAO, *Homeland Security: US-VISIT Pilot Evaluations Offer Limited Understanding of Air Exit Options*, [GAO-10-860](#) (Washington, D.C.: Aug. 10, 2010).

<sup>30</sup>GAO, *Overstay Enforcement: Additional Mechanisms for Collecting, Assessing, and Sharing Data Could Strengthen DHS's Efforts but Would Have Costs*, [GAO-11-411](#) (Washington, D.C. Apr. 15, 2011).

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System—a database that contains information on aliens’ entry, exit, and change of status—and electronically and manually comparing Arrival and Departure Information System records with information in other databases to find matches that demonstrate that a nonimmigrant may have, for instance, departed the country or filed an application to change status and thus is not an overstay. Additionally, DHS shares overstay information among its components through various mechanisms, such as alerts that can inform a CBP primary inspection officer at a POE of a nonimmigrant’s history as an overstay violator, at which point the officer can refer the nonimmigrant to secondary inspection for a more in-depth review of the alien’s record and admissibility. Furthermore, ICE’s Counterterrorism and Criminal Exploitation Unit uses data provided by US-VISIT and various databases to identify leads for overstay cases, take steps to verify the accuracy of the leads, prioritize leads to focus on those identified as most likely to pose a threat to national security or public safety, and conduct field investigations on priority, high-risk leads. From fiscal years 2006 through 2010, ICE reported devoting a relatively constant percent of its total field office investigative hours to Counterterrorism and Criminal Exploitation Unit overstay investigations, ranging from 3.1 to 3.4 percent.

We reported in April 2011 that DHS was creating electronic alerts for certain categories of overstays, such as those who overstay by more than 90 days, but was not creating alerts for those who overstay by less than 90 days to focus efforts on more egregious overstay violators, as identified by CBP. We recommended in April 2011 that DHS assess the costs and benefits of creating additional alerts, and DHS concurred with this recommendation. DHS has since reported that it would begin creating additional alerts, which could improve the chance that these individuals are identified as overstays during subsequent encounters with federal officials. We have additional work ongoing for congressional requesters in this area regarding DHS’s identification of and enforcement actions against overstays and expect to issue a report with our final results in the summer of 2013.

This concludes my statement for the record.

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## GAO Contact and Staff Acknowledgments

For further information about this statement, please contact Rebecca Gambler at (202) 512-8777 or [gablerr@gao.gov](mailto:gablerr@gao.gov). In addition, contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this statement. Individuals making key contributions to this statement included Kathryn Bernet, Lacinda Ayers, and Jeanette Espinola, Assistant Directors; as well as Frances A. Cook, Alana Finley, Barbara Guffy, Lara Miklozek, and Ashley D. Vaughan.

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# Related GAO Products

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*Border Patrol: Goals and Measures Not Yet in Place to Inform Border Security Status and Resource Needs.* [GAO-13-330T](#). Washington, D.C.: February 26, 2013.

*Border Patrol: Key Elements of New Strategic Plan Not Yet in Place to Inform Border Security Status and Resource Needs.* [GAO-13-25](#). Washington, D.C.: December 10, 2012.

*Border Patrol Strategy: Progress and Challenges in Implementation and Assessment Efforts.* [GAO-12-688T](#). Washington, D.C.: May 8, 2012.

*Border Security: Opportunities Exist to Ensure More Effective Use of DHS's Air and Marine Assets.* [GAO-12-518](#). Washington, D.C.: March 30, 2012.

*Border Security: Additional Steps Needed to Ensure Officers are Fully Trained.* [GAO-12-269](#). Washington, D.C.: December 22, 2011.

*Arizona Border Surveillance Technology: More Information on Plans and Costs Is Needed before Proceeding.* [GAO-12-22](#). Washington, D.C.: November 4, 2011.

*Overstay Enforcement: Additional Mechanisms for Collecting, Assessing, and Sharing Data Could Strengthen DHS's Efforts but Would Have Costs.* [GAO-11-411](#). Washington, D.C.: April 15, 2011.

*Border Security: Preliminary Observations on Border Control Measures for the Southwest Border.* [GAO-11-374T](#). Washington, D.C.: February 15, 2011.

*Border Security: Enhanced DHS Oversight and Assessment of Interagency Coordination is Needed for the Northern Border.* [GAO-11-97](#). Washington, D.C.: December 17, 2010.

*Border Security: Additional Actions Needed to Better Ensure a Coordinated Federal Response to Illegal Activity on Federal Lands.* [GAO-11-177](#). Washington, D.C.: November 18, 2010.

*Homeland Security: US-VISIT Pilot Evaluations Offer Limited Understanding of Air Exit Options.* [GAO-10-860](#). Washington, D.C.: August 10, 2010.

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*Secure Border Initiative: DHS Has Faced Challenges Deploying Technology and Fencing Along the Southwest Border.* [GAO-10-651T](#). Washington, D.C.: May 4, 2010.

*Homeland Security: Key US-VISIT Components at Varying Stages of Completion, but Integrated and Reliable Schedule Needed,* [GAO-10-13](#). Washington, D.C.: November 19, 2009.

*Secure Border Initiative: Technology Deployment Delays Persist and the Impact of Border Fencing Has Not Been Assessed.* [GAO-09-896](#). Washington, D.C.: September 9, 2009.

*Border Security: Despite Progress, Weaknesses in Traveler Inspections Exist at Our Nation's Ports of Entry.* [GAO-08-329T](#). Washington, D.C.: January 3, 2008.

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