



Homeland Security

FY 2021-2023

Annual Performance Report

Appendix B Relevant GAO and OIG Reports



With honor and integrity, we will safeguard the American people, our homeland, and our values.

About this Report

The U.S. Department of Homeland Security Annual Performance Report (APR) for Fiscal Years (FY) 2021-2023 presents the Department's mission programs, progress summaries, performance measure results and FY 2022 and FY 2023 targets. It also summarizes information on other key initiatives in the DHS Performance Management Framework related to the Strategic Review and our Agency Priority Goals (APG). Also included are other key management initiatives, and a summary of our performance challenges and high-risk areas identified by the DHS Office of the Inspector General (OIG) and the Government Accountability Office (GAO). The report is consolidated to incorporate our annual performance plan and annual performance report. This appendix provides a list of the more significant DHS program evaluations conducted in FY 2021 by the GAO and the DHS OIG.

For FY 2021, the Department's Performance and Accountability Reports consist of the following three reports:

- DHS Agency Financial Report | Publication date: November 12, 2021
- DHS Annual Performance Report | Publication date: April 19, 2022
- DHS Report to our Citizens (Summary of Performance and Financial Information) | Publication date: April 22, 2022

When published, all three reports will be located on our public website at:

<http://www.dhs.gov/performance-accountability>.

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Introduction

Independent program evaluations provide vital input to the Department of Homeland Security (DHS) as they offer insight to the performance of our programs and identify areas for improvement. These evaluations are used across the Department to look critically at how we conduct operations and to confront some of the key challenges facing the Department.

This appendix provides a list of the more significant DHS program evaluations conducted in FY 2021 by the U.S. Government Accountability Office (GAO) and the DHS Office of Inspector General (OIG). For each report, the report name, report number, date issued, summary, and a link to the publicly released report are provided.

Detailed information on the findings and recommendations of GAO reports is available at:

https://www.gao.gov/search?keyword=&search_mode=adv&f%5B0%5D=agency%3ADepartment%20of%20Homeland%20Security&f%5B1%5D=content_type%3AReports%20%26%20Testimonies&f%5B2%5D=date%3Astart%2B2020-10-01%2Bend%2B2021-09-30&title=&gao-field_accno=&director_title=&field_product_number=&field_jobcode=&field_fast_facts_description=&saa_field_full_reports=&field_description_content=&topic_name=&field_html_block=&field_recommendation=&agency_acronym=&agency_name_fulltext=&f%5B0%5D=agency%3ADepartment%20of%20Homeland%20Security&f%5B1%5D=content_type%3AReports%20%26%20Testimonies&f%5B2%5D=date%3Astart%2B2020-10-01%2Bend%2B2021-09-30&page=0

Detailed information on the findings and recommendations of DHS OIG reports is available at: [Audits, Inspections, and Evaluations | Office of Inspector General \(dhs.gov\)](#)

Relevant GAO and OIG Reports by DHS Component

Countering Weapons of Mass Destruction (CWMD) Office

GAO Reports

Title: Countering Weapons of Mass Destruction: Opportunities for DHS to Better Address Longstanding Program Challenges

Number: [GAO-21-105332](#)

Date: 7/16/2021

Summary: In April 2016, GAO evaluated Department of Homeland Security (DHS) plans to consolidate chemical, biological, radiological, and nuclear security programs into the Countering Weapons of Mass Destruction (CWMD) office. GAO recommended DHS use, where appropriate, the key mergers and organizational transformation practices identified in prior work, such as conducting adequate stakeholder outreach. DHS agreed with and addressed the recommendation by soliciting employee feedback on the transformation and formed a leadership team for the consolidation, among other practices. However, GAO observed that significant challenges remained at the CWMD office—such as low employee morale and questions about program efficacy. GAO has ongoing work evaluating these issues and plans to issue a report in early 2022.

Title: Biodefense: DHS Exploring New Methods to Replace BioWatch and Could Benefit from Additional Guidance

Number: [GAO-21-292](#)

Date: 5/20/2021

Summary: The Department of Homeland Security (DHS) is following the agency's acquisition policy and guidance to acquire Biological Detection for the 21st Century (BD21). This system-of-systems concept—an assembly of technologies to gain higher functionality—is intended to combine various technologies, such as biological sensors, data analytics, anomaly detection tools, collectors, and field screening devices to enable timelier and more efficient detection of an aerosolized attack involving a biological agent than the current biodetection system. Early detection of a biological attack can help reduce illness and loss of life, but DHS has faced challenges in acquiring biodetection capabilities to replace BioWatch. According to DHS, it is exploring the use of a new anomaly detection capability that, if developed successfully, could reduce the time to detection.

Customs and Border Protection (CBP)

GAO Reports

Title: Border Security: CBP's Response to COVID-19**Number:** [GAO-21-431](#)**Date:** 6/14/2021

Summary: According to data from the Department of Homeland Security's U.S. Customs and Border Protection (CBP), through February 2021, over 7,000 Office of Field Operations (OFO) and U.S. Border Patrol employees reported being infected with COVID-19, and 24 died due to COVID-19-related illnesses. In addition, over 20,000 OFO and Border Patrol employees were unable to work at some point due to COVID-19-related illnesses or quarantining in the same time period. OFO officials noted that employee absences due to COVID-19 did not generally have a significant impact on port operations, given relatively low travel volumes. In contrast, officials interviewed by GAO at three of four Border Patrol locations said that COVID-19 absences had impacted operations to some extent. GAO was asked to review how CBP managed its field operations in response to the COVID-19 pandemic. The report describes: (1) available data on the number of CBP employees diagnosed with COVID-19 and unable to work; (2) actions CBP has taken related to protecting its workforce and the public from COVID-19; and (3) the extent to which CBP adjusted operations in response to the pandemic and related travel restrictions. GAO reviewed key guidance documents and analyzed data on travel and trade at ports of entry, Border Patrol enforcement, and COVID-19 exposures among CBP employees.

Title: Imported Agriculture: Updated Planning and Communication Could Enhance Agency Coordination of Inspections**Number:** [GAO-21-471](#)**Date:** 6/1/2021

Summary: The Department of Homeland Security's U.S. Customs and Border Protection (CBP) and the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) oversee inspections of imported agricultural products to protect the U.S. agricultural industry and environment. For example, in 2020, CBP inspectors intercepted egg masses of the Asian gypsy moth, a pest that poses a threat to fruit trees and other plants. CBP and APHIS created the Joint Agency Task Force (JATF) to coordinate on inspections and a joint strategic plan for 2014–2019. The JATF has not updated its strategic plan; as a result, the plan's objectives are not current. According to CBP, the agencies took action to complete the objectives. For example, CBP's deployment of digital microscopes completed an objective to leverage technology to identify pests. However, the JATF has not reported on its progress toward meeting the objectives in its 2014–2019 plan. GAO has previously found that progress reports can help hold agencies accountable for achieving results. Developing a progress report would allow the JATF to document its progress and would provide valuable information to inform development of an updated strategic plan. Without assessing the JATF's progress and updating its strategic plan, CBP and APHIS cannot ensure that the JATF's objectives reflect the most current or urgent matters affecting imported agriculture.

Title: Border Security: CBP Has Taken Actions to Help Ensure Timely and Accurate Field Testing of Suspected Illicit Drugs**Number:** [GAO-21-286](#)**Date:** 4/26/2021

Summary: U.S. Customs and Border Protection (CBP) has policies and procedures for its officers and agents to test substances that they suspect are illicit drugs—referred to as a presumptive field test. Field officials that GAO spoke with said these policies and procedures provide sufficient guidance for conducting presumptive field testing. The policies and procedures address various topics, such as approved and recommended types of test equipment, use of the equipment, training, and requirements for documenting illicit drug seizures. GAO found that CBP's Office of Field Operations and U.S. Border Patrol conducted at least 90,000 presumptive field tests associated with an arrest from fiscal year 2015 through 2020. The average time for CBP to complete confirmatory testing across its labs decreased from 100 days in calendar year 2015 to 53 days in calendar year 2020, as of September 2020. This occurred while the total number of requests for confirmatory testing increased from about 4,600 in calendar year 2015 to about 5,600 in calendar year 2020, as of September 2020. With regard to accuracy, CBP officials have taken initial steps to upgrade the software system used to document confirmatory test results. This should provide CBP with information on the extent to which presumptive field test results align with confirmatory test results.

Title: Forced Labor: CBP Should Improve Communication to Strengthen Trade Enforcement**Number:** [GAO-21-259](#)**Date:** 3/1/2021

Summary: The Department of Homeland Security's U.S. Customs and Border Protection (CBP) uses several tools to enforce Section 307 of the Tariff Act of 1930 (Section 307), which prohibits the importation of goods made with forced labor. For example, CBP may issue a withhold release order (WRO) when information reasonably but not conclusively indicates that merchandise produced with forced labor is being, or likely to be, imported into the United States. CBP may detain shipments of merchandise pursuant to WROs at U.S. ports of entry, unless an importer provides sufficient evidence that it was not made with forced labor. In addition, CBP may revoke or modify a WRO if evidence shows the merchandise was not made with forced labor; is no longer being produced with forced labor; or is no longer being, or likely to be, imported into the United States. Globally, millions of adults and children are subjected to forced labor, compelled to perform work or service under various forms of threat or coercion. Section 307 of the Tariff Act of 1930 prohibits the importation into the United States of goods produced in any foreign country wholly or in part by forced labor. CBP has sole responsibility for enforcing this law. The Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2018 included a provision that GAO review CBP's efforts to enforce Section 307 and other entities' roles in indirectly supporting CBP's enforcement. This report examines, among other things, CBP's approach to enforcing Section 307 and the extent to which CBP has communicated with other federal agencies and nonfederal stakeholders with respect to Section 307 enforcement. GAO reviewed laws and CBP documents and interviewed officials from CBP, other federal agencies, and

24 NGOs and private sector entities with knowledge of Section 307. GAO met with officials from the United States, Brazil, China, Malawi, and Malaysia.

Title: Southwest Border: Information on Federal Agencies' Process for Acquiring Private Land for Barriers

Number: [GAO-21-114](#)

Date: 11/23/2021

Summary: In January 2017, the President issued Executive Order 13767, which directed the Secretary of Homeland Security to immediately plan, design, and construct a wall or other physical barriers along the southwest border. These new barriers would add to or replace 654 miles of primary pedestrian and vehicular barriers constructed as of fiscal year 2015. Of the nearly 2,000-mile southwest border, roughly 30 percent is federal land. Private, tribal, and state-owned land constitutes the remaining 70 percent of the border. GAO was asked to review the U.S. government's efforts to acquire privately owned land along the southwest border for barrier construction. GAO's review focused on the government's acquisition of private land and did not address acquisition of federal, state, or tribal property. The report examined (1) federal agencies' process for acquiring private land identified for the construction of border barriers and (2) the status of federal acquisition of private land for the barrier construction. GAO reviewed key documents; interviewed Border Patrol, USACE, and Department of Justice officials; and interviewed stakeholder organizations and landowners. GAO also analyzed data on the status of private land acquisition and conducted a site visit to areas in south Texas.

Title: Forced Labor Imports: DHS Increased Resources and Enforcement Efforts, but Needs to Improve Workforce Planning and Monitoring

Number: [GAO-21-106](#)

Date: 10/27/2021

Summary: Since 2016, U.S. Customs and Border Protection (CBP), within the Department of Homeland Security (DHS), has increased its resources to enforce a prohibition on importing goods made with forced labor, but has not determined its workforce needs. CBP formed the Forced Labor Division in 2018 to lead its efforts, and increased expenditures for the division from roughly \$1 million in fiscal year 2018 to \$1.4 million in fiscal year 2019. However, CBP has not assessed and documented the staffing levels or skills needed for the Forced Labor Division. For example, the division suspended some ongoing investigations due to a staff shortage and has plans to expand and train its workforce; however, the division has not assessed the number, type, locations, or specialized skills of positions it needs to achieve programmatic results. Without assessing its workforce needs, the division lacks reasonable assurance that it has the right number of people, with the right skills, in the right places.

Title: Intellectual Property: CBP Has Taken Steps to Combat Counterfeit Goods in Small Packages but Could Streamline Enforcement

Number: GAO-20-692

Date: 10/26/2021

Summary: In the U.S., U.S. Customs and Border Protection (CBP) is required to seize any goods it determines to be counterfeit, and typically destroys such goods, regardless of shipment size. CBP

does not bill rights holders for the cost of enforcement and is required to provide specific information to rights holders after seizure of goods. EU and U.S. customs officials reported common challenges in combating the flow of counterfeit goods in small packages. For example, EU and U.S. officials said the large volume of small packages makes it difficult for customs agencies to prioritize resources among competing needs such as drug enforcement and security. EU and U.S. officials also reported that a lack of adequate data on these packages is a challenge in taking enforcement action against them. Counterfeit goods infringe on IPR and can harm the U.S. economy and threaten consumer safety. CBP, the U.S. agency tasked with enforcement against counterfeits at the border, has reported that the annual number of small packages sent to the U.S. since fiscal year 2013 more than doubled, and small packages seized often contain counterfeit goods. The European Union Intellectual Property Office noted similar economic and consumer safety impacts in Europe, as well as increases in counterfeit goods in small packages.

DHS OIG Reports

Title: CBP Has Taken Steps to Limit Processing of Undocumented Aliens at Ports of Entry

Number: [OIG-21-02](#)

Date: 10/27/2020

Summary: In May 2018, DHS and CBP leaders anticipated an increase in undocumented aliens seeking entry at the southern border. In response, the leaders urged undocumented aliens seeking protection under U.S. asylum laws (“asylum seekers”) to enter the United States legally at ports of entry rather than illegally between ports. At the same time, the leaders asked CBP for “the number of [undocumented aliens] that would likely be turned away” if all ports conducted “Queue Management,” a practice that posts CBP officers at or near the U.S.-Mexico border to control the number of undocumented aliens entering U.S. ports of entry. After learning that 650 aliens would be prevented from entering ports every day, in June 2018, then-DHS Secretary Kirstjen Nielsen authorized the practice. Nielsen also informed CBP ports that while processing undocumented aliens is a component of its mission, they should focus on other priorities, including detection and apprehension of narcotics and currency smugglers. We found CBP took several additional actions to limit the number of undocumented aliens processed each day at Southwest Border land ports of entry. For instance, without prior public notice, seven ports of entry stopped processing virtually all undocumented aliens, including asylum seekers. Instead, CBP redirected them to other port locations. This redirection contravenes CBP’s longstanding practice to process all aliens at a “Class A” port of entry or reclassify the port of entry. Moreover, although asylum seekers legally must be processed once physically within the United States, we found CBP staff turned away asylum seekers at four ports after they had already entered the United States. After waiting in Queue Management lines or being redirected to other ports, some asylum seekers and other undocumented aliens crossed the border illegally between ports of entry.

Title: Management Alert - FPS Did Not Properly Designate DHS Employees Deployed to Protect Federal Properties under 40 U.S.C. § 1315(b)(1)**Number:** [OIG-21-05](#)**Date:** 11/02/2020

Summary: Under 40 United States Code (U.S.C.) § 1315, the Secretary of the Department of Homeland Security is required to protect Federal property and people on that property. To assist him with this task, the Secretary can “designate employees of [DHS] ... as officers and agents for duty in connection with the protection of property owned or occupied by the Federal Government and persons on the property, including duty in areas outside the property to the extent necessary to protect the property and persons on the property.” We are issuing this management alert because the Director of the Federal Protective Service (FPS) did not properly designate DHS employees recently deployed to protect Federal properties under 40 U.S.C. § 1315(b)(1).

Title: DHS Components Have Not Fully Complied with the Department's Guidelines for Implementing the Lautenberg Amendment**Number:** [OIG-21-09](#)**Date:** 11/13/21

Summary: U.S. Customs and Border Protection (CBP), United States Secret Service (Secret Service), Immigration and Customs Enforcement (ICE), and Transportation Security Administration (TSA) have not fully complied with DHS’ guidelines for implementing the Lautenberg Amendment. To illustrate, CBP and Secret Service did not ensure law enforcement officers completed annual Lautenberg Amendment certifications as required. CBP and ICE also did not use available resources to monitor the arrests and convictions of law enforcement officers subject to the Lautenberg Amendment. None of the four components provided domestic violence awareness training to law enforcement officers as required by the implementing guidelines. The DHS Office of Strategy, Policy, and Plans should ensure components are uniformly applying and enforcing the Department’s guidelines for implementing the Lautenberg Amendment.

