

**Review of U.S. Immigration
and Customs Enforcement's
Fiscal Year 2017
Drug Control Performance
Summary Report**





DHS OIG HIGHLIGHTS

Review of U.S. Immigration and Customs Enforcement's Fiscal Year 2017 Drug Control Performance Summary Report

January 30, 2018

Why We Did This Review

The Office of National Drug Control Policy's (ONDCP) Circular, *Accounting of Drug Control Funding and Performance Summary*, requires National Drug Control Program agencies to submit to the ONDCP Director, not later than February 1 of each year, a detailed accounting of all funds expended for National Drug Control Program activities during the previous fiscal year (FY).

The Office of Inspector General (OIG) is required to conduct a review of the report and provide a conclusion about the reliability of each assertion made in the report.

For Further Information:

Contact our Office of Public Affairs at (202) 254-4100, or email us at DHS-OIG.OfficePublicAffairs@oig.dhs.gov

What We Found

Williams, Adley & Company –DC, LLP (Williams Adley), under contract with the Department of Homeland Security OIG, issued an Independent Accountants' Report on the U.S. Immigration and Custom Enforcement's (ICE) FY 2017 Drug Control Performance Summary Report. ICE's management prepared the Performance Summary Report and the related disclosures in accordance with the requirements of the ONDCP Circular, *Accounting of Drug Control Funding and Performance Summary*, dated January 18, 2013 (Circular). Based on its review, nothing came to Williams Adley's attention that caused it to believe that ICE's FY 2017 Performance Summary Report is not presented in conformity with the criteria in the ONDCP Circular. Williams Adley did not make any recommendations as a result of its review.



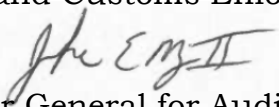
OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

JAN 30 2018

MEMORANDUM FOR: Stephen Roncone
Chief Financial Officer
U.S. Immigration and Customs Enforcement

FROM: John E. McCoy II 
Assistant Inspector General for Audits

SUBJECT: *Review of U.S. Immigration and Customs Enforcement's
Fiscal Year 2017 Drug Control Performance Summary
Report*

Attached for your information is our final report, *Review of U.S. Immigration and Customs Enforcement's Fiscal Year 2017 Drug Control Performance Summary Report*. U.S. Immigration and Customs Enforcement's (ICE) management prepared the Performance Summary Report and the related disclosures in accordance with the requirements of the Office of National Drug Control Policy's Circular, *Accounting of Drug Control Funding and Performance Summary*, dated January 18, 2013.

We contracted with the independent public accounting firm Williams, Adley & Company –DC, LLP (Williams Adley) to review ICE's Drug Control Performance Summary Report. Williams Adley is responsible for the attached Independent Accountants' Report, dated January 16, 2018, and the conclusions expressed in it. This report contains no recommendations.

Consistent with our responsibility under the *Inspector General Act*, we will provide copies of our report to congressional committees with oversight and appropriation responsibility over the Department of Homeland Security. We will post the report on our website for public dissemination.

Please call me with any questions, or your staff may contact Maureen Duddy, Deputy Assistant Inspector General for Audits, at (617) 565-8723.

Attachment



Independent Accountant's Report

Deputy Inspector General
United States Department of Homeland Security

We have reviewed management's assertions related to the Performance Summary Report (PSR) of the U.S. Department of Homeland Security's (DHS) Immigration and Customs Enforcement (ICE) for the year ended September 30, 2017. ICE management is responsible for the preparation of the PSR in conformity with requirements of the Office of National Drug Control Policy Circular: *Accounting of Drug Control Funding and Performance Summary*, dated January 18, 2013 (the Circular). Our responsibility is to express a conclusion about management's assertions.

Our review was conducted in accordance with generally accepted government auditing standards, which incorporate the attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform the review to obtain limited assurance about whether any material modifications should be made to the PSR or PSR assertions in order for them to be in accordance with the Circular. A review is substantially less in scope than an examination, the objective of which is the expression of an opinion on management's assertions. Accordingly, we do not express such an opinion.

Based on our review, we are not aware of any material modifications that should be made to the PSR or the PSR assertions for the year ended September 30, 2017 in order for them to be in conformity with the requirements set forth in the Circular.

Williams, Adley & Company-DC, LLP
Washington, District of Columbia
January 16, 2018

Office of the Chief Financial Officer

U.S. Department of Homeland Security
500 12th Street, SW
Washington, D.C. 20536



U.S. Immigration
and Customs
Enforcement

January 18, 2018

Mr. John Kelly
Deputy Inspector General
U.S. Department of Homeland Security
Office of Inspector General

Dear Mr. Kelly,

In accordance with the Office of National Drug Control Policy Circular: *Accounting of Drug Control Funding and Performance Summary*, dated January 18, 2013, enclosed is Immigration and Customs Enforcement's report of FY 2017 drug performance metrics and targets.

If you require further assistance on this information, please contact Christopher Maiwurm at (202) 732-4361.

Sincerely,

Michelle Aguilar

Michelle Aguilar, Deputy Director
Office of Budget and Program Performance
U.S. Immigration and Customs Enforcement

**U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement**

**Performance Summary Report of Drug Control Funds during
Fiscal Year (FY) 2017**

International Operations (IO)

Metric 1: Percentage of overseas investigative hours incurred on drug-related cases.

(1) Description

The performance metric for IO is the percentage of overseas investigative hours incurred on drug-related cases. This metric evaluates the percentage of Immigration and Customs Enforcement's (ICE) total overseas investigations that impact counter-narcotics enforcement.

ICE's Homeland Security Investigations (HSI) IO supports U.S. drug control policy, specifically Office of National Drug Control Policy (ONDCP) initiatives, such as 'Disrupt domestic drug trafficking and production' and 'Strengthen Law-Enforcement and International Partnerships to Reduce the Availability of Foreign-Produced Drugs in the United States', by supporting the overall ICE mandate to detect, disrupt, and dismantle smuggling organizations. The desired outcomes for the execution of DHS' action items are: disruption of domestic drug trafficking and production; and strengthening of international partnerships and reduction in the availability of foreign-produced drugs in the United States. Increased hours incurred on drug-related cases directly lead to increased detection, disruption and dismantlement of drug smuggling organizations. IO investigative resources are directed at organizations smuggling contraband (including narcotics) into the United States. The IO offices coordinate international investigation with foreign law enforcement counterparts and provide investigative support to HSI domestic offices in combatting transnational criminal operations and organizations. IO also partners with domestic ICE components and with U.S. law enforcement agencies overseas to leverage overseas resources, mitigating global narcotics threats to the United States. This includes utilizing investigative and intelligence techniques to support domestic cases and interagency cross-border initiatives.

This counter-narcotics performance metric is evaluated on a consistent basis for IO. In some cases, it is included in Senior Executive Service (SES) performance plans, and may be tracked at a high managerial level by way of processes such as HSI Transparency/Results/Accountability/Knowledge-sharing (HSI TRAK), programmatic monitoring, financial monitoring, and quarterly expenditure reports.

(2) Prior Years' Performance Targets and Results

Fiscal Year	Target	Actual
2013	6.30%	8.11%
2014	6.90%	8.32%
2015	7.58%	7.56%
2016	8.00%	7.50%
2017	8.00%	7.40%

To calculate the dollar amount of obligations for the IO drug control function, the percentage is applied to the FY 2017 enacted IO budget, excluding reimbursable authority.

In FY 2017, the IO actual percentage was 7.40 percent; therefore, not meeting the target of 8.0 percent. This is likely due in part to the concentration of resources to combat the smuggling of Special Interest Aliens (SIA), a DHS priority, from areas like South Asia, the Levant and the African continent into the Western Hemisphere and through the southern approaches to the United States in South and Central America and the Caribbean. ICE's international offices located in Europe, Africa, the Levant, the Middle East and Asia/Pacific are primarily focused on non-narcotics investigations. In Western Europe the offices have been heavily involved in combatting human smuggling and the movement of SIAs from the Levant into Western Europe – a by-product of the European migrant crisis and the ongoing conflict in Syria. Addressing the threat posed by potential foreign fighters returning from the Levant to Western Europe and potentially North America has been a priority for several offices in Western Europe, North Africa and the Middle East.