Title: CBP's Configuration Management Practices Did Not Effectively Prevent System Outage**Number:** [OIG-21-13](#)**Date:** 12/21/2020

Summary: While CBP’s actions to implement prior Office of Inspector General (OIG) outage-related recommendations could not have prevented the onset of the nationwide outage on August 16, 2019, the steps taken did help minimize the length and severity of disruptions to passenger screening. Specifically, by addressing OIG recommendations, CBP established a more effective control structure for monitoring passenger screening systems, enabling prompt action to identify and resolve the outage. However, CBP’s configuration management policies and procedures were not sufficient to prevent the 2019 outage. We determined CBP’s critical passenger applications were operating on an Oracle database device that was not properly configured and did not have up-to-date patches. This lapse occurred because the Oracle patch did not execute properly and CBP did not ensure its configuration management policies and procedures were followed and patches were applied promptly. The outage resulted in longer wait times, delays for arriving passengers, and the need for CBP to revert to less effective backup systems to support passenger

screening procedures. CBP personnel faced additional challenges during the outage, as they were unable to quickly access “offline” backup systems and were not fully prepared for backup procedures. This was due to inadequate training and ineffective communication from CBP Headquarters during the outage. CBP should address these deficiencies which, in the event of future system outages, may again risk the entry of unauthorized individuals who could threaten our Nation’s security.

Title: DHS Has Not Effectively Implemented the Prompt Asylum Pilot Programs

Number: [OIG-21-16](#)

Date: 1/25/2021

Summary: DHS has not effectively implemented the PACR and HARP programs. Within the Department, U.S. Customs and Border Protection (CBP) and U.S. Citizenship and Immigration Services (USCIS) share responsibility for managing PACR and HARP. Because of rapid implementation and expansion of the programs, DHS components did not adequately consider several factors necessary to support their operations. Specifically, our initial review and visit to the El Paso sector disclosed:

- few metrics were implemented to measure the programs’ effectiveness in meeting goals;
- a program goal of 7 to 10-day maximum detention is inconsistent with CBP detention standards and was routinely exceeded;
- due to facility limitations, multiple families were co-located, with limited assurance of privacy and separation of juveniles from unrelated adults;
- consultation areas and legal amenities were not conducive to allowing aliens to prepare for credible-fear screening interviews;
- data systems were not interoperable, necessitating labor-intensive and error-prone manual efforts to track and share information across components.

As of April 15, 2020, DHS had deployed the pilot programs to most sectors on the southern border. Going forward, DHS should consider and take actions to address the issues we identified, to better ensure effectiveness in fulfilling mission goals.

Title: CBP Needs Additional Oversight to Manage Storage of Illicit Drugs (REDACTED)

Number: [OIG-21-18](#)

Date: 3/26/2021

Summary: CBP did not effectively store and destroy seized illicit drugs in its permanent vaults. Federal law requires CBP to destroy most seized drugs and retain samples as evidence to prosecute criminals. However, 86 percent of illegal drugs CBP stored in its vaults were greater than allowed quantities. Specifically, CBP stored more than 400,000 pounds of dangerous and toxic drugs such as cocaine, methamphetamines, and fentanyl that it should have destroyed. Further, CBP stored about 13,000 pounds of excess drugs for long periods — in some instances, for more than 20 years. This occurred because CBP routinely waived or circumvented its drug storage and destruction policies. As a result, CBP’s excessive and lengthy storage of large quantities of controlled substances created unnecessary safety and security risks. CBP also potentially incurred additional financial burdens to store, secure, inventory, manage, and process the excess drugs.

Title: CBP Needs to Improve the Oversight of its Canine Program to Better Train and Reinforce Canine Performance (REDACTED)**Number:** [OIG-21-19](#)**Date:** 2/8/2021

Summary: CBP's training approach and execution do not fully support the canine teams' mission of detecting smuggling of illegal narcotics, agriculture products, and humans at and between ports of entry. In fiscal year 2019, CBP decided to realign its Canine Academy, which contributed to a decrease of canine teams trained in the first two quarters of FY 2020. This occurred because CBP did not adequately plan for the realignment or measure performance to demonstrate how the realignment would affect canine performance. The Office of Field Operations (OFO) canine teams used pseudo narcotic training aids past the recommended replacement cycle (outdated). Both Border Patrol and OFO canine teams used outdated actual narcotic training aids during proficiency training in the field. Additionally, OFO canine team files did not have required proficiency training documentation. The use of outdated training aids and the missing documentation occurred because CBP Canine Program management did not provide adequate oversight to ensure training aids were available to canine teams and certified instructors were properly documenting proficiency training. CBP's inadequate governance of canine team operations led to outdated Canine Program policies and procedures, inconsistent retention periods for training documents, and an absence of Canine Tracking System policies and procedures. This inadequate governance ensued because CBP Canine Program management did not prioritize program management as other challenges took precedence. Without a comprehensive realignment plan, adequate proficiency training, and proper governance, the CBP Canine Program will not be able to achieve desired growth or operate as intended.

Title: CBP Has Improved Southwest Border Technology, but Significant Challenges Remain**Number:** [OIG-21-21](#)**Date:** 2/23/2021

Summary: In response to Executive Order 13767, U.S. Customs and Border Protection (CBP) has implemented an array of new tools and technologies that have enhanced Border Patrol's surveillance capabilities and efficiency along the southwest border. However, these upgrades are incomplete as CBP has deployed about 28 percent of the surveillance and subterranean technology solutions planned, even after receiving more than \$700 million in funding since fiscal year 2017. Shifting priorities, construction delays, a lack of available technology solutions, and funding constraints hindered CBP's planned deployments. Consequently, most southwest Border Patrol sectors still rely predominantly on obsolete systems and infrastructure with limited capabilities. CBP faced additional challenges that reduced the effectiveness of its existing technology. Border Patrol officials stated they had inadequate personnel to fully leverage surveillance technology or maintain current information technology systems and infrastructure on site. Further, we identified security vulnerabilities on some CBP servers and workstations not in compliance due to disagreement about the timeline for implementing DHS configuration management requirements. CBP is not well-equipped to assess its technology effectiveness to respond to these deficiencies. CBP has been aware of this challenge since at least 2017 but lacks a standard process and accurate data to overcome it. Overall, these deficiencies have limited CBP's

ability to detect and prevent the illegal entry of noncitizens who may pose threats to national security. Deploying adequate technologies is essential for CBP to ensure complete operational control of the southern border.

Title: CBP Faced Challenges in its Inspection Processes and Physical Security at the JFK International Mail Facility (Redacted)

Number: [OIG-21-27](#)

Date: 3/12/2021

Summary: U.S. Customs and Border Protection's (CBP) mail inspection processes and physical security at the John F. Kennedy (JFK) International Mail Facility (IMF) have not improved since our prior audit. CBP inspected a statistically significant amount of mail it received during our June 2019 site visit. CBP also did not timely inspect and process mail from high-risk countries, creating unmanageable backlogs. These deficiencies were largely due to inadequate resources and guidance. Consequently, some mail was sent out for delivery without physical inspection. Successful execution of CBP's targeting and interdiction of prohibited items was hindered, as CBP could not fully account for the targeted mail provided by United States Postal Service (USPS). Amid these challenges, CBP could not ensure that targeted mail was inspected before delivery. Further, physical security controls, such as locks and cameras, were not adequate to fully safeguard mail in CBP's possession. Deficient physical security controls can lead to unauthorized access to restricted areas, misplacement of prohibited items, or exposure to dangerous substances. Lastly, controls over the information technology infrastructure and systems supporting mail processing were not fully effective. CBP did not correctly patch a server or ensure system controls of a database containing targeting information. CBP also had not conducted a Privacy Threshold Analysis on a local database at JFK, placing personal data stored in the system at risk.

Title: DHS Had Authority to Deploy Federal Law Enforcement Officers to Protect Federal Facilities in Portland, Oregon, but Should Ensure Better Planning and Execution in Future Cross-Component Activities

Number: [OIG-21-31](#)

Date: 4/16/2021

Summary: Under 40 United States Code (U.S.C.) § 1315, the Department of Homeland Security had the legal authority to designate and deploy DHS law enforcement officers from U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and United States Secret Service to help FPS protect Federal facilities in Portland, Oregon. However, DHS was unprepared to effectively execute cross-component activities to protect Federal facilities when component law enforcement officers first deployed on June 4, 2020. Specifically, not all officers completed required training; had the necessary equipment; and used consistent uniforms, devices, and operational tactics when responding to the events in Portland. This occurred because DHS did not have a comprehensive strategy that addressed the potential for limited state and local law enforcement assistance, as well as cross-designation policies, processes, equipment, and training requirements. Without the necessary policies, training, and equipment, DHS will continue to face challenges securing Federal facilities during periods of civil disturbance that could result in injury, death, and liability. Additionally, we previously reported concerns regarding DHS' delegation of

authority and that the Director of FPS did not properly identify DHS employees by name who could exercise authority under 40 U.S.C. § 1315(b)(1).

Title: CBP Senior Leaders' Handling of Social Media Misconduct

Number: [OIG-21-34](#)

Date: 5/12/2021

Summary: Our review of U.S. Customs and Border Protection (CBP) data indicated that from January 1, 2016, through June 30, 2019, 83 CBP employees violated CBP policies and guidance by posting or commenting within various social media platforms including LinkedIn. However, we found no evidence that senior CBP leaders were aware of more than a few of the 83 employees' cases. We determined CBP and Border Patrol headquarters officials took no action to prevent further misconduct, except when directed to do so by DHS. In contrast, Office of Field Operations (OFO) headquarters officials issued guidance to remind OFO employees of acceptable use of social media. With regard to the posts on media outlets published in July 2019, we found no evidence that senior CBP headquarters or field leaders were aware of them until they were made public by the media. We also found some senior leaders questioned the legality or the application of CBP policies, which may undermine CBP's ability to enforce the policies.

Title: CBP Generally Provided Accurate Notices to Appear to Migrant Protection Protocols Enrollees, but Could Improve Procedures to Reduce Future Errors

Number: [OIG-21-45](#)

Date: 7/14/2021

Summary: The Department of Homeland Security issued notices to appear (NTA) at removal hearings to Migrant Protection Protocols (MPP) enrollees that were mostly accurate and in accordance with laws and regulations. However, some NTAs were completed inaccurately. Specifically, of our sample of 106 NTAs issued between February 2019 and April 2020, U.S. Customs and Border Protection (CBP) served 20 that did not meet statutory, regulatory, or internal DHS legal sufficiency standards or contained inaccurate information. This occurred because CBP did not issue formal standard operating procedures for quality control checks and supervisory review of NTAs. Additionally, according to CBP officials, officers and agents made errors on NTAs that supervisors overlooked due to their increased workload. Although CBP agents and officers documented proactively issuing 105 of 106 NTAs in our sample in person before returning migrants to Mexico, CBP did not issue guidance on delivering NTAs in person until December 2020. CBP may be able to correct some NTAs with errors. However, if CBP serves a legally insufficient NTA, U.S. Immigration and Customs Enforcement cannot prosecute its removal case if a migrant fails to appear for the initial hearing. Serving NTAs by mail to migrants in Mexico could result in migrants missing their hearings or the Government's cases being dismissed or challenged.

Title: CBP Has Placed Travelers' PII at Risk of Exploitation

Number: [OIG-21-47](#)

Date: 7/15/2021

Summary: CBP did not always protect MPC applications from cybersecurity threats. Although required to scan MPC app version updates to detect vulnerabilities, CBP did not scan 134 of the 148 (91 percent) updates released from 2016 through 2019. This occurred because CBP officials

relied on version updates from app developers but were not always notified when updates occurred. Additionally, CBP did not always identify vulnerabilities detected in scan results because CBP guidance does not require a review of all results. CBP also did not complete seven security and privacy compliance reviews of MPC apps, as required by the MPC Privacy Impact Assessment, because CBP did not establish a schedule for the reviews or track and centrally store review documentation. In addition, CBP did not obtain the information needed for the reviews, had competing priorities, and did not ensure app developers created a required process CBP needed to perform a mandatory internal audit. Finally, although required by Department of Homeland Security policy, CBP did not implement specific hardware and software configuration settings on MPC servers to protect them from vulnerabilities because CBP incorrectly believed it could phase in the settings. Unless CBP addresses these cybersecurity vulnerabilities, MPC apps and servers will remain vulnerable, placing travelers' PII at risk of exploitation.

Title: CBP Needs to Strengthen Its Oversight and Policy to Better Care for Migrants Needing Medical Attention

Number: [OIG-21-48](#)

Date: 7/20/2021

Summary: CBP needs better oversight and policy to adequately safeguard migrants experiencing medical emergencies or illnesses along the southwest border. According to CBP's policies, once an individual is in custody, CBP agents and officers are required to conduct health interviews and "regular and frequent" welfare checks to identify individuals who may be experiencing serious medical conditions. However, CBP could not always demonstrate staff conducted required medical screenings or consistent welfare checks for all 98 individuals whose medical cases we reviewed. This occurred because CBP did not provide sufficient oversight and clear policies and procedures, or ensure officers and agents were adequately trained to implement medical support policies. As a result, CBP may not identify individuals experiencing medical emergencies or provide appropriate care in a timely manner.

Title: Review of the February 16, 2020 Childbirth at the Chula Vista Border Patrol Station

Number: [OIG-21-49](#)

Date: 7/20/2021

Summary: In reviewing the circumstances surrounding the childbirth at the Chula Vista station, we found Border Patrol provided adequate medical assistance to the mother and her newborn and complied with applicable policies. However, we found that Border Patrol's data on pregnant detainees is limited and the component lacks the necessary processes and guidance to reliably track childbirths that occur in custody. In addition, our review of a sample of childbirths in custody showed Border Patrol did not always take prompt action to expedite the release of U.S. citizen newborns, resulting in some being held in stations for multiple days and nights. Although some of these instances may have been unavoidable, Border Patrol needs reliable practices to expedite releases because holding U.S. citizen newborns at Border Patrol stations poses health, safety, and legal concerns. Lastly, we found that Border Patrol agents do not have guidelines on interpreting for Spanish-speaking detainees at hospitals. As a result, an agent assigned to hospital watch for the detainee mother provided interpretation that may not have comported with CBP's language

access guidance. Although the agent interpreted at the request of the detainee in this instance, Border Patrol personnel risk misinterpreting medical information, which may have serious health implications for detainees.

Title: U.S. Customs and Border Protection's Acquisition Management of Aviation Fleet Needs Improvement to Meet Operational Needs

Number: [OIG-21-53](#)

Date: 8/9/2021

Summary: CBP did not effectively manage its aviation fleet acquisitions to meet operational mission needs. Specifically, AMO acquired and deployed 16 multi-role enforcement aircraft (MEA) that did not contain the necessary air and land interdiction capabilities to perform its mission. In addition, CBP AMO initiated the MEA and medium lift helicopter programs without well-defined operational requirements and key performance parameters — critical items in the acquisition planning process. This occurred because CBP did not provide oversight and guidance to ensure AMO acquisition personnel followed key steps required by the Department of Homeland Security Acquisition Lifecycle Framework. As a result, AMO expended approximately \$330 million procuring MEA that, at the time of acceptance, did not effectively respond to emergent air threats along the northern or southern borders, and experienced schedule delays deploying the medium lift helicopter. AMO has taken steps to improve management of its aviation fleet acquisitions to obtain solutions to its mission needs. However, without continued oversight and effective guidance, AMO risks aviation acquisitions taking longer to deliver, at a greater cost, and without needed capabilities.

Title: DHS Needs to Enhance Its COVID-19 Response at the Southwest Border

Number: [OIG-21-60](#)

Date: 9/10/2021

Summary: U.S. Customs and Border Protection (CBP) does not conduct COVID-19 testing for migrants who enter CBP custody and is not required to do so. Instead, CBP relies on local public health systems to test symptomatic individuals. According to CBP officials, as a frontline law enforcement agency, it does not have the necessary resources to conduct such testing. For migrants who are transferred or released from CBP custody into the United States, CBP coordinates with Department of Homeland Security, U.S. Immigration and Customs Enforcement, U.S. Department of Health and Human Services, and other Federal, state, and local partners for COVID-19 testing of migrants. Although DHS generally follows guidance from the Centers for Disease Control and Prevention for COVID-19 preventative measures, DHS' multi-layered COVID-19 testing framework does not require CBP to conduct COVID-19 testing at CBP facilities. Further, DHS' Chief Medical Officer does not have the authority to direct or enforce COVID-19 testing procedures. Currently, only the Secretary, Deputy Secretary, and CBP leadership can direct CBP to implement COVID-19 measures. Without stronger COVID-19 prevention measures in place, DHS is putting its workforce, support staff, communities, and migrants at greater risk of contracting the virus.

Title: CBP Targeted Americans Associated with the 2018-2019 Migrant Caravan**Number:** [OIG-21-62](#)**Date:** 9/20/2021

Summary: U.S. Customs and Border Protection (CBP) officials placed lookouts on U.S. travelers suspected of potential criminal activity. However, many CBP officials were unaware of CBP's policy related to placing lookouts. Therefore, CBP may have inadvertently placed lookouts on U.S. citizens suspected of organizing or being associated with the migrant caravan, which did not fully comply with policy. Additionally, CBP officials did not remove lookouts promptly. As a result, CBP subjected some individuals to repeated and unnecessary secondary inspections. In addition, in December 2018, a CBP official asked Mexico to deny entry to caravan associates, including 14 U.S. citizens. Unlike CBP's legitimate reasons for placing lookouts on these individuals, CBP had no genuine basis for asking Mexico to deny entry to these U.S. citizens. On several other occasions throughout Operation Secure Line, other CBP officials also improperly shared the sensitive information of U.S. citizens with Mexico. Some of these CBP officials may have asked Mexico to deny entry to these individuals, but we could not determine whether they did, because CBP officials were not forthcoming about the disclosures, did not follow CBP policies on sharing information with foreign entities, and did not retain communication records.

Title: CBP Continues to Experience Challenges Managing Searches of Electronic Devices at Ports of Entry - Law Enforcement Sensitive (REDACTED)**Number:** [OIG-21-63](#)**Date:** 9/23/2021

Summary: CBP's Office of Field Operations (OFO) continues to experience challenges managing searches of electronic devices, like those identified in our first audit report, CBP's Searches of Electronic Devices at Ports of Entry, issued in December 2018. Specifically, OFO did not properly document and conduct searches of electronic devices, fully assess the effectiveness of the electronic device search program, or adequately manage electronic device search equipment. This occurred because, although it plans to do so, OFO has not yet fully implemented corrective actions for four of the five recommendations in our previous audit report, including establishing training for staff. According to an OFO official, there have been delays fully implementing the prior recommendations due to reviews of existing policy and a capabilities analysis report, and the need to develop additional training. In addition, OFO did not have adequate processes for auditing electronic device searches, track prosecutions and convictions resulting from referrals to other Federal agencies, or adequately monitor search equipment usage, functionality, and inventory. Unless it corrects previously identified deficiencies and better manages searches and equipment, OFO will limit its ability to detect and deter illegal activities related to terrorism; national security; human, drug, and bulk cash smuggling; and child pornography.

Cybersecurity and Infrastructure Security Agency (CISA)

GAO Reports

Title: Cybersecurity: Federal Agencies Need to Implement Recommendations to Manage Supply Chain Risks

Number: [GAO-21-594T](#)

Date: 5/25/2021

Summary: Federal agencies continue to face software supply chain threats. In December 2020, the Department of Homeland Security's Cybersecurity and Infrastructure Security Agency issued an emergency directive requiring agencies to take action regarding a threat actor that had been observed leveraging a software supply chain compromise of a widely used enterprise network management software suite—SolarWinds Orion. Subsequently, the National Security Council staff formed a Cyber Unified Coordination Group to coordinate the government response to the cyberattack. The group took a number of steps, including gathering intelligence and developing tools and guidance, to help organizations identify and remove the threat. Federal agencies rely extensively on ICT products and services (e.g., computing systems, software, and networks) to carry out their operations. However, agencies face numerous ICT supply chain risks, including threats posed by malicious actors who may exploit vulnerabilities in the supply chain and, thus, compromise the confidentiality, integrity, or availability of an organization's systems and the information they contain. Recent events involving a software supply chain compromise of SolarWinds Orion, a network management software suite, and the shutdown of a major U.S. fuel pipeline due to a cyberattack highlight the significance of these threats.

Title: Cyber Insurance: Insurers and Policyholders Face Challenges in an Evolving Market

Number: [GAO-21-477](#)

Date: 5/20/2021

Summary: Malicious cyber activity poses significant risk to the federal government and the nation's businesses and critical infrastructure, and it costs the U.S. billions of dollars each year. Threat actors are becoming increasingly capable of carrying out attacks, highlighting the need for a stable cyber insurance market. The National Defense Authorization Act for Fiscal Year 2021 includes a provision for GAO to study the U.S. cyber insurance market. This report describes (1) key trends in the current market for cyber insurance, and (2) identified challenges faced by the cyber insurance market and options to address them. To conduct this work, GAO analyzed industry data on cyber insurance policies; reviewed reports on cyber risk and cyber insurance from researchers, think tanks, and the insurance industry; and interviewed Treasury officials. GAO also interviewed two industry associations representing cyber insurance providers, an organization providing policy language services to insurers, and one large cyber insurance provider.

Title: Cybersecurity and Infrastructure Security Agency: Actions Needed to Ensure Organizational Changes Result in More Effective Cybersecurity for Our Nation**Number:** [GAO-21-236](#)**Date:** 3/10/2021

Summary: To implement the requirements of the Cybersecurity and Infrastructure Security Agency (CISA) Act of 2018, CISA leadership within the Department of Homeland Security launched an organizational transformation initiative. The act elevated CISA to agency status; prescribed changes to its structure, including mandating that it have separate divisions on cybersecurity, infrastructure security, and emergency communications; and assigned specific responsibilities to the agency. CISA completed the first two of three phases of its organizational transformation initiative, which resulted in, among other things, a new organization chart, consolidation of multiple incident response centers, and consolidation of points of contact for infrastructure security stakeholders. Phase three is intended to fully implement the agency's planned organizational changes.

Title: Chemical Security: Overlapping Programs Could Better Collaborate to Share Information and Identify Potential Security Gaps**Number:** [GAO-21-12](#)**Date:** 1/21/2021

Summary: Facilities with hazardous chemicals could be targeted by terrorists to inflict mass casualties or damage. Federal regulations applicable to chemical safety and security have evolved over time as authorizing statutes and regulations established programs for different purposes, such as safety versus security, and with different enforcement authorities. GAO has reported that such programs may be able to achieve greater efficiency where overlap exists by reducing duplication and better managing fragmentation. GAO was asked to review issues related to the effects that overlap, duplication, and fragmentation among the multiple federal programs may have on the security of the chemical sector. This report addresses the extent to which (1) such issues may exist between CFATS and other federal programs, and (2) the CFATS program collaborates with other federal programs. GAO analyzed the most recent available data on facilities subject to nine programs from DHS, EPA, ATF, and DOT; reviewed and analyzed statutes, regulations, and program guidance; and interviewed agency officials.

DHS OIG Reports

Title: CISA Can Improve Efforts to Ensure Dam Security and Resilience**Number:** [OIG-21-59](#)**Date:** 9/9/2021

Summary: The Cybersecurity and Infrastructure Security Agency (CISA) cannot demonstrate how its oversight has improved Dams Sector security and resilience. We attribute this to CISA's inadequate management of Dams Sector activities. Specifically, CISA has not:

- coordinated or tracked its Dams Sector activities;
- updated overarching national critical infrastructure or Dams Sector plans; or
- collected and evaluated performance information on Dams Sector activities.

In addition, CISA does not consistently provide information to the Federal Emergency Management Agency (FEMA) to help ensure FEMA's assistance addresses the most pressing needs of the Dams Sector. CISA and FEMA also do not coordinate their flood mapping information. Finally, CISA does not effectively use the Homeland Security Information Network Critical Infrastructure Dams Portal to provide external Dams Sector stakeholders with critical information. As a result, CISA could improve its oversight, coordination, and communication to better support the Dams Sector security and resilience. These changes would enhance the Sector's ability to adapt to the risk environment and decrease the likelihood of future dam failures and flooding events.

Title: DHS Has Secured the Nation's Election Systems, but Work Remains to Protect the Infrastructure

Number: [OIG-21-01](#)

Date: 10/22/2020

Summary: DHS has improved coordination efforts to secure the Nation's systems used for voting, but should take additional steps to protect the broader election infrastructure, which includes polling and voting locations and related storage facilities, among other things. The Cybersecurity and Infrastructure Security Agency (CISA) has developed a set of plans and guidance aimed at securing election systems for the 2020 election cycle. But, the plans do not sufficiently mitigate other potential risks to physical security, terrorism threats, or targeted violence to the election infrastructure, nor do they identify dependencies on external stakeholders that impede mission performance. DHS senior leadership turnover and ongoing CISA reorganization have hindered CISA's ability to enhance planning and effectively monitor its progress in securing the Nation's election infrastructure. Since our 2019 report, CISA has increased its outreach and coordination with election stakeholders. CISA can further improve the quality of information shared, as well as the timeliness of its assistance to election stakeholders. Inadequate classification authority, duplicative data sharing, and limited staffing have restricted CISA's ability to provide additional services and assessments. With the 2020 elections at hand and increased potential for revised election processes due to the COVID-19 pandemic, it is critical that CISA institute a well-coordinated approach and provide the guidance and assistance necessary to secure the Nation's election infrastructure.

Federal Emergency Management Agency (FEMA)

GAO Reports

Title: National Flood Insurance Program: Congress Should Consider Updating the Mandatory Purchase Requirement

Number: [GAO-21-578](#)

Date: 7/30/2021

Summary: The Federal Emergency Management Agency (FEMA), which administers the National Flood Insurance Program (NFIP), engages in a variety of efforts to help increase consumer participation in the flood insurance market (one of the agency's goals). However, FEMA does not effectively use information related to compliance with the requirement to identify ways to meet this goal. Information currently maintained by FEMA and other federal entities could help inform FEMA on noncompliance trends and patterns and help FEMA to develop strategies to address them. By using internal and external information to better understand compliance with the requirement, and facilitating the sharing of this information among the federal entities with responsibilities related to the requirement, FEMA may help reduce instances of noncompliance, increase consumer participation, and limit the federal government's fiscal exposure to future flood losses.

Title: COVID-19 Pandemic: Actions Needed to Improve Federal Oversight of Assistance to Individuals, Communities, and the Transportation Industry

Number: [GAO-21-105202](#)

Date: 7/29/2021

Summary: The Federal Emergency Management Agency (FEMA), Department of Transportation (DOT), and Department of the Treasury (Treasury), among others, continue to provide financial assistance to mitigate the effects of the COVID-19 pandemic.

- FEMA reported obligating over \$79 billion from its Disaster Relief Fund to respond to COVID-19. Through several programs, FEMA is providing help to individuals with funeral costs; reimbursing communities for vaccine distribution; and funding federal agencies' efforts to support communities, including National Guard deployments.
- DOT and Treasury continue to make available the over \$200 billion appropriated by COVID-19 relief laws for financial assistance to the transportation sector, including to air carriers, airports and airport tenants, Amtrak, and transit agencies. Through several financial assistance programs, GAO's work has found DOT and Treasury have provided critical support to the transportation sector during a period of sharp declines in travel demand and uncertainty about the pace and nature of the recovery. Depending on the program, financial assistance has reportedly enabled recipients to avoid layoffs, maintain service, and ramp up operations as demand for their services improves.

Based on GAO's prior work examining responses to public health and fiscal emergencies, including the COVID-19 pandemic, GAO has (1) identified key lessons learned that could improve the federal response to emergencies, and (2) made several related recommendations, including ones that highlight the importance of applying these lessons learned.

Title: Puerto Rico Recovery: FEMA Made Progress in Approving Projects, But Should Identify and Assess Risks to the Recovery**Number:** [GAO-21-264](#)**Date:** 5/19/2021

Summary: As of January 15, 2021, FEMA obligated \$23.8 billion in Public Assistance funds to Puerto Rico for the 2017 hurricanes (\$23.5 billion), 2019 and 2020 earthquakes (\$243.8 million) and 2020 COVID-19 response (\$59.7 million). To help expedite obligations, FEMA changed how it implemented the Public Assistance program in Puerto Rico by, among other things, focusing on obligations for critical services like electricity and water. However, significant work for the recovery remains. FEMA and Puerto Rico are working to develop and obligate about 6,100 more projects. Further, Puerto Rico's fiscal condition has made it difficult for Puerto Rico agencies to access funds to start construction, thus work for many obligated projects has not started. Because Public Assistance is a reimbursement program, these agencies must provide the initial funding for the work and seek reimbursements afterwards. As such, of the \$23.8 billion obligated, Puerto Rico has only spent \$158 million for long-term rebuilding projects, such as rebuilding schools, the power grid, water systems, and other damaged infrastructure.

Title: Disaster Resilience: FEMA Should Take Additional Steps to Streamline Hazard Mitigation Grants and Assess Program Effects**Number:** [GAO-21-140](#)**Date:** 2/2/2021

Summary: From fiscal years 2010 through 2018, the Federal Emergency Management Agency (FEMA) obligated over \$11 billion through four grant programs that fund state and local hazard mitigation efforts. FEMA awarded about 88 percent of this amount through the two grant programs that fund hazard mitigation post-disaster. State and local officials from selected jurisdictions reported challenges with FEMA's hazard mitigation grant programs. Specifically, officials GAO interviewed from 10 of the 12 jurisdictions said grant application processes were complex and lengthy. To address this, FEMA officials augmented guidance and began monitoring application review time frames for one program and said they intend to assess two other programs to identify opportunities to streamline. However, they did not have a documented plan for doing so. By developing and implementing a plan to identify ways to streamline applications and reviews for all four programs, FEMA could reduce barriers to investments in hazard mitigation. Officials from eight of the 12 jurisdictions also cited challenges with applicants' technical capacity to successfully apply for grants. To address this, FEMA developed training and guidance, but GAO found that these resources are listed on different parts of its website and can be difficult for state and local officials to locate. Creating a centralized inventory of resources could improve applicant capacity to successfully develop mitigation projects and apply for grants.

Title: Disaster Housing: Improved Cost Data and Guidance Would Aid FEMA Activation Decisions**Number:** [GAO-21-116](#)**Date:** 12/15/2021

Summary: The Federal Emergency Management Agency (FEMA) relied primarily on rental assistance payments to assist 2017 and 2018 hurricane survivors but also used direct housing

programs to address housing needs, as shown in the table below. GAO found that FEMA provided rental assistance to about 746,000 households and direct housing assistance to about 5,400 households. FEMA did not use the Disaster Housing Assistance Program (DHAP)—a pilot grant program managed jointly with the Department of Housing and Urban Development (HUD)—because FEMA viewed its direct housing programs to be more efficient and cost-effective and did not consider DHAP to be a standard post-disaster housing assistance program.

Title: Puerto Rico Electricity: FEMA and HUD Have Not Approved Long-Term Projects and Need to Implement Recommendations to Address Uncertainties and Enhance Resilience

Number: [GAO-21-54](#)

Date: 11/17/2021

Summary: As of October 2020, 3 years since the hurricanes destroyed much of Puerto Rico's electricity grid, neither the Federal Emergency Management Agency (FEMA) nor the Department of Housing and Urban Development (HUD) had approved long-term grid recovery projects in Puerto Rico. In 2019, GAO made four recommendations to FEMA and HUD to address identified challenges in rebuilding the electricity grid in Puerto Rico. As of October 2020, FEMA had fully implemented one recommendation and partially implemented two others, while HUD had not implemented its recommendation. Specifically, FEMA established an interagency agreement with the Department of Energy (DOE) to clarify how the agencies would consult on recovery efforts. FEMA had taken actions to partially implement recommendations on improving coordination among federal and local agencies and providing information on industry standards. However, further steps are needed, including finalizing guidance on FEMA's process for approving funding for projects. Regarding HUD, it has not addressed GAO's recommendation to establish time frames and requirements for available funding.

DHS OIG Reports

Title: FIMA Made Progress Modernizing Its NFIP System, but Data Quality Needs Improvement

Number: [OIG-21-04](#)

Date: 11/2/2020

Summary: FIMA's recent transition from its legacy NFIP system to PIVOT (not an acronym) partly addressed data quality issues. The transition has improved FIMA's ability to timely process policies and claims data, enhance reporting capabilities, and provide more reliable policyholder address validation. These improvements stemmed from FIMA's pressing need to sunset the legacy system as well as from concerted efforts to address lessons learned from prior NFIP modernization failures. Although still in the deployment stage, PIVOT has increased customer satisfaction, improved tracking of properties, and led to better informed NFIP management. Despite these improvements, the transition to PIVOT has not resolved longstanding data reliability issues, as FIMA migrated the vast majority of its historical legacy data, including errors, into the PIVOT system. FIMA also deployed PIVOT without adequate controls to prevent potentially erroneous transactions from being recorded in the system. These issues remained unresolved because FIMA

prioritized system modernization over time-consuming efforts to fix historical data errors. FIMA also transitioned to the new system before supporting vendor systems were ready to process all data changes. This may have hindered NFIP operations, given the high potential error rate during the initial months of PIVOT operation. Prompt action to resolve these challenges will help FIMA improve data integrity and facilitate more informed management, thereby enabling NFIP stakeholders to more accurately track flood-affected properties and set flood insurance premiums.

Title: FEMA Should Disallow \$12.2 Million in Disaster Case Management Program Grant Funds Awarded to New York for Hurricane Sandy

Number: [OIG-21-10](#)

Date: 11/18/2020

Summary: The Federal Emergency Management Agency (FEMA) did not provide the oversight needed to ensure the Department of Homeland Security Emergency Services, New York (DHSES-NY) fully carried out its responsibilities related to the Disaster Case Management Program (DCMP). DHSES-NY, the FEMA grantee, and its managing contractor did not always properly account for FEMA grant funds in accordance with Federal regulations and FEMA guidelines when approving claimed contractor costs, resulting in questioned costs of \$12.2 million. Specifically, DHSES-NY:

- lacked supporting documentation for \$8.7 million in contractor claims;
- approved and paid \$1.7 million in ineligible other than personnel services costs; and
- approved and paid \$1.8 million in duplicate administrative overhead rate charges.

This occurred because FEMA did not provide adequate oversight of DHSES-NY's paper-based system for tracking DCMP grant funding and expenditures to ensure contractors claimed eligible costs for payment. Additionally, DHSES-NY did not investigate further questionable costs claimed prior to approving payment. As a result, there is no assurance the contractors' claimed costs are valid, putting Federal funds and taxpayers' money at risk of fraud, waste, and abuse.