In addition to these ongoing threats, our offices in this region have also focused on traditional Customs and Immigration centric investigations such as cyber enabled crime, commercial trade fraud, money laundering and counter proliferation. In the Middle East and North Africa, our offices' principal mission focus is visa security. There are minimal drug investigations in that part of the world as well as DEA's primacy in investigating narcotics smuggling investigations. In Asia/Pacific, the focus is on the traditional Customs and Immigration centric violations referenced earlier as well as issues such as child sex tourism and human trafficking. In the Western Hemisphere, much of the investigative focus has been on human smuggling through Mexico, Central and South America and the Caribbean as recent and emerging regional concerns instigated by increased illicit smuggling of unaccompanied children, national security threats associated with extraterritorial criminal travel of SIAs, and foreign fighter recruitment by the Islamic State have contributed to regional instability.

(3) Performance Target for FY 2018

The performance target for FY 2018 is 7.40 percent, a target based on the average three prior years' performance results per prior year's methodology. HSI notes the drug enforcement environment can change significantly in a short period of time due to changes in drug enforcement strategy, including legislation. Thus, incorporating historical data beyond the prior three years would result in a less realistic performance target. In establishing this performance metric, IO plans to have sufficient resources to support the same level of effort on drug-related investigations.

(4) Quality of Performance Data

The database used to obtain HSI IO's performance data is the ICE Investigative Case Management System (ICM), which is ICE's automated case management system that records investigative hours. International Operations relies on ICM to ensure the performance data is accurate, complete, and unbiased in presentation and substance. ICE also conducts quality control verification on all data received through ICM to ensure performance data is accurate, complete, and unbiased in presentation and substance. HSI has transitioned into the new web-based system (ICM) from Legacy TECS, which has created interface migration issues. The first release took place in the summer of 2016, when nearly

11,000 HSI users were migrated over to ICM. As a result, some of the data used in this metric of the report has been impacted by an immaterial amount.

Intelligence

Metric 2: Number of counter-narcotics intelligence requests satisfied.

(1) Description

This performance metric is calculated by the sum of the amount of Intelligence Information Reports (IIR) and Analytical Framework for Intelligence (AFI) products.

An IIR is a formal standardized method of disseminating raw unevaluated information, on behalf of the Department of Homeland Security (DHS) Intelligence Enterprise (IE) and other information providers, to elements of the Intelligence Community (IC) and the DHS IE, as appropriate. This is the primary vehicle through which the Reports Section shares this raw intelligence within ICE and throughout the DHS and the IC.

The AFI allows HSI Office of Intelligence (HSI-Intel) to maintain visibility on all Intelligence products used by the HSI field offices and at HQ. This system allows HSI-Intel to run searches on specific mission areas, which include counter-narcotics and drug smuggling Intel-related products.

HSI-Intel supports its HSI Special Agents, Intelligence Analysts, Mission Support Specialists and all other personnel who support intelligence operations and the IC by providing AFI and IIR products and services that inform customers and close existing “intelligence gaps.” Customer requirements are formally documented and captured within the Analytical Framework for Intelligence (AFI). Published Intelligence products, known as AFI products, are a detailed written analysis on an intelligence development that can be shared with the IC. Levied requirements are then determined either “satisfied” by Intelligence, or not. In the latter case, an intelligence gap remains. Satisfaction of customer requirements represents the “outcome” of Intelligence production in those satisfying customer requirements, closes the gap in customer information needs, and allows customers to make informed decisions about executing law enforcement actions.

This counter-narcotics performance metric is evaluated on a consistent basis for Intelligence, and is in some cases put into SES performance plans. It is also tracked at a high managerial level via processes, such as HSI TRAK, programmatic monitoring, financial monitoring, and quarterly expenditure reports.

(2) Actual Performance Results for FY 2017

Fiscal Year	Target	Actual
2014	656	686
2015	686	431
2016	431	275
2017	275	312

In FY 2017, HSI-Intel produced a total of 312 drug-related products, therefore meeting the target of 275. Of the 312 drug-related products, a total of two hundred (200) were IIR products and one hundred twelve (112) were AFI products.