Title: Better Oversight and Planning are Needed to Improve FEMA's Transitional Sheltering Assistance Program

Number: [OIG-21-20](#)

Date: 2/11/2021

Summary: The Federal Emergency Management Agency (FEMA) provided hotel rooms to about 90,000 households²⁷ (nearly 227,000 survivors) after the 2017 California wildfires and Hurricanes Harvey, Irma, and Maria. However, FEMA did not oversee and manage the Transitional Sheltering Assistance (TSA) program to ensure it operated efficiently and effectively to meet disaster survivors' needs. Specifically, FEMA:

- did not accurately validate taxes charged for hotel rooms and did not ensure the contractor responsible for administering the TSA program maintained accurate records to show taxes charged were reasonable and allocable;
- paid for unoccupied rooms;
- did not transition survivors from TSA hotels to interim or permanent housing timely; and
- did not adequately coordinate with states and a territory to prepare initial housing strategies.

The deficiencies occurred because FEMA officials did not establish standard operating procedures and a dedicated program office with sufficient staff to support the TSA program. As a result, FEMA paid more than \$55.8 million in unverified taxes, disbursed indeterminate amounts for unoccupied rooms,³⁸ and left over 146,000 disaster survivors to remain in hotels for more than the recommended 30 days.

Title: FEMA Needs to Reduce the \$579 Million Backlog of Projects in its New York Public Assistance Grant Program

Number: [OIG-21-23](#)

Date: 3/5/2021

Summary: The Federal Emergency Management Agency (FEMA) Region II (Region II) and New York State's Division of Homeland Security and Emergency Services (DHSES) generally complied with PA policies, procedures, and regulations, but have not adequately monitored or promptly closed hundreds of completed projects. This has created a backlog of 605 completed projects totaling \$578.8 million. This large backlog is a result of DHSES not adequately training grant subrecipients, FEMA changing its guidance to DHSES and subrecipients, and FEMA and DHSES not effectively using quarterly progress reports to monitor project status and manage project closeouts. Five hundred additional projects with an awarded amount of nearly \$5 billion are expected to be completed and ready for closeout in the coming years. If Region II and DHSES do not address the procedural deficiencies in the closeout process, they will not be adequately prepared for the next wave of projects ready for closeout. In addition, the large project closeout backlog has led to delays in reimbursing subrecipients, which could negatively affect some entities' local operating budgets.

Title: FEMA Needs to Improve Guidance and Oversight for the Presidential Residence Protection Assistance Grant

Number: [OIG-21-24](#)

Date: 3/3/2021

Summary: The Federal Emergency Management Agency (FEMA) did not ensure state and local law enforcement agencies expended FEMA's Presidential Residence Protection Assistance (PRPA) grant funds in accordance with Federal regulations and FEMA guidelines. Specifically, FEMA's Grant Programs Directorate (GPD) reimbursed the New York City Police Department (NYPD) for unallowable overtime fringe benefits. This occurred, in part, because GPD did not evaluate NYPD's increase in fringe benefit rates, request justification for the rate change, or establish comprehensive guidance for the PRPA grant. Additionally, GPD did not provide effective oversight to manage the PRPA grant during its application review and verification process by assigning limited, inexperienced staff whose work received minimal supervisory review. As a result, GPD improperly reimbursed NYPD \$6.9 million in unallowable fringe benefit costs. Additionally, FEMA may not be able to ensure taxpayer funds are spent in the best interest of the government.

Title: Success of Future Disaster Response and Recovery Efforts Depends on FEMA Addressing Current Vulnerabilities**Number:** [OIG-21-25](#)**Date:** 3/3/2021

Summary: Based on our prior work, we identified a pattern of internal control vulnerabilities that negatively affect both disaster survivors and disaster program effectiveness. These vulnerabilities may hinder future response efforts by the Federal Emergency Management Agency (FEMA) and its state and local Public Assistance (PA) grant recipients. The following systemic vulnerabilities negatively affected disaster survivors:

- shortcomings in acquisition and contracting controls that hindered prompt provision of supplies and increased the risk of questionable sheltering options for survivors;
- interagency coordination challenges that reduced Federal volunteers' usefulness in affected areas; and
- inadequate staffing and training, as well as insufficient privacy safeguards, increased fraud exposure and risk to survivors' personally identifiable information.

In addition, systemic vulnerabilities reduced disaster program effectiveness because FEMA did not adequately:

- oversee disaster grant recipients and subrecipients, putting millions of Federal dollars at risk of fraud, waste, or abuse;
- manage disaster assistance funds to ensure financial accountability and safeguarding of funds; and
- oversee its information technology (IT) environment to support response and recovery efforts effectively.

As of September 30, 2020, FEMA had not implemented 98 of the 115 recommendations we made, of which 74 of the 98 were issued within 6 months of this date and 8 were unresolved. Swift corrective action will help FEMA better prepare for future disasters and improve the Nation's response and recovery.

Title: FEMA's Procurement and Cost Reimbursement Review Process Needs Improvement**Number:** [OIG-21-26](#)**Date:** 3/4/2021

Summary: The Federal Emergency Management Agency (FEMA) did not ensure that, following Hurricane Irma, procurements and costs for debris removal operations in Monroe County, Florida, met Federal requirements and FEMA guidelines. Specifically, FEMA did not adequately review local entities' procurements for debris removal projects and reimbursed local entities for questionable costs. These deficiencies were due to weaknesses in FEMA training and its quality assurance process. As a result, FEMA approved reimbursement to local entities for nearly \$25.6 million (more than \$23 million in Federal share) for debris removal projects, including contracts that may not have met Federal procurement requirements and more than \$2 million in questionable costs. Without improvements to FEMA's training and project review processes, FEMA risks continuing to expose millions of dollars in disaster relief funds to fraud, waste, and abuse.

Title: FEMA Needs Revised Policies and Procedures to Better Manage Recovery of Disallowed Grant Funds**Number:** [OIG-21-28](#)**Date:** 3/11/2021

Summary: The Federal Emergency Management Agency's (FEMA) process for recovering disallowed grant costs could be improved. First, FEMA justified allowing most of the costs we questioned for noncompliance with procurement regulations. FEMA based these decisions solely on the reasonableness of the costs, rather than addressing the procurement deficiencies. Allowing such costs may deter recipients and subrecipients from complying with Federal procurement requirements and leave funds open to potential waste and abuse. Second, although staff in FEMA regional offices generally followed internal guidance when recovering disallowed grant costs, they did not track debt collections by the FEMA Finance Center (FFC) because FEMA guidance does not require them to do so. The FFC also did not update regional office staff on debt collection status, as required. Without such status updates, FEMA may award grants to recipients and subrecipients with outstanding unresolved debt. Finally, FEMA's internal guidance does not comply with time limits for debt recovery in the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended. A statute of limitations in the act was revised to prohibit FEMA from initiating new action to recover payments from disaster recipients after 3 years from the date a final expenditure report for a project is submitted. This occurred because FEMA did not effectively communicate the changes to its staff and some officials were unaware the statute of limitations changed. In addition, FEMA did not update its guidance to remain compliant in a timely manner. As a result, FEMA may attempt to recover payments beyond the time limit.

Title: FEMA's Efforts to Provide Funds to Reconstruct the Vieques Community Health Center**Number:** [OIG-21-41](#)**Date:** 6/9/2021

Summary: Based on the OIG audit, it was determined that the Federal Emergency Management Agency (FEMA) followed applicable laws, regulations, and guidance in its efforts to provide funds for reconstruction of the Centro de Salud Familiar Susana Centeno, Vieques' community health center locally known as Vieques Center of Diagnostics and Treatment (Vieques CDT). FEMA officials explained they made the determination to replace the Vieques CDT based on the facility's pre-disaster use and information provided by the award recipient and subrecipient. On July 9, 2019, FEMA issued an Eligibility Determination Memorandum to Puerto Rico's Central Office for Recovery, Reconstruction, and Resiliency (COR3) identifying the Vieques CDT as eligible for replacement and designating the replacement facility as a medical clinic. Although FEMA and COR3 disagreed about the designation of the Vieques CDT, Vieques did not exercise its right to appeal the designation or the final award amount. As required by FEMA guidance, Puerto Rico's Public Assistance Alternate Procedures (Section 428), an expert panel reviewed and approved the cost estimate for reconstruction on December 16, 2019. On January 21, 2020, FEMA obligated about \$40 million to reconstruct Vieques CDT. As of January 2021, none of the funds had been disbursed by COR3. FEMA also obligated about \$4.2 million to establish and operate a temporary medical services facility in Vieques that opened in May 2018. According to FEMA, the temporary

facility can provide all the services previously available at the Vieques CDT, and FEMA will continue to fund the temporary facility until permanent facility reconstruction is complete.

Title: FEMA Initiated the Hurricane Harvey Direct Housing Assistance Agreement without Necessary Processes and Controls

Number: [OIG-21-42](#)

Date: 7/6/2021

Summary: The Federal Emergency Management Agency's (FEMA) IGSA with TxGLO was appropriate to ensure direct housing assistance program compliance with applicable laws and regulations. However, FEMA initiated the IGSA without first developing the processes and controls TxGLO needed to administer the program. Specifically:

- FEMA did not have guidelines or identify specific roles and responsibilities TxGLO needed to carry out the program because FEMA did not engage stakeholders in preparedness planning and coordination prior to the disaster. As a result, FEMA and the State had to develop and finalize implementation guidelines after signing the IGSA, delaying TxGLO's disaster response.
- FEMA did not have guidance and training to help build State capabilities to administer disaster housing assistance, and available FEMA guidance did not have information on how states should implement direct housing assistance. As a result, FEMA disaster personnel had to prepare the necessary guidance, toolkits, and training resources while responding to Hurricane Harvey.
- FEMA's housing information system did not support all housing options or state-administered direct housing assistance due to a system design that did not address various housing options, as well as access challenges. As a result, FEMA used workarounds and TxGLO set up a separate system, creating additional operational challenges and inefficiencies.

FEMA should carefully consider and apply lessons learned from its IGSA with TxGLO to ensure more successful state-administered program outcomes in the future.

Title: FEMA Has Not Prioritized Compliance with the Disaster Mitigation Act of 2000, Hindering Its Ability to Reduce Repetitive Damages to Roads and Bridges

Number: [OIG-21-43](#)

Date: 7/6/2021

Summary: The Federal Emergency Management Agency (FEMA) has not prioritized compliance with Section 205(b) of the Disaster Mitigation Act of 2000 (DMA 2000). According to FEMA officials, the component has instead focused on other tasks necessary to carry out its mission. Therefore, FEMA has not published regulations and related policies, as required by the DMA 2000, to provide an incentive to reduce repetitive damages to facilities, including roads and bridges, through mitigation. Additionally, FEMA has overlooked and not resolved issues with two key aspects of program implementation — limitations in data collection and tracking and impediments to applicants' mitigation efforts. From 2009 through 2018, FEMA obligated an estimated \$1.9 billion in assistance for repetitively damaged roads and bridges. Until FEMA prioritizes publication of regulations and policies and resolves data system limitations and impediments to applicants, it

cannot take full advantage of mitigation opportunities to reduce repetitive damages to the Nation's roads and bridges and ensure effective long-term recovery.

Title: FEMA Must Strengthen Its Responsibility Determination Process

Number: [OIG-21-44](#)

Date: 7/6/2021

Summary: Federal Emergency Management Agency (FEMA) contracting personnel did not always take the necessary steps to ensure prospective contractors could deliver goods and services during compressed disaster response timeframes. Specifically, in reviewing 16 contract files, we found files that did not have relevant Federal tax information, were missing information on the contractor's past performance evaluations, and contained incomplete and inconsistent documentation. We attribute these deficiencies to FEMA not providing guidance on procedures for implementing Federal regulations to contracting personnel, and the Department of Homeland Security removing guidance from its acquisition manual that is used by component personnel. As a result of inadequate guidance, FEMA personnel awarded contracts without making fully informed determinations as to whether prospective contractors could meet contract demands. If contractors cannot meet demands, FEMA may have to cancel contracts it has awarded, which has happened in the past and continues. In fact, between March and May 2020, FEMA awarded and canceled at least 22 contracts, valued at \$184 million, for crucial supplies in response to the national COVID-19 pandemic. By awarding contracts without ensuring prospective contractors can meet contract demands, FEMA will continue wasting taxpayer dollars and future critical disaster and pandemic assistance will continue to be delayed.

Title: Inadequate FEMA Oversight Delayed Completion and Closeout of Louisiana's Public Assistance Projects

Number: [OIG-21-50](#)

Date: 7/27/2021

Summary: FEMA did not ensure Louisiana adequately managed and provided oversight of PA grants to make certain the State complied with Federal regulations. Specifically, Louisiana had a backlog of 600 incomplete projects beyond their approved completion dates. We attribute this to the State not conducting regular site visits to assess subrecipients' ongoing projects and identify and resolve issues as they arose that would have helped ensure prompt project completion. In addition, FEMA had a backlog of 2,150 completed grant projects it had not closed out due to inadequate oversight of its Region 6 staff to ensure they promptly carried out this responsibility. As of the fourth quarter of 2018, the combined backlog of 2,750 grant projects represented nearly \$6.6 billion in obligated funds. By May 2020, FEMA had reduced the backlog, but the significant number of remaining projects potentially could lead to delays in reimbursing applicants, as well as deobligating funds that could be put to better use. Multiple hurricanes in 2020, along with the pandemic, make it especially critical for FEMA to reduce the backlog, thereby ensuring timely assistance to disaster survivors and prudent use of taxpayer dollars.

Title: FEMA Prematurely Obligated \$478 Million in Public Assistance Funds from FY 2017 through FY 2019**Number:** [OIG-21-54](#)**Date:** 8/17/2021

Summary: The Federal Emergency Management Agency (FEMA) did not use its Strategic Funds Management (SFM) initiative to ensure Public Assistance (PA) funds were obligated in accordance with Federal, Department, and component requirements. Specifically, FEMA fully obligated PA funds for 83 projects from fiscal years 2017 through 2019 that we reviewed, even though the subrecipients did not need the funding until after 180 days, which made them eligible for incremental obligation under SFM. This occurred because FEMA did not provide adequate oversight to its Regions. FEMA relied on the Regions' decisions to determine whether subrecipients' projects were eligible for SFM funding, without ensuring there was sufficient supporting documentation to validate the determinations. FEMA also could not provide documentation to support an overall headquarters-level review of the SFM process. Finally, FEMA has not updated its SFM standard operating procedures since issuing them in December 2012. Because it did not provide adequate oversight or update its procedures to ensure it used SFM to properly obligate funds, FEMA prematurely obligated \$478 million in PA funds for subrecipients who, on average, did not request funds until 563 days after obligation. This increases the risk of projects being over obligated. As a result, FEMA is not meeting the intent of SFM, which is to better manage resources in the Disaster Relief Fund, to fulfill present and future disaster funding requirements.

Title: Lessons Learned from FEMA's Initial Response to COVID-19**Number:** [OIG-21-64](#)**Date:** 9/21/2021

Summary: In response to the COVID-19 pandemic, FEMA worked closely with the U.S. Department of Health and Human Services and other Federal agencies to facilitate the shipment of PPE and ventilators. However, the magnitude of the global event exposed weaknesses in FEMA's resource request system and allocation processes. Specifically, WebEOC — the system FEMA used to process resource requests including those for PPE and ventilators — contained unreliable data to inform allocation decisions and ensure requests were accurately adjudicated. This occurred because FEMA did not develop controls to validate requests and prevent incomplete, inaccurate, or duplicate data entries; nor did FEMA ensure WebEOC users received training on proper use of the system. In addition, although FEMA developed a process to allocate the limited supply of ventilators, it did not have a similarly documented process for PPE.

Finally, FEMA did not have strategic guidance clearly outlining the roles and responsibilities used to lead the Federal response. FEMA's decision to prioritize ongoing pandemic response efforts without updating its written guidance and strategic plans hindered FEMA's coordination efforts.

To its credit, FEMA evaluated its COVID-19 response operations, identifying similar key findings and recommendations aimed at improving current and future responses, including making updates to its WebEOC system.

Title: FEMA Must Take Additional Steps to Better Address Employee Allegations of Sexual Harassment and Sexual Misconduct**Number:** [OIG-21-71](#)**Date:** 9/29/2021

Summary: The Federal Emergency Management Agency (FEMA) did not always appropriately report and investigate employee allegations of sexual harassment and workplace sexual misconduct. For FYs 2012 to 2018, we identified 305 allegations from FEMA employees potentially related to sexual harassment and sexual misconduct such as sexual assault, unwelcome sexual advances, and inappropriate sexual comments. However, we were unable to determine whether FEMA properly handled 153 of these allegations, because it could not provide complete investigative and disciplinary files. For allegations that had complete files available, at times we were unable to determine whether FEMA conducted an investigation. Finally, we found FEMA did not document whether it reviewed some sexual harassment-related Equal Employment Opportunity (EEO) complaints to determine whether potential employee misconduct occurred. We attributed the inconsistent investigations and incomplete files to inadequate policies, processes, and training. One-third (255 of 765) of the employees who responded to our questionnaire indicated they had experienced sexual harassment or sexual misconduct, but they did not report it because they did not believe the allegations would be investigated. Unaddressed sexual harassment and sexual misconduct in the workplace can have negative effects on employees, including decreased performance, low morale, and increased turnover.

Federal Law Enforcement Training Centers (FLETC)

DHS OIG Reports

Title: FLETC's Actions to Respond to and Manage COVID-19 at its Glynco Training Center**Number:** [OIG-21-73](#)**Date:** 9/30/2021

Summary: In March 2020, the Federal Law Enforcement Training Center (FLETC) temporarily closed due to the COVID-19 pandemic and began developing robust protocols to respond to and mitigate COVID-19 at its Glynco training facility. Before reopening in June 2020, FLETC created a formal plan to resume in-person training. Through this plan, along with other policies and procedures, FLETC established protocols in accordance with Centers for Disease Control and Prevention's guidance and medical expertise. DHS students and component officials, we spoke with confirmed that these protocols were in place and told us that, overall, they were effective. As a result of its mitigation measures, FLETC's rate of positive COVID-19 tests was lower than that of its surrounding county. However, DHS students and component officials also raised concerns related to students not following certain requirements such as mask wearing. In instances such as these, FLETC largely relied on students' home agencies to act to reinforce compliance with safety protocols among their students, or to take disciplinary action if necessary. We also found, however, that FLETC did not always follow its own protocols for housing assignments related to

COVID-19. Our analysis of housing records for a sample of 20 DHS students at the Glynco training facility found issues with housing assignments for half the students. For example, some students who were not positive for COVID-19 or were not quarantined for exposure to COVID-19 were still housed in the isolation dormitory. Some of the students who were incorrectly assigned to the isolation dormitory told us that they did not feel safe.

Immigration and Customs Enforcement (ICE)

GAO Reports

Title: Immigration Detention: ICE Efforts to Address COVID-19 in Detention Facilities

Number: [GAO-21-414](#)

Date: 6/30/2021

Summary: U.S. Immigration and Customs Enforcement has a number of detention facilities around the country. As of March 2021, ICE had confirmed over 10,000 cases of COVID-19 among detainees within its detention facilities, and recorded 8 deaths. We reviewed how ICE has responded to COVID-19 in its detention facilities. We found that ICE has developed protocols to address things like facility intake processing, screening and testing, and social distancing. However, some facilities reported that it was difficult to quarantine detainees at times due to infrastructure limitations. Additionally, detainee compliance with mask wearing was an ongoing challenge.

Title: Immigration Enforcement: ICE Can Further Enhance Its Planning and Oversight of State and Local Agreements

Number: GAO-21-186

Date: 2/26/2021

Summary: Under its 287(g) program, U.S. Immigration and Customs Enforcement can enter into agreements with state and local law enforcement agencies to help enforce immigration laws. Since 2017, the program expanded from 35 to about 150 agreements and ICE now has two models in which such law enforcement agencies can participate. We found that ICE has some policies and procedures to oversee and manage the partner agreements, but it does not have goals or measures to assess program performance or have an oversight mechanism for the partner agencies in its newer program model.

Title: Immigration Detention: Actions Needed to Improve Planning, Documentation, and Oversight of Detention Facility Contracts

Number: [GAO-21-149](#)

Date: 2/12/2021

Summary: The Department of Homeland Security's ICE detained approximately 48,500 foreign nationals a day, on average, for 72 hours or more in fiscal year 2019. ICE was appropriated about \$3.14 billion in fiscal year 2020 to operate the immigration detention system. ICE has three ways of acquiring detention space—IGSAs with state or local government entities; agreements with

Department of Justice U.S. Marshals Service to join an existing contract or agreement (known as a “rider”); or contracts. This report examines (1) what data show about the characteristics of contracts and agreements; (2) the extent to which ICE developed and implemented processes and a strategic approach to acquire space; and (3) the extent to which ICE has overseen and enforced contracts and agreements. GAO reviewed documentation of acquisition and oversight efforts at facilities used to hold detainees for 72 hours or more; analyzed ICE data for the last 3 fiscal years—2017 through 2019; conducted site visits to new and long-standing detention facilities; and interviewed ICE officials.

Title: Immigration Detention: Actions Needed to Improve Planning, Documentation, and Oversight of Detention Facility Contracts

Number: [GAO-21-487](#)

Date: 7/20/2021

Summary: Department of Homeland Security's (DHS) U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP) have policies and procedures for investigating citizenship, but some ICE guidance is inconsistent. Specifically, ICE policy requires officers to interview individuals claiming U.S. citizenship in the presence of, or in consultation with, a supervisor, but its training materials direct officers to end questioning if the officer believes the individual and the evidence suggests the individual is a U.S. citizen—without consulting a supervisor. By making its training materials consistent with ICE policy, ICE would have more assurance that all encounters with potential U.S. citizens receive appropriate supervisory review.

DHS OIG Reports

Title: ICE Needs to Address Concerns About Detainee Care and Treatment at the Howard County Detention Center

Number: [OIG-21-03](#)

Date: 10/28/2020

Summary: During our December 2019 unannounced inspection of HCDC, we identified violations of ICE detention standards that threatened the health, safety, and rights of detainees. Although HCDC generally complied with ICE detention standards regarding communication, it did not meet the standards for detainee searches, food service, and record requirements for segregation and medical grievances. We determined HCDC excessively strip searched ICE detainees leaving their housing unit to attend activities within the facility, in violation of ICE detention standards and the facility's own search policy. In addition, HCDC failed to provide detainees with two hot meals per day, as required. For those in segregation, HCDC did not consistently document that detainees received three meals a day and daily medical visits. Further, HCDC did not properly document the handling of detainee medical grievances. ICE concurred with the two recommendations outlined in the report and has identified a corrective action plan to address the deficiencies we identified.

Title: Management Alert - FPS Did Not Properly Designate DHS Employees Deployed to Protect Federal Properties under 40 U.S.C. § 1315(b)(1)**Number:** [OIG-21-05](#)**Date:** 11/2/2020

Summary: Under 40 United States Code (U.S.C.) § 1315, the Secretary of the Department of Homeland Security is required to protect Federal property and people on that property.¹ To assist him with this task, the Secretary can “designate employees of [DHS] ... as officers and agents for duty in connection with the protection of property owned or occupied by the Federal Government and persons on the property, including duty in areas outside the property to the extent necessary to protect the property and persons on the property.”² We are issuing this management alert because the Director of the Federal Protective Service (FPS) did not properly designate DHS employees recently deployed to protect Federal properties under 40 U.S.C. § 1315(b)(1).

Title: DHS Components Have Not Fully Complied with the Department's Guidelines for Implementing the Lautenberg Amendment**Number:** [OIG-21-09](#)**Date:** 11/13/2020

Summary: U.S. Customs and Border Protection (CBP), United States Secret Service (Secret Service), Immigration and Customs Enforcement (ICE), and Transportation Security Administration (TSA) have not fully complied with DHS’ guidelines for implementing the Lautenberg Amendment. To illustrate, CBP and Secret Service did not ensure law enforcement officers completed annual Lautenberg Amendment certifications as required. CBP and ICE also did not use available resources to monitor the arrests and convictions of law enforcement officers subject to the Lautenberg Amendment. None of the four components provided domestic violence awareness training to law enforcement officers as required by the implementing guidelines. The DHS Office of Strategy, Policy, and Plans should ensure components are uniformly applying and enforcing the Department’s guidelines for implementing the Lautenberg Amendment. DHS concurred with the recommendations and described corrective actions either already taken or planned to address the findings in this report. We consider recommendations 1 and 3 resolved and open. We consider recommendation 2 resolved and closed.

Title: ICE Guidance Needs Improvement to Deter Illegal Employment**Number:** [OIG-21-15](#)**Date:** 1/15/2021

Summary: The WSE program’s compliance, civil enforcement, and outreach activities are not as effective as they could be in supporting ICE’s immigration enforcement strategy. ICE officials did not consistently enforce the ICE 2008 Guide to Administrative Form I-9 Inspections and Civil Monetary Penalties (I-9 Guide) against employers. This occurred because the guide does not provide detailed instructions on justifying civil fine reductions, issuing compliance letters, or performing follow-up inspections on warning notices. As a result, the WSE program does not effectively deter employers from violating employment immigration laws and hiring unauthorized alien workers (UAW). ICE also did not take timely and affirmative steps to hold UAWs accountable for obtaining unlawful employment because the I-9 Guide has not been updated to address risks and challenges associated with UAWs’ use of fraudulent documentation. As a result, ICE officials

cannot ensure that these unapprehended individuals do not have criminal records and the UAWs are free to seek employment elsewhere. Lastly, ICE did not ensure the outreach program achieved measurable progress and was cost effective because ICE officials have not conducted a comprehensive assessment of the program. Consequently, ICE risks overlooking other ways to conduct effective outreach with employers to effect positive change. ICE concurred with all four recommendations.

Title: DHS' Fragmented Approach to Immigration Enforcement and Poor Planning Resulted in Extended Migrant Detention during the 2019 Surge

Number: [OIG-21-29](#)

Date: 3/18/2021

Summary: A key issue preventing U.S. Customs and Border Protection (CBP) from transferring detainees out of its facilities within 72 hours was insufficient Immigration and Customs Enforcement, Enforcement and Removal Operations' (ICE ERO) bed space. ICE ERO also could not increase capacity quickly enough to keep pace with CBP's apprehensions, and available bed space was not always appropriate for the aliens in need of placement. As a result, CBP's Border Patrol faced rapidly increasing numbers of detainees — especially single adults — who remained in CBP's holding facilities intended for short-term custody. Despite worsening conditions, Border Patrol generally did not exercise its authority to release single adults from its custody. Border Patrol sectors created ad-hoc solutions to manage the growing detainee populations in its facilities, because their local response plans did not adequately account for ICE ERO's detention limitations. Furthermore, longstanding fragmentation in immigration enforcement operations between CBP and ICE ERO further exacerbated these challenges. DHS was aware of a potential land migration surge and the challenges it would pose. DHS had both a multi-component task force in place at the border and a plan for land migration surges, but used neither during the 2019 surge. In May 2019, DHS created a headquarters coordination group to advise leadership and help manage future emergencies, like a migrant surge. However, if the Department does not develop a DHS-wide framework for surges and address day-to-day fragmentation, CBP and ICE ERO will face the same challenges in future surges. DHS concurred with all recommendations, which are resolved and open.

Title: Violations of Detention Standards Amidst COVID-19 Outbreak at La Palma Correctional Center in Eloy, AZ

Number: [OIG-21-30](#)

Date: 3/30/2021

Summary: During our unannounced inspection of LPCC, we identified violations of ICE detention standards that threatened the health, safety, and rights of detainees. LPCC complied with the ICE detention standard regarding classification. However, detainee reports and grievances allege an environment of mistreatment and verbal abuse, including in response to detainee peaceful protests of the facility's handling of the pandemic. In addressing the coronavirus disease 2019 (COVID-19), LPCC did not enforce ICE's precautions including facial coverings and social distancing, which may have contributed to the widespread COVID-19 outbreak at the facility. In addition, LPCC did not meet standards for medical care, segregation, grievances, or detainee communication. We found that the medical unit was critically understaffed, took an average of

3.35 days to respond to detainee sick call requests, and neglected to refill some prescription medications. We also found the facility was not consistently providing required care for detainees in segregation and did not consistently record medication administration and daily medical visits for segregated detainees. Our grievance review revealed that LPCC did not give timely responses to most detainee grievances and, in some cases, did not respond at all. Finally, we found deficiencies in staff-detainee communication practices. Specifically, LPCC did not keep records of detainee requests and ICE did not provide a Deportation Officer visit or call schedule for detainees. ICE concurred with three of the eight recommendations.

Title: DHS Had Authority to Deploy Federal Law Enforcement Officers to Protect Federal Facilities in Portland, Oregon, but Should Ensure Better Planning and Execution in Future Cross-Component Activities

Number: [OIG-21-31](#)

Date: 4/16/2021

Summary: Under 40 United States Code (U.S.C.) § 1315, the Department of Homeland Security had the legal authority to designate and deploy DHS law enforcement officers from U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and United States Secret Service to help FPS protect Federal facilities in Portland, Oregon. However, DHS was unprepared to effectively execute cross-component activities to protect Federal facilities when component law enforcement officers first deployed on June 4, 2020. Specifically, not all officers completed required training; had the necessary equipment; and used consistent uniforms, devices, and operational tactics when responding to the events in Portland. This occurred because DHS did not have a comprehensive strategy that addressed the potential for limited state and local law enforcement assistance, as well as cross-designation policies, processes, equipment, and training requirements. Without the necessary policies, training, and equipment, DHS will continue to face challenges securing Federal facilities during periods of civil disturbance that could result in injury, death, and liability. Additionally, we previously reported concerns regarding DHS' delegation of authority and that the Director of FPS did not properly identify DHS employees by name who could exercise authority under 40 U.S.C. § 1315(b)(1). DHS concurred with both recommendations.

Title: Violations of ICE Detention Standards at Pulaski County Jail

Number: [OIG-21-32](#)

Date: 4/29/2021

Summary: During our unannounced inspection of Pulaski County Jail in Ullin, Illinois, we identified violations of ICE detention standards that threatened the health, safety, and rights of detainees. In addressing COVID-19, Pulaski did not consistently enforce precautions including use of facial coverings and social distancing, which may have contributed to repeated COVID-19 transmissions at the facility. Pulaski did not meet standards for classification, medical care, segregation, or detainee communication. We found that the facility was not providing a color-coded visual identification system based on the criminal history of detainees, causing inadvertent comingling of a detainee with significant criminal history with detainees who had no criminal history. The facility generally provided sufficient medical care, but did not provide emergency dental services and the medical unit did not have procedures in place for chronic care follow-up. We also found that the facility was not consistently providing required oversight for detainees in segregation by

conducting routine wellness checks. Finally, we found deficiencies in staff communication practices with detainees. Specifically, ICE did not specify times for staff to visit detainees and could not provide documentation that it completed facility visits with detainees during the pandemic. We did find that Pulaski generally complied with the ICE detention standard for grievances. ICE concurred with all five recommendations.

Title: ICE Did Not Consistently Provide Separated Migrant Parents the Opportunity to Bring Their Children upon Removal

Number: [OIG-21-36](#)

Date: 5/19/2021

Summary: We confirmed that before July 12, 2018, migrant parents did not consistently have the opportunity to reunify with their children before removal. Although DHS and ICE have claimed that parents removed without their children chose to leave them behind, there was no policy or standard process requiring ICE officers to ascertain, document, or honor parents' decisions regarding their children. As a result, from the time the Government began increasing criminal prosecutions in July 2017, ICE removed at least 348 parents separated from their children without documenting that those parents wanted to leave their children in the United States. In fact, ICE removed some parents without their children despite having evidence the parents wanted to bring their children back to their home country. In addition, we found that some ICE records purportedly documenting migrant parents' decisions to leave their children in the United States were significantly flawed. For example, some records reflect that removed parents orally waived reunification prior to removal, but did not include the information ICE provided to the parent before the parent had to make the decision, or whether ICE gave the parent the option to reunify with his or her child. ICE concurred with the two recommendations, which are resolved and open.

Title: ICE Faces Challenges in Its Efforts to Assist Human Trafficking Victims

Number: [OIG-21-40](#)

Date: 6/4/2021

Summary: ICE did not adequately identify and track human trafficking crimes. Specifically, ICE Homeland Security Investigations (HSI) did not accurately track dissemination and receipt of human trafficking tips, did not consistently follow up on tips, and did not maintain accurate data. Additionally, HSI special agents did not consistently and properly maintain human trafficking case files from initiation to closure. Finally, we found several examples of incomplete and inaccurate victim assistance data. These issues occurred because HSI did not have a cohesive approach to carrying out its responsibilities in combating human trafficking. Instead, independently managed program offices with partial responsibilities created challenges for HSI to coordinate and oversee human trafficking efforts. As a result, HSI may have missed opportunities to assist and save victims and support U.S. Attorneys in their prosecution efforts. Additionally, by relying on inaccurate data, ICE may not be allocating funds or resources in the most efficient manner and could be miscalculating human trafficking statistics. ICE concurred with the recommendation.