(3) Performance Target for FY 2018

The performance target for FY 2018 is 312 counter-narcotics intelligence requests satisfied. The target is based on the prior year actual data. Actual production efforts, whether for finished intelligence or IIRs, are driven by resources and prioritization. Current departmental and ICE priorities are counterterrorism, counterintelligence, human smuggling and cybercrime. The production of drug-related intelligence has declined since FY 2014 in counter-narcotics and may continue to decline pending the department's priorities; however, ICE senior leadership has determined using the FY 2017 actual is reasonable, as it represents the current organizational priorities.

(4) Quality of Performance Data

Databases used to validate HSI-Intel's performance data are the AFI and the HSI-Intel's shared drive hosting the IIRs. AFI is a generation analytical system that is separately operated by customers. The capabilities of AFI are used to gather analysis that is critical to the IC through collaborative reporting. Intelligence conducts quality control verification on the AFI data and the shared drive hosting the IIRs to ensure the performance data is accurate and unbiased in presentation and substance. Furthermore, ICE HSI-Intel is implementing metadata items within AFI that will group data distinctly into either HSI Domestic or HSI International, increasing the specificity of the data provided.

Domestic Investigations

Metric 3: Percentage of significant high-risk transnational criminal investigations that result in a disruption or dismantlement

(1) Description

ICE coordinated with the ONDCP and established new performance metrics in FY 2012 to better indicate the success of counter-narcotics enforcement across all investigative areas. This metric supports the National Counter Narcotics Strategy objectives and initiatives to disrupt and dismantle transnational and domestic drug-trafficking and money-laundering organizations. The new performance metric is "the percentage of significant, high risk transnational criminal investigations that result in a disruption or dismantlement."

This metric is incumbent on all investigative case categories and is not restricted to HSI counter-narcotic cases, contrasting from metric 4 (that is strictly involving ICM Categories directly related to drug activities/investigations). This measure is a precise result of all investigative cases in the seven ICM Categories: 1) Illicit Trade, Travel and Finance (non-drug-related), 2) Illicit Trade, Travel, and Finance (drug related), 3) Counter-proliferation, 4) National Security, 5) Transnational Gangs, 6) Transnational Crimes Against Children, and 7) Worksite Enforcement. These measures articulate the impact of HSI investigations and their final outcomes by demonstrating the impediment of crimes directly. This allows HSI to identify, categorize, and report significant investigations that target the greatest threats faced in the nation, while demonstrating HSI's commitment to disrupt and dismantle criminal activity.

The Significant Case Review (SCR) process and their subsequent performance measures exhibit how HSI enhances national security and public safety by focusing on these high-risk priority investigations. In an effort to ensure long-standing viability, HSI special agents submit enforcement actions that meet the definition of either a disruption or dismantlement that involve criminal investigations of cases deemed significant or high-risk based on a pre-defined set of criteria reviewed by the SCR panel. The SCR panel reviews enforcement actions and examines each submission of the criminal investigative elements that are being presented to ensure the submission meets the requirement of a disruption or dismantlement. A disruption is defined as actions taken in furtherance of the investigation that impede the normal and effective operation of the target organization or targeted criminal activity. Dismantlement is defined as destroying the target organization's leadership, network, and financial base so the organization is incapable of reconstituting itself.

The performance measures for HSI for FY 2017 were calculated using actual historical significant investigation performance results since program inception (FY 2011) using the following methodology:

1) The final calculation is derived by: Number of Unique SCRs with Type 2 and/or Type 3 Reports during the Reporting Period divided by the (Number of Approved and Open Type 1 SCRs at the Beginning of the Reporting Period + Number of Type 1 Reports Opened and Approved During the Reporting Period)¹

(2) Actual Performance Results for (Quarter 4) FY 2017²

Fiscal Year	Target	Actual
2014	19.00%	42.24%
2015	18.00%	15.83%
2016	16.00%	18.57%
2017	15.80%	22.91%

In FY 2017, the actual percentage for the reportable Government Performance and Results Act (GPRA) metric is 22.91 percent; therefore, HSI has met the GPRA target of 15.80 percent as of the year-ended September 30, 2017.