Title: Violations of ICE Detention Standards at Adams County Correctional Center**Number:** [OIG-21-46](#)**Date:** 7/14/2021

Summary: Natchez, Mississippi, we identified violations of ICE detention standards that threatened the health, safety, and rights of detainees. Although Adams generally provided sufficient medical care, we identified one case in which the medical unit examined a sick detainee but did not send the detainee to the hospital for urgent medical treatment, and the detainee died. We also found the medical unit did not document outcomes of detainee sick calls or ensure proper review and follow-up of detainee test results. In addressing COVID-19, Adams took some measures to prevent the spread of COVID-19, but detainees did not consistently follow some guidelines, including use of facial coverings and social distancing, which may have contributed to repeated COVID-19 transmissions. Adams did not meet standards for classification, grievances, segregation, or staff-detainee communications. Specifically, we discovered a low custody detainee comingled with higher custody detainees, and found the facility did not always identify detainees with special vulnerabilities or those requiring translation services. Adams also did not respond timely to detainee grievances and was not consistently providing required care for detainees in segregation including access to recreation, legal calls, laundry, linen exchange, mail, legal materials, commissary, law library, and to ICE forms and drop-boxes for detainees to make requests. In addition, ICE did not consistently respond to detainee requests timely. Finally, we determined the declining detainee population at Adams resulted in ICE paying more than \$17 million for unused bed space under a guaranteed minimum contract. ICE concurred with all seven recommendations.

Title: ICE's Oversight of the Caggemini Contract Needs Improvement**Number:** [OIG-21-57](#)**Date:** 8/26/2021

Summary: Although ICE had controls in place that required the contractor to provide qualified labor, ICE did not properly construct or monitor the contract. This occurred because ICE awarded a firm-fixed-price contract but required a labor-hour performance measurement to monitor and track work hours, which was not appropriate for this type of contract. The contractor also did not provide the number of staff ICE required for specific labor categories. As a result, ICE cannot ensure it received all services, and it may have overpaid \$769,869 in labor costs. Finally, ICE did not ensure the contractor met statement of work requirements for staff skill sets, education, and work experience, nor did it ensure all contractor staff worked at the designated place of performance. ICE concurred with our recommendations.

Title: ICE's Management of COVID-19 in Its Detention Facilities Provides Lessons Learned for Future Pandemic Responses**Number:** [OIG-21-58](#)**Date:** 9/7/2021

Summary: In congregate environments such as U.S. Immigration and Customs Enforcement's (ICE) detention facilities, the coronavirus disease 2019 (COVID-19) can spread easily, creating unique challenges for mitigating the risk of infection and transmission of the disease. As a result, ICE took various actions to prevent the pandemic's spread among detainees and staff at its detention facilities during 2020 and into 2021. At the nine facilities we inspected remotely, these measures

included maintaining adequate supplies of personal protective equipment (PPE) such as face masks, enhanced cleaning, and proper screening for new detainees and staff. However, we found other areas in which detention facilities struggled to properly manage the health and safety of detainees. For example, we observed instances where staff and detainees did not consistently wear face masks or socially distance. In addition, we noted that some facilities did not consistently manage medical sick calls and did not regularly communicate with detainees regarding their COVID-19 test results. Although we found that ICE was able to decrease the detainee population to help mitigate the spread of COVID-19, information about detainee transfers was limited. We also found that testing of both detainees and staff was insufficient, and that ICE headquarters did not generally provide effective oversight of its detention facilities during the pandemic. Overall, ICE must resolve these issues to ensure it can meet the challenges of the COVID-19 pandemic, as well as future pandemics. ICE concurred with our six recommendations, which are resolved and open.

Title: Violations of ICE Detention Standards at Otay Mesa Detention Center

Number: [OIG-21-61](#)

Date: 9/14/2021

Summary: During our unannounced inspection of Otay Mesa in San Diego, California, we identified violations of ICE detention standards that compromised the health, safety, and rights of detainees. Otay Mesa complied with standards for classification and provided sufficient medical care to detainees. In addressing COVID-19, Otay Mesa did not consistently enforce use of facial coverings and social distancing. While facility staff initially required detainees to sign documents releasing the facility from liability for all claims related to mask wearing to obtain masks, Otay Mesa reversed this decision the same day and provided detainees masks without the waiver. In February 2021, Otay Mesa began providing COVID-19 vaccinations to detainees through partnerships with local governments. Overall, we found that Otay Mesa did not meet standards for grievances, segregation, or staff-detainee communications. Specifically, Otay Mesa did not respond timely to detainee grievances and did not forward staff misconduct grievances to ICE as required. In addition, Otay Mesa was not consistently providing required services for detainees in segregation, including access to recreation, legal calls, laundry, linen exchange, mail, legal materials, commissary, and law library. Further, ICE did not consistently respond to detainee requests timely and did not specify times for visits with detainees. Finally, we determined the declining detainee population at Otay Mesa caused ICE to pay more than \$22 million for unused bed space under a guaranteed minimum contract. ICE concurred with six of the seven recommendations.

Management (MGMT)

GAO Reports

Title: Priority Open Recommendations: Department of Homeland Security**Number:** [GAO-21-377PR](#)**Date:** 8/23/2021

Summary: Each year, GAO makes more than 1,000 recommendations to help improve the federal government. GAO alerts department heads to the recommendations where they can save the most money, address issues on our High Risk List, or significantly improve government operations. This report outlines our 38 priority open recommendations for DHS as of August 2021. The recommendations relate to emergency preparedness, border and transportation security, infrastructure, cybersecurity and IT, and chemical and nuclear security.

Title: Additional Priority Open Recommendations: Department of Homeland Security**Number:** [GAO-21-105374](#)**Date:** 8/30/2021

Summary: Each year, GAO makes more than 1,000 recommendations to help improve the federal government. GAO alerts department heads to where they can save the most money, address issues on our High Risk List, or significantly improve government operations. In August 2021, GAO outlined 38 priority open recommendations for the Department of Homeland Security (DHS). This report identifies 2 additional priority open recommendations—related to domestic intelligence and information sharing—which GAO made in an August 2021 report on DHS's special event designations as related to the Capitol attack on January 6, 2021.

Title: Biodefense: After-Action Findings and COVID-19 Response Revealed Opportunities to Strengthen Preparedness**Number:** [GAO-21-513](#)**Date:** 8/4/2021

Summary: Key federal agencies, including the Departments of Homeland Security (DHS), Defense (DOD), Health and Human Services (HHS), and Agriculture (USDA), developed a range of interagency response plans to prepare for nationally significant biological incidents. These strategic, operational, and tactical level plans address responding to a broad spectrum of biological threats, including those that are intentional, accidental, or naturally occurring. DHS, DOD, HHS, and USDA conducted numerous interagency exercises to help prepare for and respond to a wide variety of biological incidents, such as anthrax attacks, influenza pandemics, and diseases affecting plants and animals. Specifically, GAO identified 74 interagency biological incident exercises conducted from calendar years 2009 through 2019.

Title: Countering Violent Extremism: DHS Can Further Enhance Its Strategic Planning and Data Governance Efforts**Number:** [GAO-21-507](#)

Date: 6/8/2021

Summary: DHS's 2019 Strategic Framework for Countering Terrorism and Targeted Violence and the related plans—collectively referred to as the strategy—outline the department's vision for all DHS counterterrorism activities. In prior work, GAO has identified seven elements of a comprehensive strategy. GAO found that DHS's strategy contains some but not all of the key elements. For example, GAO found that DHS's strategy included a mission statement, and a set of goals that were in turn linked to objectives and priority actions. However, the strategy did not include a discussion of external factors such as how the economy, demographics, or emerging technologies may affect the department in meeting its goals. By identifying and assessing such external factors, DHS would be better positioned to proactively mitigate such factors or plan for contingencies, if needed.

Title: Countering Violent Extremism: DHS Needs to Improve Grants Management and Data Collection

Number: [GAO-21-216](#)

Date: 2/19/2021

Summary: While the Department of Homeland Security (DHS) followed the Office of Management and Budget (OMB) guidance for announcing the 2016 Countering Violent Extremism (CVE) Grant Program and reviewing applications, DHS did not document the basis for its final award decisions. In June 2017, DHS awarded a total of \$10 million in CVE grants to 26 grantees for a 2-year performance period (2017 to 2019). Consistent with OMB guidance, DHS included program priorities and eligibility requirements in its grant announcement and described the process for reviewing and selecting grant applications for award. However, after DHS announced its selection of 31 applications for awards, it ran a new process resulting in revised selections, which was based on additional selection criteria not expressly listed in the grant announcement. While DHS officials explained to GAO how these additional criteria aligned with the grant announcement, these explanations do not appear in DHS's award documentation. Without such documentation, DHS cannot clearly demonstrate that its award decisions were based on the process described in the grant announcement.

Title: Southwest Border: DHS and DOJ Have Implemented Expedited Credible Fear Screening Pilot Programs, but Should Ensure Timely Data Entry

Number: [GAO-21-144](#)

Date: 1/25/2021

Summary: Individuals apprehended by DHS and placed into expedited removal proceedings are to be removed from the U.S. without a hearing in immigration court unless they indicate a fear of persecution or torture, a fear of return to their country, or express an intent to apply for asylum. Asylum officers conduct such “fear screenings,” and EOIR immigration judges may review negative USCIS determinations. In October 2019, DHS and DOJ initiated two pilot programs to further expedite fear screenings for certain apprehended noncitizens. GAO was asked to review DHS's and DOJ's management of these pilot programs. This report examines (1) actions DHS and EOIR took to implement and expand the programs along the southwest border, and (2) what the agencies' data indicate about the outcomes of individuals' screenings and any gaps in such data. GAO analyzed CBP, USCIS, EOIR, and ICE data on all individuals processed under the programs from October 2019

to March 2020; interviewed relevant headquarters and field officials; and visited El Paso, Texas—the first pilot location.

Title: DHS Annual Assessment: Most Acquisition Programs Are Meeting Goals but Data Provided to Congress Lacks Context Needed For Effective Oversight

Number: [GAO-21-175](#)

Date: 1/19/2021

Summary: As of September 2020, 19 of the 24 Department of Homeland Security (DHS) programs GAO assessed that had DHS approved acquisition program baselines were meeting their currently established goals. However, of the 24 programs, ten had been in breach of their cost or schedule goals, or both, at some point during fiscal year 2020. A few programs experienced breaches related to external factors, such as the COVID-19 pandemic, while others breached their baseline goals because of acquisition management issues. Five of these programs rebaselined to increase costs or delay schedules, but the remaining five were still in breach status as of September 2020 (see table). Further, GAO found that some of the 19 programs that were meeting their currently established goals—including the U.S. Coast Guard's Offshore Patrol Cutter program—are at risk of future cost growth or schedule slips.

Title: DHS Employee Morale: Some Improvements Made, but Additional Actions Needed to Strengthen Employee Engagement

Number: [GAO-21-204](#)

Date: 1/12/2021

Summary: The Department of Homeland Security has had low employee morale and low employee engagement—an employee's sense of purpose and commitment—since it began operations in 2003. Greater employee engagement results in better performance, studies show. DHS made some progress improving engagement from 2015-2019. However, as of 2019, a federal survey shows that DHS continues to rank lower in engagement than the government-wide average. We found that holding constructive performance conversations was the strongest driver of employee engagement across DHS. We recommended ways to improve DHS's efforts to increase employee engagement and more.

Title: Homeland Security Acquisitions: DHS Has Opportunities to Improve Its Component Acquisition Oversight

Number: [GAO-21-77](#)

Date: 10/20/2021

Summary: DHS invests billions of dollars each year in its major acquisition programs—such as systems to help secure the border, increase marine safety, and screen travelers—to help execute its many critical missions. In fiscal year 2020 alone, DHS planned to spend more than \$10 billion on major acquisition programs, and ultimately the department plans to invest more than \$200 billion over the life cycle of these programs. A critical aspect of DHS's acquisition process is oversight of this portfolio by the CAEs. Most CAEs are senior acquisition officials below the department level, within the components. The CAEs have oversight responsibilities over the components' major and non-major acquisition programs, among other duties. GAO was asked to review DHS's CAE functions. This report assesses the extent to which selected CAEs are nominated and designated to

execute oversight responsibilities, among other objectives. GAO selected five DHS components, including the department-level Management Directorate, based, in part, on their number and type of acquisitions. GAO reviewed DHS's acquisition policy, guidance and documentation from the selected DHS components and interviewed CAEs, CAE support staff, and other DHS officials.

DHS OIG Reports

Title: DHS Privacy Office Needs to Improve Oversight of Department-wide Activities, Programs, and Initiatives

Number: [OIG-21-06](#)

Date: 11/4/2020

Summary: Although the Department of Homeland Security Privacy Office established a comprehensive framework to administer its privacy program, it does not yet have effective oversight of department-wide privacy activities, programs, and initiatives. The DHS Privacy Office has established policies, procedures, and guidance for components to carry out mission duties in accordance with Privacy Act requirements. However, the DHS Privacy Office has not conducted adequate oversight to ensure consistent execution of its privacy program across DHS components. Specifically, the DHS Privacy Office has not established controls to ensure that privacy compliance documentation and Information Sharing Access Agreements are completed and submitted as required. The DHS Privacy Office also did not monitor completion of required privacy training across the Department. These shortfalls existed because the DHS Privacy Office did not have sufficient measures in place to ensure DHS components adhered to its privacy program. Without such measures, DHS may not be able to identify and address new privacy risks in existing systems and programs or prevent inappropriate dissemination of personally identifiable information.

Title: Major Management and Performance Challenges Facing the Department of Homeland Security

Number: [OIG-21-07](#)

Date: 11/10/2020

Summary: For your information is our annual report, Major Management and Performance Challenges Facing the Department of Homeland Security. Pursuant to the Reports Consolidation Act of 2000, the Office of Inspector General must issue an annual statement summarizing what the Inspector General considers the most serious management and performance challenges facing the Department of Homeland Security and assessing its progress in addressing them. This requirement is consistent with our duties under the Inspector General Act of 1978, as amended, to conduct audits, as well as provide leadership and recommend policies to promote economy, efficiency, and effectiveness in DHS programs and operations. We remain committed to conducting independent oversight and making recommendations to help the Department address these major management and performance challenges. Based on our recent and prior audits, inspections, evaluations, special reviews, and investigations, and the current coronavirus 19 (COVID-19) pandemic, we consider the most serious management and performance challenges facing DHS to be:

- Performing Fully and Effectively during COVID-19;

- Countering Terrorism and Homeland Security Threats;
- Ensuring Proper Financial Management;
- Ensuring Information Technology (IT) Supports Essential Mission Operations;
- Improving FEMA's Contracts and Grants Management, Disaster Assistance, and Fraud Prevention; and
- Strengthening Oversight and Management of Major Systems Acquisition.

Meeting these challenges requires unity of effort, a commitment to mastering management fundamentals, and the identification and allocation of appropriate resources.

Title: Independent Auditors' Report on DHS' FY 2020 Financial Statements and Internal Control over Financial Reporting

Number: [OIG-21-08](#)

Date: 11/13/2020

Summary: The independent public accounting firm KPMG LLP

(KPMG) has issued an unmodified (clean) opinion on DHS' consolidated financial statements for fiscal years 2020 and 2019. KPMG noted that the financial statements present fairly, in all material respects, DHS' financial position as of September 30, 2020 and 2019. KPMG issued an adverse opinion on DHS' internal control over financial reporting as of September 30, 2020. KPMG identified material weaknesses in internal control in two areas and other significant deficiencies in three areas. KPMG also reported instances of noncompliance with three laws and regulations.

Title: Ineffective Implementation of Corrective Actions Diminishes DHS' Oversight of Its Pandemic Planning

Number: [OIG-21-14](#)

Date: 12/21/2020

Summary: The Department of Homeland Security provided OIG with adequate documentation of its initial plans and actions to address our recommendations to improve the Department's pandemic planning and response. However, DHS did not effectively implement corrective actions to address three recommendations intended to provide the operational efficiencies and controls needed in the current pandemic. Specifically, DHS did not:

- ensure the office it designated to manage and account for pandemic personal protective equipment (PPE) provided adequate management oversight;
- ensure components' compliance with the Integrated Logistics Support Plan; and
- designate an office to ensure continued oversight, review, and approval of the Department's and components' pandemic plans.

As a result, early in the pandemic, as COVID-19 spread throughout the world, DHS did not have sufficient department-wide oversight of PPE or pandemic planning.

DHS has already begun to remedy this lack of oversight. In March 2020, DHS implemented a centralized process to manage department-wide pandemic funding and PPE supplies to ensure greater oversight and control. Continuing this approach should help DHS better prepare its components to protect the workforce and persons in their care and custody during this and future pandemics.

Title: DHS Grants and Contracts Awarded through Other Than Full and Open Competition, FYs 2018 and 2019**Number:** [OIG-21-17](#)**Date:** 2/1/2021

Summary: Based on our review of 45 judgmentally sampled awards (15 non-competitive grants and 30 OTFOC contracts), we found DHS complied with applicable laws and regulations. DHS officials supported award decisions with the required planning, market research, justification, and approval documentation to ensure effective stewardship of taxpayer dollars. We identified no systemic instances of noncompliance. However, we determined the Department's report was inaccurate because DHS did not sufficiently identify, review, and validate the award information. Rather, DHS officials included competitive contract awards and other contract awards not subject to competition requirements in the report. In addition, the report included competitive grant awards and was missing non-competitive grant awards, because officials did not verify the award information with DHS financial assistance offices prior to finalizing the report. Although we worked with DHS officials to ensure we had an accurate population for our testing purposes, inaccurate data in the report could hinder our ability to assess the Department's compliance with applicable laws and regulations in future reporting submissions.

Title: Department of Homeland Security's FY 2020 Compliance with the Payment Integrity Information Act of 2019 and Executive Order 13520, Reducing Improper Payments**Number:** [OIG-21-33](#)**Date:** 5/7/2021

Summary: In fiscal year 2020, the Department of Homeland Security did not comply with the Payment Integrity Information Act of 2019 (PIIA) because it did not meet one of the six PIIA requirements. Specifically, DHS did not achieve and report an improper payment rate of less than 10 percent for 2 of 12 programs published in the FY 2020 DHS Agency Financial Report. OIG further determined DHS complied with Executive Order 13520, Reducing Improper Payments, by properly compiling and making available to the public its FY 2020 Quarterly High-Dollar Overpayment reports.

Title: DHS Law Enforcement Components Did Not Consistently Collect DNA from Arrestees**Number:** [OIG-21-35](#)**Date:** 5/17/2021

Summary: Department of Homeland Security law enforcement components did not consistently collect DNA from arrestees as required by the DNA Fingerprint Act of 2005 and the Code of Federal Regulations. Of the five DHS law enforcement components we reviewed that are subject to these DNA collection requirements, only United States Secret Service consistently collected DNA from arrestees. U.S. Immigration and Customs Enforcement and the Federal Protective Service inconsistently collected DNA, and U.S. Customs and Border Protection and the Transportation Security Administration collected no DNA. DHS did not adequately oversee its law enforcement components to ensure they properly implemented DNA collection. Based on our analysis, we project that DHS law enforcement components we audited did not collect DNA for about 212,646, U.S. Department of Homeland Security

or 88 percent, of the 241,753 arrestees from fiscal years 2018 and 2019. Without all DHS arrestees' DNA samples in the Federal Bureau of Investigation's criminal database, law enforcement likely missed opportunities to receive investigative leads based on DNA matches. Additionally, DHS did not benefit from unity of effort, such as sharing and leveraging processes, data collection, and best practices across components.

Title: Persistent Data Issues Hinder DHS Mission, Programs, and Operations

Number: [OIG-21-37](#)

Date: 5/24/2021

Summary: Significant challenges hinder the Department of Homeland Security's day-to-day use of some of the Nation's largest and most diverse databases to support its vast mission operations. DHS needs to improve the collection and management of data across its multiple components to better serve and safeguard the public. The data access, availability, accuracy, completeness, and relevance issues we identified presented numerous obstacles for DHS personnel who did not have essential information they needed for decision making or to effectively and efficiently carry out day-to-day mission operations. We attributed the systemic data issues identified to widespread deficiencies that can be grouped into five categories: security and technical controls, program and operational oversight, guidelines and processes, system design and functionality, and training and resources. DHS has improved its information security program and developed various plans and strategies to improve the quality and management of its data. Corrective actions in response to recommendations made in our prior reports are also good steps forward. However, follow-through and continued improvement will be essential to address the internal control issues underlying the data deficiencies we highlighted. Only then can the Department be assured it captures reliable and accurate data to accomplish its mission responsibilities.

Title: DHS Has Made Limited Progress Implementing the Continuous Diagnostics and Mitigation Program

Number: [OIG-21-38](#)

Date: 6/1/2021

Summary: The Department of Homeland Security has not yet strengthened its cybersecurity posture by implementing a Continuous Diagnostics and Mitigation (CDM) program. DHS spent more than \$180 million between 2013 and 2020 to design and build a department-wide continuous monitoring solution but faced setbacks. DHS initially planned to deploy its internal CDM solution in three phases by 2017 using a "One DHS" approach that restricted components to a standard set of common tools. After this attempt was unsuccessful, DHS adopted a new acquisition strategy in 2019, shifting to a capability-driven implementation approach, pushing the deadline to 2022, and allowing components to utilize existing tools to collect CDM data. As of March 2020, DHS had developed an internal CDM dashboard, but reported less than half of the required asset management data. Efforts were still underway to automate and integrate the data collection process among components so DHS could report additional data, as required. DHS now needs to upgrade its dashboard to ensure sufficient processing capacity for component data. Until these capabilities are complete, the Department cannot leverage intended benefits of the dashboard to manage, prioritize, and respond to cyber risks in real time. Additionally, we identified vulnerabilities on CDM servers and databases, which were due to DHS not clearly

defining patch management responsibilities and not implementing required configuration settings. Consequently, databases and servers could be vulnerable to cybersecurity attack, and the integrity, confidentiality, and availability of the data could be at risk.

Title: Evaluation of DHS' Compliance with Federal Information Security Modernization Act Requirements for Intelligence Systems for Fiscal Year 2020 - Secret

Number: [OIG-21-72](#)

Date: 9/29/2021

Summary: In May 2020, the Department of Homeland Security (DHS) formally documented its risk acceptance to allow the United States Coast Guard to meet Federal Information Security Modernization Act of 2014 (FISMA) requirements according to Department of Defense, rather than DHS, reporting requirements. Therefore, when evaluating the overall effectiveness of the DHS information security program for FY 2020 FISMA, our rating does not include the Coast Guard. Also, our rating of DHS' program is contingent on the Department's completion of its corrective actions to our prior recommendations, such as revising its information security policies and procedures to reflect senior leadership's approval of Coast Guard's FISMA reporting to the Department of Defense and communicating the decision, in writing, to the Office of Management and Budget and selected congressional oversight committees. DHS' information security program earned an overall rating of effective, with a maturity rating of "Managed and Measurable" (Level 4) in three of five functions. Specifically, we identified:

- systems operating without authority to operate;
- known information security weaknesses not promptly mitigated;
- security configuration settings not implemented for all systems; and
- use of an unsupported operating system and not applying security patches promptly.

DHS concurred with all four recommendations.

Science and Technology (S&T)

GAO Report

Title: NATIONAL BIO AND AGRO-DEFENSE FACILITY: DHS and USDA Are Working to Transfer Ownership and Prepare for Operations, but Critical Steps Remain

Number: [GAO-20-331](#)

Date: 7/10/2020

Summary: DHS and U.S. Department of Agriculture (USDA) have taken steps to plan for and implement the successful transfer of the National Bio and Agro-Defense Facility (NBAF) from DHS to USDA for ownership and operation. The facility is to house state-of-the-art laboratories for research on foreign animal diseases—diseases not known to be present in the United States—that could infect U.S. livestock and, in some cases, people. The departments' steps are consistent with selected key practices for implementation of government reforms. In addition, USDA has taken

steps to prepare for NBAF's operation by identifying and addressing staffing needs; these steps are consistent with other selected key practices GAO examined for strategically managing the federal workforce during a government reorganization. However, critical steps remain to implement the transfer of ownership of NBAF to USDA and prepare for the facility's operation, and some efforts have been delayed. Critical steps include obtaining approvals to work with high-consequence pathogens such as foot-and-mouth disease, and physically transferring pathogens to the facility. DHS estimates that construction of NBAF has been delayed by at least 2.5 months because of the effects of the COVID-19 pandemic. USDA officials stated that, until the full effects of delays to construction are known, USDA cannot fully assess the effects on its efforts to prepare for the facility's operation. In addition, USDA's planning efforts were delayed before the pandemic for the Biologics Development Module—a laboratory at NBAF intended to enhance and expedite the transition of vaccines and other countermeasures from research to commercial viability.

DHS OIG Reports

Title: FY 2018 Audit of Science and Technology Bankcard Program Indicates Risks

Number: [OIG-21-51](#)

Date: 7/27/2021

Summary: Although the Science and Technology Directorate (S&T) had internal controls in place to ensure it managed and maintained its Bankcard Program as required, S&T did not always adhere to Department of Homeland Security and internal purchase card policies and procedures. Of 421 purchase card transactions selected for review, we identified 394 transactions that did not have required supporting documentation, separation of key transaction duties, approvals and other required signatures, or did not comply with other risk-based procedures. According to S&T officials, these issues occurred due to shortfalls in program oversight and training, as well as outdated policy. As a result, we identified \$63,213 in questionable costs associated with purchase card transactions for which S&T personnel could not provide supporting documentation. Without S&T adherence to established policies and procedures, there is an increased risk of loss and vulnerability to fraud. In addition, S&T has less assurance its internal controls are effective in mitigating the risk of fraud and inappropriate charge card practices.

Transportation Security Administration (TSA)

GAO Reports

Title: Air Cargo Security: TSA Field Testing Should Ensure Screening Systems Meet Detection Standards

Number: [GAO-21-105192](#)

Date: 7/29/2021

Summary: According to the Transportation Security Administration, the threat of explosives in air cargo coming into the United States is significant. TSA requires air carriers to x-ray or screen the cargo by other means before it enters the country. In 2020, TSA began field testing imaging technology (similar to CT medical imaging) to screen small parcels for explosives. We found TSA didn't follow key design and evaluation practices during testing. As a result, TSA can't ensure that the imaging technology meets detection requirements.

Title: Critical Infrastructure Protection: TSA Is Taking Steps to Address Some Pipeline Security Program Weaknesses

Number: [GAO-21-105263](#)

Date: 7/27/2021

Summary: Protecting the nation's pipeline systems from security threats is a responsibility shared by both the Transportation Security Administration (TSA) and private industry stakeholders. Prior to issuing a cybersecurity directive in May 2021, TSA's efforts included issuing voluntary security guidelines and security reviews of privately owned and operated pipelines. GAO reports in 2018 and 2019 identified some weaknesses in the agency's oversight and guidance and made 15 recommendations to address these weaknesses. TSA concurred with GAO's recommendations and has addressed most of them, such as clarifying portions of its Pipeline Security Guidelines improving its monitoring of security review performance and assessing staffing needs.

Title: COVID-19: Federal Air Marshal Service Should Document Its Response to Cases and Facilitate Access to Testing

Number: [GAO-21-595](#)

Date: 6/23/2021

Summary: Air marshals work at airports, on airplanes, and in other public spaces where they routinely come in close contact with others. The U.S. Federal Air Marshal Service took steps to protect employees from infection of COVID-19 at work by providing N95 masks and encouraging employees to telework. Still, 345 employees were infected and 1 air marshal died due to complications of the disease, as of Jan. 2021. Although the Service created protocols to guide how to respond when employees become sick with COVID-19, it hasn't consistently documented how it has done so or made testing readily available.

Title: COVID-19: TSA Could Better Monitor Its Efforts to Reduce Infectious Disease Spread at Checkpoints**Number:** [GAO-21-364](#)**Date:** 6/14/2021

Summary: About 46,000 Transportation Security Officers closely interact with passengers when they screen them at U.S. airports. To respond to COVID-19, the Transportation Security Administration took steps such as granting officers additional paid leave, and requiring them to use surgical masks and face shields and to physically distance from coworkers and passengers. TSA also changed how some screening technologies are used and is testing new technologies to prevent disease spread. TSA could better monitor how these measures are being carried out and could identify common problems to help airports fix them.

Title: Aviation Security Technology: TSA Lacks Outcome-oriented Performance Measures and Data to Help Reach Objectives to Diversify its Marketplace**Number:** [GAO-21-146](#)**Date:** 3/3/2021

Summary: The Transportation Security Administration relies on technologies—such as explosives detection systems—to help secure the travel of about 2.8 million passengers every day. TSA has developed a required strategy with 12 initiatives to promote innovation in security technology and get more diverse small businesses into the market. We found this strategy includes the required elements, such as the identification of barriers to entering the market that small businesses face. However, TSA hasn't developed ways to effectively measure how well each is working.

Title: Airport Worker Screening: TSA Could Further Strengthen Its Approach to Estimating Costs and Feasibility of Security Measures**Number:** [GAO-21-273](#)**Date:** 2/25/2021

Summary: Any of the 1.8 million airport workers with unescorted access to security-restricted areas of the nation's airports could pose an “insider threat.” The TSA Modernization Act (Act) required TSA to submit a study examining the cost and feasibility of enhanced worker screening measures. In its September 2020 study, TSA determined that implementing these measures is feasible and estimated implementation costs of \$2.9-\$3.6 billion, with ongoing annual costs of \$2.5-\$3.1 billion. The Act also included a provision for GAO to review the study's quality and reliability. This report addresses the extent to which TSA, in its 2020 study, (1) followed best practices to comprehensively estimate the costs of implementing enhanced airport worker screening measures and (2) assessed the feasibility of implementing such measures. GAO reviewed TSA's study and documents of the underlying methods, data, and assumptions; compared the study to best practices of a comprehensive cost estimate—a foundational characteristic of reliability; and interviewed officials from TSA, an industry advisory committee, and airports with worker screening programs.

Title: TSA Needs to Establish Metrics and Evaluate Third Party Testing Outcomes for Screening Technologies**Number:** [GAO-21-50](#)**Date:** 10/29/2020

Summary: TSA relies on technologies like imaging systems and explosives detection systems to screen passengers and baggage to prevent prohibited items from getting on board commercial aircraft. As part of its process of acquiring these systems and deploying them to airports, TSA tests the systems to ensure they meet requirements. The 2018 TSA Modernization Act contained a provision for GAO to review the third party testing program. GAO assessed the extent to which TSA (1) used third party testing, and (2) articulated its goals and developed metrics to measure the effects of third party testing. GAO reviewed TSA's strategic plans, acquisition guidance, program documentation, and testing policies. GAO interviewed officials from TSA's Test and Evaluation Division and acquisition programs, as well as representatives of vendors producing security screening systems and companies providing third party testing services.

DHS OIG Reports**Title: TSA Needs to Improve Management of the Quiet Skies Program (REDACTED)****Number:** [OIG-21-11](#)**Date:** 11/25/2020

Summary: SA did not properly plan, implement, and manage the Quiet Skies program to meet the program's mission of mitigating the threat to commercial aviation posed by higher risk passengers. Specifically, TSA did not:

- develop performance goals and measures to demonstrate program effectiveness, or
- always adhere to its own Quiet Skies guidance.

This occurred because TSA lacked sufficient oversight to ensure the Quiet Skies program operated as intended. For example, TSA did not have a centralized office or entity to ensure the various TSA offices properly managed Quiet Skies passenger data.

Without sufficient metrics, analysis, and controls, TSA cannot be assured the Quiet Skies program enhances aviation security through FAMS as intended. TSA concurred with both recommendations and has begun implementing corrective action plans.

Title: TSA Needs to Improve Its Oversight for Human Capital Contracts**Number:** [OIG-21-39](#)**Date:** 6/1/2021

Summary: TSA did not manage the Accenture R&H contract in a fiscally responsible manner. Specifically, TSA did not properly plan contract requirements prior to awarding the contract and did not develop accurate cost estimates for all contract modifications.

This occurred because TSA did not:

- provide effective contract oversight;
- develop an acquisition strategy to coordinate the needs of multiple offices; and
- have the expertise to ensure cost estimates were accurate and realistic.

As a result, TSA incurred approximately \$91.8 million in unplanned costs on the R&H contract. As of January 2021, TSA obligated \$287 million of the \$290 million ceiling on the R&H contract and must reallocate limited resources from other critical mission areas to raise the contract ceiling. Further, TSA has continued to rely on the prior human capital contract, costing the taxpayers an additional \$129 million since January 2017. TSA concurred with both recommendations.

Title: TSA Did Not Assess Its Explosives Detection Canine Team Program for Surface Transportation Security

Number: [OIG-21-52](#)

Date: 8/4/2021

Summary: The Transportation Security Administration (TSA) partially complied with the FAA Reauthorization Act of 2018 (Act) by establishing operational processes for routine activities within its Explosives Detection Canine Team (EDCT) program for surface transportation. Specifically, TSA has a national training program for canines and handlers, uses canine assets to meet urgent security needs, and monitors and tracks canine assets. However, TSA did not evaluate the entire EDCT program for alignment with its risk-based security strategy as required by the Act; nor did it develop a unified deployment strategy for its EDCTs surface transportation. TSA provides significant resources and support to local law enforcement agency (LEA) canine teams in the surface transportation system by providing a canine for each handler, initial team training, and an annual stipend. However, LEA participation in the EDCT program is voluntary. As a result, TSA does not require that its LEA partners participate in conducting a risk-based evaluation of the EDCT program. Explosives pose a serious risk to the surface transportation system. Although TSA has developed a deployment strategy based on risk for EDCTs to airports, there is no such strategy for surface transportation. Consequently, TSA cannot be sure that EDCTs are properly allocated based on risk to protect the traveling public from a terrorist attack. TSA concurred with both recommendations, which we consider open and resolved.

Title: DHS Did Not Fully Comply with Requirements in the Transportation Security Card Program Assessment

Number: [OIG-21-66](#)

Date: 9/22/2021

Summary: As required by Congress, we reviewed the Department of Homeland Security's corrective action plan (DHS CAP) and determined that it did not fully comply with P.L. 114-278. In August 2019, DHS published an assessment of the effectiveness of the Transportation Worker Identification Credential (TWIC®) program. As the joint managers of the program, the Transportation Security Administration (TSA) and the United States Coast Guard prepared the DHS CAP to address findings in the assessment, then submitted the DHS CAP to Congress in June 2020. Although the DHS CAP summarized the assessment's reporting on the required program areas and identified corrective actions for one area, it did not include corrective actions for the following program areas that we consider significant:

- TWIC program benefits may not outweigh its costs.
- TWIC's risk-mitigation value is limited.
- There may be non-biometric alternatives to the TWIC program.