(3) Performance Target for FY 2018

The performance target for FY 2018 is 15.90 percent. Planning for responses to future criminal trends, while critical in assessing risk and threats, is difficult due to the inherent challenge of predicting future criminal activity. This makes the establishment of performance targets for enforcement statistics extremely difficult. Due to the high number of unknown variables, the FY 2018 performance target

¹ Type 1 (Significant) – Is the initial Significant Case Report (SCR)

Type 2 (Disruption) - SCR that indicates changes in organizational leadership or changes in methods of operation of the target organization.

Type 3 (Dismantlement) – SCR which indicates that the target organization's leadership, network, and financial base are incapable of reconstituting itself.

² HSI discovered a coding error at the beginning of FY 2015 within the information system that pulls data from TECs. This forced a revalidation of data and a rethinking of how the data is pulled and verified. HSI has since used a corrected data coding and validation for FY 2015. HSI re-examined previous year's data using the new coding and methodology and those actual results are: FY13 16.28%, FY14 47.16%. The prior year actual results in the table have not been modified, so as to remain comparable to previously issued reports.

was created using historical trends, future operational assumptions, attrition, national security special event details and change in administrations.

(4) Quality of Performance Data

The database used to validate Domestic Investigations performance data is ICM. Domestic Investigations relies on ICM to ensure the performance data are accurate, complete, and unbiased in presentation and substance. ICE also conducts quality control verification on all data received through ICM to ensure performance data is accurate, complete, and unbiased in presentation and substance.

Due to the migration noted in Metric 1 Section 4, some of the data used in this metric of the report has been impacted by an immaterial amount.

Domestic Investigations

Metric 4: Percent of significant high risk drug related illicit trade and illicit travel and finance investigations that result in a disruption or dismantlement

(1) Description

ICE coordinated with ONDCP and established performance metrics in FY 2012 to better indicate the success of counter-narcotics enforcement across all investigative areas. This is aligned with the 2012-2016 HSI Strategic Plan, Goal: *Protect the Homeland Against Illicit Trade, Travel and Finance, Objective 2.4: Targeting Drug Trafficking Organizations*. The methodology used to calculate this measure remains consistent with the prior year. ICE supported ONDCP initiatives that include the National Counter Narcotics Strategy objectives, such as disrupting and dismantling transnational and domestic drug-trafficking and money-laundering organizations. The performance metric is “the percentage of significant high risk drug related illicit trade and illicit travel and finance investigations that result in a disruption or dismantlement.” Agents submit enforcement actions that meet the definition of either a disruption or dismantlement, which are cases deemed high-impact or high-risk based on a pre-defined set of criteria and are reviewed by an SCR panel. The SCR panel reviews enforcement actions and examines each submission to ensure it meets the requirement of a disruption or dismantlement.

While Metric 3 focuses on all seven types of ICM criminal investigations, this metric specifically relates to illicit trade, travel, and finance in investigations explicit to investigations in transnational criminal enterprises that focus on schemes involving import and/or export or other trade, travel, finance, or immigration violations. These investigations include HSI investigational actions directly related to the disruption and/or dismantlement of Consolidated Priority Organization Targets and Regional Priority Organization Targets in accordance with targets designated by the Organized Crime Drug Enforcement Task Force. Percentages are calculated by dividing drug-related enforcement actions (deemed a disruption or dismantlement) by the total number of enforcement actions within the domestic program.

(2) Actual Performance Results for FY 2017³

³ HSI discovered a coding error at the beginning of FY 2015 within the information system that pulls data from TECs. This forced a revalidation of data and a rethinking of how the data is pulled and verified. HSI has since used a corrected data coding and validation for FY 2015. HSI re-examined previous

Fiscal Year	Target	Actual
2014	44.00%	45.00%
2015	29.00%	14.51%
2016	15.00%	9.55%
2017	15.10%	19.03%

In FY 2017, 19.03 percent of significant high-risk counter-narcotic, illicit trade, travel and finance investigations resulted in a disruption or dismantlement. Therefore, HSI has met the target of 15.10 percent.