- Vetting standards could potentially be improved.

TSA and the Coast Guard determined no further actions to potentially improve TWIC program efficiency and effectiveness were required and, therefore, DHS did not act on these significant issues. As a result, DHS may be missing opportunities to improve the TWIC program. DHS did not concur with the recommendation, which is considered open and unresolved.

Title: TSA Has Not Implemented All Requirements of the 9/11 Act and the TSA Modernization Act

Number: [OIG-21-68](#)

Date: 9/22/2021

Summary: Although TSA implemented 167 of the 251 (67 percent) requirements in both Acts, 55 of the 167 (33 percent) were not completed by the Acts' established deadlines, and TSA did not complete the remaining 84 requirements. TSA was unable to complete 33 of these requirements because the actions relied on external stakeholders acting first or depended on conditions outside of TSA's control. The shortfalls occurred because TSA did not:

- (1) designate a lead office to establish internal controls, conduct oversight, and provide quality assurance for implementing the legislatively mandated requirements;
- (2) develop formal policies and procedures to ensure consistency and accountability for implementing the requirements on time; or
- (3) plan or develop an effective system to maintain relevant supporting documentation for the Acts' requirements to help ensure information accuracy, continuity, and record retrieval capability.

Further, TSA had difficulty completing some mandates that required lengthy regulatory processes or coordination with and reliance on external Government and industry stakeholders. Because TSA has not implemented all requirements, it may be missing opportunities to address vulnerabilities and strengthen the security of the Nation's transportation systems. TSA provided a corrective action plan but did not concur with the recommendation.

Title: DHS Did Not Effectively Oversee TSA's Acquisition of Computed Tomography Systems

Number: [OIG-21-69](#)

Date: 9/23/2021

Summary: TSA acquired CT systems that did not address all needed capabilities. According to TSA's 2018 Operational Requirements Document, to achieve its mission successfully, its CT systems must be able to meet throughput, detection, availability, and safety requirements. However, we determined TSA deployed 300 CT systems to airport passenger screening checkpoints that did not meet throughput requirements and, although CT systems provided enhanced detection, they required an upgrade almost immediately after purchase to address operational needs. These issues occurred because the Department of Homeland Security did not provide adequate oversight of TSA's acquisition of CT systems. DHS is responsible for overseeing all major acquisitions to ensure they are properly planned and executed and meet documented key performance thresholds. However, DHS allowed TSA to use an acquisition approach not

recognized by DHS' acquisition guidance. In addition, DHS allowed TSA to deploy CT systems even though they did not meet all TSA key performance parameters. DHS also did not assess TSA's detection upgrade before TSA incorporated it into the CT system. As a result, TSA risks spending over \$700 million in future appropriated funding to purchase CT systems that may never fully meet operational mission needs. DHS concurred with all three recommendations. We consider recommendations 1 and 2 open and resolved. Recommendation 3 is open and unresolved. Appendix A contains DHS' management comments in their entirety.

U.S. Citizenship and Immigration Services (USCIS)

GAO Report

Title: U.S. Citizenship and Immigration Services: Actions Needed to Address Pending Caseload

Number: [GAO-21-529](#)

Date: 9/17/2021

Summary: U.S. Citizenship and Immigration Services processes millions of applications and petitions from noncitizens who want to temporarily stay or live in the country, obtain work authorization, or become U.S. citizens. We looked at USCIS's efforts to reduce its pending caseload, which has increased by 85% in recent years. Policy changes, longer forms, staffing issues, and delays from COVID-19 contributed to longer processing times. Although USCIS has several plans to address the backlog, it hasn't implemented them and hasn't identified necessary resources.

DHS OIG Reports

Title: DHS Has Not Effectively Implemented the Prompt Asylum Pilot Programs

Number: [OIG-21-16](#)

Date: 1/25/2021

Summary: DHS has not effectively implemented the PACR and HARP programs. Within the Department, U.S. Customs and Border Protection (CBP) and U.S. Citizenship and Immigration Services (USCIS) share responsibility for managing PACR and HARP. Because of rapid implementation and expansion of the programs, DHS components did not adequately consider several factors necessary to support their operations. Specifically, our initial review and visit to the El Paso sector disclosed:

- few metrics were implemented to measure the programs' effectiveness in meeting goals;
- a program goal of 7 to 10-day maximum detention is inconsistent with CBP detention standards and was routinely exceeded;
- due to facility limitations, multiple families were co-located, with limited assurance of privacy and separation of juveniles from unrelated adults;

- consultation areas and legal amenities were not conducive to allowing aliens to prepare for credible-fear screening interviews;
- staff resources were inadequate to manage the programs; and
- data systems were not interoperable, necessitating labor-intensive and error-prone manual efforts to track and share information across components.

As of April 15, 2020, DHS had deployed the pilot programs to most sectors on the southern border. Going forward, DHS should consider and take actions to address the issues we identified, to better ensure effectiveness in fulfilling mission goals. DHS officials did not concur with five recommendations and concurred with one. We consider these five recommendations unresolved and open and one recommendation resolved and open.

Title: The U.S. Coast Guard Academy Must Take Additional Steps to Better Address Allegations of Race-Based Harassment and Prevent Such Harassment on Campus

Number: [OIG-21-56](#)

Date: 8/25/2021

Summary: E-Verify needs additional capabilities to more effectively confirm that individuals are eligible for employment in the United States. We identified deficiencies in E-Verify's processes for confirming identity during employment verification. E-Verify's photo-matching process is not fully automated, but rather, relies on employers to confirm individuals' identities by manually reviewing photos. We also determined that in fiscal year 2019, E-Verify returned an "Employment Authorized" result for about 280,000 non-U.S. citizens without using the photo-matching process to confirm their identities. Additionally, although the majority of individuals submit a driver's license to prove identity, E-Verify's process does not use photos to ensure that individuals match the license submitted. We found errors in E-Verify's license verification process that resulted in E-Verify deeming about 613,000 individuals "Employment Authorized" without meeting USCIS' own identification system use requirement. We further determined that E-Verify returned an "Employment Authorized" result for almost 3,000 non-U.S. citizens who did not meet USCIS' verification requirements. E-Verify also deemed nearly 4,000 non-U.S. citizens as "Employment Authorized" based on an employer-sponsored visa without verifying that the individual was hired by the employer that sponsored them. Lastly, USCIS has not completed full testing of E-Verify's capabilities to determine whether the system can handle the projected increase in users. We attribute these deficiencies to USCIS not developing or evaluating the plans and internal controls needed to improve its processes and detect, track, and investigate system errors. Until USCIS addresses E-Verify's deficiencies, it cannot ensure the system provides accurate employment eligibility results. USCIS concurred with all 10 recommendations

U.S. Coast Guard (USCG)

GAO Reports

Title: A More Systematic Process to Resolve Recommended Actions Could Enhance Future Surge Operations

Number: [GAO-21-584](#)

Date: 9/21/2021

Summary: From 2007-2020, the U.S. Coast Guard conducted 23 major surge operations—high-intensity, short-notice emergency responses to catastrophic events, like hurricanes or oil spills. During these surges, the Coast Guard deployed varying numbers and types of personnel, aircraft, and vessels based on event severity and duration. The Coast Guard documents lessons learned and best practices from surge operations—developing recommendations to improve future surges. But, the Coast Guard does not have a systematic process in place to track, update, and resolve all recommendations. We recommended that it establish such a process.

Title: COVID-19: The Coast Guard Has Addressed Challenges, but Could Improve Telework Documentation and Personnel Data

Number: [GAO-21-539](#)

Date: 7/16/2021

Summary: The Coast Guard took steps to protect its staff from COVID-19, including expanding telework. As staff continue using this flexibility, the Coast Guard needs to ensure staff are following telework policies—now, and going forward. Further, Coast Guard staff self-report their telework use and health statuses. The Coast requires this data to be audited weekly for accuracy, but it can't confirm these audits are happening. As a result, the Coast Guard may be using inaccurate data to plan technology investments, determine staff's mission readiness, and more. We recommended ways for the Coast Guard to improve its telework and personnel data.

Title: Coast Guard: More Information Needed to Assess Efficacy and Costs of Vessel Survival Craft Requirements

Number: [GAO-21-247](#)

Date: 3/31/2021

Summary: Coast Guard data show that during fiscal years 2010 through 2019 most people survived vessel accidents, and out-of-water survival craft, such as a lifeboat, was used more often than other types of lifesaving equipment. However, the Coast Guard has limited information about people involved in vessel accidents, such as their date of birth, potential disability, and type of lifesaving equipment used, if any. For example, Coast Guard data did not include the type of lifesaving equipment used, if any, for about 45 percent (1,733 of 3,847) of accident survivors. By requiring its investigators to collect date of birth, known disability, and use of lifesaving equipment information of survivors and casualties of vessel accidents, the service could better assess the efficacy of lifesaving equipment.

Title: Coast Guard: Actions Needed to Improve National Vessel Documentation Center Operations**Number:** [GAO-21-100](#)**Date:** 12/16/2021

Summary: The Coast Guard requires owners of certain commercial ships and other vessels to obtain vessel documentation—a form of registration. Owners of recreational vessels may also seek documentation to help them secure financing and other advantages. The Coast Guard's documentation center generally processes commercial vessels on time but continues to suffer from backlogs for recreational ones. The Coast Guard has switched some staff from commercial to recreational reviews and taken other actions. We recommended it review whether the user fees it charges are sufficient to cover the cost of this service and more.

Title: Coast Guard Acquisitions: Opportunities Exist to Reduce Risk for the Offshore Patrol Cutter Program**Number:** [GAO-21-9](#)**Date:** 11/12/2021

Summary: The Coast Guard—a component of the Department of Homeland Security (DHS)—is planning to spend over \$12 billion to acquire a fleet of 25 OPCs. This is the component's highest investment priority and will help ensure a variety of missions, such as drug and migrant interdiction, are carried out in offshore waters once its aging Medium Endurance Cutters are decommissioned. After Hurricane Michael—a category 5 storm—significantly disrupted the OPC shipbuilder's ability to continue work in October 2018, DHS granted up to \$659 million in extraordinary contractual relief to the shipbuilder. GAO was asked to review the status of the OPC acquisition program. This report examines, among other objectives, how the Coast Guard revised the OPC program after Hurricane Michael and the extent to which the program addressed major risks—particularly in the areas of design maturity, schedule, and cost— before proceeding through key acquisition decisions both pre- and post-hurricane. GAO reviewed Coast Guard program and contract documents analyzed Coast Guard data, and interviewed Coast Guard and DHS officials.

DHS OIG Reports

Title: Coast Guard Should Prioritize Upgrades to Rescue 21 Alaska and Expand Its Public Notifications during Outages**Number:** [OIG-21-65](#)**Date:** 9/21/2021

Summary: Rescue 21 Alaska, Coast Guard's maritime search and rescue communication system, has experienced outages resulting from antiquated equipment in Coast Guard's District 17. Challenges and funding shortages during system acquisition caused Coast Guard to limit the purchase of new equipment for Rescue 21 Alaska, requiring District 17 to maintain existing equipment for longer than initially planned. Alaska's winter weather conditions and remote access to communication site locations cause lengthy repair times, further exacerbating outage impacts. The outages have prevented Coast Guard, at times, from effectively receiving and responding to distress calls from mariners. Coast Guard has made some upgrades to the Rescue 21 Alaska system to enhance distress communication availability and reliability. Although Coast Guard plans for

further upgrades, outages persist. When notifying the public about outages, Coast Guard primarily relied on a “Local Notice to Mariners” posted on its public website. However, this limits who can receive the notices, as not all mariners go to the internet to determine outage locations. Alaska mariners shared other effective methods Coast Guard could use to improve its notifications to the public when there are known VHF distress communication outages. Adequately upgrading the communication equipment and ensuring robust attempts are made to notify the public when outages occur is essential for Coast Guard to achieve its search and rescue mission in Alaska. Coast Guard concurred with both recommendations.

Title: The U.S. Coast Guard Academy Must Take Additional Steps to Better Address Allegations of Race-Based Harassment and Prevent Such Harassment on Campus

Number: [OIG-21-67](#)

Date: 9/23/2021

Summary: We issued this management alert to advise the Department of Homeland Security and United States Coast Guard (Coast Guard) of a risk to the health and safety of personnel posed by using functional firearms (emptied of ammunition) during Digital Versatile Disc (DVD)-based simulation training. After receiving our draft management alert, the Coast Guard took immediate corrective actions to discontinue the use of functional firearms during DVD-based simulation training. During our ongoing audit of DHS law enforcement virtual training, we learned that the Coast Guard was using functional firearms to conduct DVD-based simulation training. We identified this issue in Coast Guard’s Commandant Instruction 3574.5C, 18 September 2014, Coast Guard Judgmental Use of Force Evaluation (JUFE) (policy) and observed a demonstration of this training at one Coast Guard location. According to testimony or policy from four other DHS components that employ or train law enforcement personnel, the use of functional firearms during video-based simulation training is prohibited within their respective components. By using functional firearms capable of firing ammunition, even if emptied of ammunition, in DVD-based simulation training, Coast Guard increased the risk of unintentional injury or death.

U.S. Secret Service (USSS)

OIG Reports

Title: DHS Had Authority to Deploy Federal Law Enforcement Officers to Protect Federal Facilities in Portland, Oregon, but Should Ensure Better Planning and Execution in Future Cross-Component Activities

Number: [OIG-21-31](#)

Date: 4/16/2021

Summary: Under 40 United States Code (U.S.C.) § 1315, the Department of Homeland Security had the legal authority to designate and deploy DHS law enforcement officers from U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and United States Secret Service to help FPS protect Federal facilities in Portland, Oregon. However, DHS was unprepared to

effectively execute cross-component activities to protect Federal facilities when component law enforcement officers first deployed on June 4, 2020. Specifically, not all officers completed required training; had the necessary equipment; and used consistent uniforms, devices, and operational tactics when responding to the events in Portland.

This occurred because DHS did not have a comprehensive strategy that addressed the potential for limited state and local law enforcement assistance, as well as cross-designation policies, processes, equipment, and training requirements. Without the necessary policies, training, and equipment, DHS will continue to face challenges securing Federal facilities during periods of civil disturbance that could result in injury, death, and liability. Additionally, we previously reported concerns regarding DHS' delegation of authority and that the Director of FPS did not properly identify DHS employees by name who could exercise authority under 40 U.S.C. § 1315(b)(1). DHS concurred with both recommendations.

Acronyms

ACAS – Air Cargo Advance Screening
 AIT – Advanced Imaging Technology
 APR – Annual Performance Report
 BASE – Baseline Assessment for Security Enhancement
 CAFRA – Civil Asset Forfeiture Reform Act of 2000
 CAP – Criminal Alien Program
 CBP – U.S. Customs and Border Protection
 CDM – Continuous Diagnostics and Mitigation
 CFATS – Chemical Facility Anti-Terrorism Standards
 CIO – Chief Information Officer
 CISA – Cybersecurity and Infrastructure Security Agency
 CWMD -- Countering Weapons of Mass Destruction
 DAAP – Discipline and Adverse Action Operating Procedures
 DHS – Department of Homeland Security
 DOJ – Department of Justice
 EEI – Employee Engagement Index
 EEO – Equal Employment Opportunity
 EEOC – Equal Employment Opportunity Commission
 FAMS – Federal Air Marshal Service
 FCC – Federal Communications Commission
 FEMA – Federal Emergency Management Agency
 FERC – Federal Energy Regulatory Commission
 FIT – Failed Income Test
 FTA – Federal Transit Authority
 FY – Fiscal Year
 GAO – U.S. Government Accountability Office
 GONE – Grants Oversight and New Efficiency
 ICE – U.S. Immigration and Customs Enforcement

IHP – Individuals and Households Program
 IPAWS – Integrated Public Alert & Warning System
 IT – Information Technology
 JTF – Joint Task Force
 LSGS – Loyal Source Government Services
 MGMT – Management
 MISLE – Marine Information for Safety and Law Enforcement
 NBAF – National Bio and Agro-Defense Facility
 NIST – National Institute of Standards and Technology
 OCRSO – Office of the Chief Readiness Support Officer
 OIG – Office of Inspector General
 OMB – Office of Management and Budget
 ONA – Other Needs Assistance
 PERC - Pacific Enforcement Response Center
 PSC – Passenger Screening Canine
 RO – Recognized Organizations
 SBA – Small Business Administration
 SMS – Safety Management System
 SOP – Standard Operating Procedure
 S&T – Science and Technology Directorate
 SCF – Surge Capacity Force
 SRL – Severe repetitive loss
 TSA – Transportation Security Administration
 U.S. – United States
 USCG – U.S. Coast Guard
 USDA – U.S. Department of Agriculture
 USCIS – U. S. Citizenship and Immigration Services
 USSS – U.S. Secret Service
 VRP – Vessel Response Plan
 WEA – Wireless Emergency Alert



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