(3) Performance Target for FY 2018

The performance target for FY 2018 is 15.20 percent. Due to the high number of unknown variables, the FY 2018 performance target was created using historical trends, future operational assumptions, attrition, and national security special event details. In addition, this target was set before FY 2017 actuals were finalized with the assumption that the patterns will continue into the near future. In establishing this metric, Domestic Investigations plans to have sufficient resources to support the same level of effort on drug related investigations.

(4) Quality of Performance Data

The database used to validate Domestic Investigations performance data is ICM. As stated previously, Domestic Investigations relies on ICM to ensure the performance data are accurate, complete, and unbiased in presentation and substance. ICE also conducts quality control verification on all data received through ICM to ensure performance data is accurate, complete, and unbiased in presentation and substance.

Due to the migration noted in Metric 1 Section 4, some of the data used in this metric of the report has been impacted by an immaterial amount.

ICE Management Assertion Report

1. Performance reporting system is appropriate and applied -- ICE uses ICM, IIR and AFI investigative and intelligence case tracking systems of record to capture performance information. ICM, IIR and AFI data is well-documented, accurately maintained, and reliable, and those systems were properly applied to generate the most recent performance data available for the FY 2017 performance period.
2. Explanations for not meeting performance targets are reasonable -- In FY 2017, ICE actuals were not met for two of its four performance targets. The explanations offered for failing to meet these targets are reasonable.
3. Methodology to establish performance targets is reasonable and consistently applied -- The methodology described in Section 1 of each metric to establish the performance targets is

year's data using the new coding and methodology and those actual results are: FY13 16.28%, FY14 47.16%. The prior year actual results in the table have not been modified, so as to remain comparable to previously issued reports.

reasonable and was consistently applied for each metric, given past performance and available resources.

4. Adequate performance metrics exist for all significant drug control activities -- ICE has established more than one acceptable performance metric for its Drug Control Decision Unit-Salaries and Expense. These measures were developed in consideration and support of the ONDCP National Counter Narcotics Strategy, as well as DHS and ICE Strategic plan objectives and initiatives. As noted in OIG Report 17-09, DHS Drug Interdiction Efforts Need Improvement, the performance measures for International Operations and Intelligence are not adequate, as they are process-based rather than outcome-based measures. ICE is working with the Department to develop adequate outcome-based measures for these activities in FY 2018. However, ICE has determined the FY 2017 performance measures for all significant drug control activities do not require material modification.

Exhibit 1: Additional Drug Enforcement Statistics

Domestic Investigations keeps track of additional statistics to monitor their drug enforcement efforts. Domestic Investigations does not set targets for seizures and only provides year-end data. Note: “high impact” as discussed in Statistics 3 through 6 is defined as the weight limit for a seizure that would constitute a federal drug identification number from the El Paso Intelligence Center.

Statistic 1: Dollar value of real or other property seizures derived from/and/or used in drug operations.

FY 2014 Actual	FY 2015 Actual	FY 2016 Actual	FY 2017 Actual
\$46.2 M	\$36.6 M	\$40.2 M	\$39.0 M

Statistic 2: Dollar value of seized currency and monetary instruments from drug operations.

FY 2014 Actual	FY 2015 Actual	FY 2016 Actual	FY 2017 Actual
\$192.7 M	\$154.0 M	\$140.9 M	\$434.6 M

Statistic 3: Percentage of total cocaine seizures considered high impact.

FY 2014 Actual	FY 2015 Actual	FY 2016 Actual	FY 2017 Actual
44%	46%	49%	53%

Statistic 4: Percentage of heroin seizures considered high impact.

FY 2014 Actual	FY 2015 Actual	FY 2016 Actual	FY 2017 Actual
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47%	47%	45%	43%
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Statistic 5: Percentage of marijuana seizures considered high impact.

FY 2014 Actual	FY 2015 Actual	FY 2016 Actual	FY 2017 Actual
35%	36%	38%	33%

Statistic 6: Percentage of methamphetamine seizures considered high impact.

FY 2014 Actual	FY 2015 Actual	FY 2016 Actual	FY 2017 Actual
62%	63%	62%	66%



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Appendix A
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Department of Homeland Security

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