What We Found

Williams, Adley & Company – DC, LLP (Williams Adley), under contract with the Department of Homeland Security OIG, issued an Independent Accountant’s Report on U.S. Customs and Border Protection’s (CBP) FY 2018 Drug Control Performance Summary Report. CBP’s management prepared the Performance Summary Report and the related disclosures in accordance with the requirements of ONDCP Circular, Accounting of Drug Control Funding and Performance Summary, dated May 8, 2018 (Circular). Based on its review, nothing came to Williams Adley’s attention that caused it to believe that CBP’s FY 2018 Performance Summary Report is not presented in conformity with the criteria in the Circular. Williams Adley did not make any recommendations as a result of its review.
March 8, 2019

MEMORANDUM FOR: Henry A. Moak, Jr.
Chief Accountability Officer
U.S. Customs and Border Protection

FROM: Sondra F. McCauley  
Assistant Inspector General for Audits

SUBJECT: Review of U.S. Customs and Border Protection’s Fiscal Year 2018 Drug Control Performance Summary Report


We contracted with the independent public accounting firm Williams, Adley & Company – DC, LLP (Williams Adley) to review CBP’s Drug Control Performance Summary Report. Williams Adley is responsible for the attached Independent Accountant’s Report, dated February 14, 2019, and the conclusions expressed in it. Williams Adley’s 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 at (202) 981-6100, or your staff may contact Maureen Duddy, Deputy Assistant Inspector General for Audits, at (617) 565-8723.

Attachment
Independent Accountant’s Report

Acting 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) Customs and Border Protection (CBP) for the year ended September 30, 2018. CBP management is responsible for the preparation of the PSR in accordance with requirements of the Office of National Drug Control Policy Circular: Accounting of Drug Control Funding and Performance Summary, dated May 8, 2018 (the Circular). Our responsibility is to express a conclusion on the PSR and management’s assertions based on our review.

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 to obtain reasonable assurance about whether CBP’s PSR and PSR assertions are in accordance with the Circular, in all material respects, in order to express an opinion. Accordingly, we do not express such an opinion. We believe that our review provides a reasonable basis for our conclusion.

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, 2018, in order for them to be in accordance with the requirements set forth in the Circular.

This report is intended solely for the information and use of CBP and the Office of National Drug Control Policy, and is not intended to be, and should not be, used by anyone other than the specified parties.

Washington, D.C.
February 14, 2019
February 25, 2019

MEMORANDUM FOR: Mr. John V. Kelly  
Acting Inspector General  
U.S. Department of Homeland Security  

FROM: Henry A. Moak  
Chief Accountability Officer  
Office of Accountability  

SUBJECT: Management’s Assertions for CBP’s Performance Summary Report to ONDCP  


CBP makes the following assertions:

1. Performance reporting system is appropriate and applied – CBP uses TECS, TOMIS, e3 and BPETS to capture performance information. Data within these systems is accurately maintained and reliable, and properly applied to generate the most recent performance data available for the FY 2018 performance period;

2. Explanations for not meeting performance targets are reasonable - Performance targets in FY 2018 were met for three of four measures and the explanation for not meeting one of the performance targets is reasonable;

3. Methodology to establish performance targets is reasonable and consistently applied - The methodology described for establishing performance measure targets is based on professional judgment of subject matter experts with many years of experience in the field. The methodology is reasonable given past performance and available resources;

4. Adequate performance measures exist for all significant drug control activities - CBP has established at least one performance measure for each Drug Control Decision Unit, which considers the intended purpose of the National Drug Control Program Activity. As noted in the OIG Report 17-09, DHS Drug Interdiction Efforts Need Improvement, the performance measures reported for CBP’s Drug Control Decision
Units are not adequate. Three of the four measures were determined to be process-based rather than outcome-based, and two of the four measures were found to not be sufficiently relevant to counterdrug activities. On September 26, 2016, ONDCP published a Supply Reduction Strategic Outcomes framework to provide a comprehensive and integrated perspective on strategic level changes across the spectrum of the drug supply train and associated impacts on society. Several DHS outcome-based performance measures are included in the framework, and the Department is working with ONDCP to ensure the right measures are in place to support assessment of strategic outcomes. As a follow-on activity, CBP will work with the Department on the development of new measures as needed. CBP did determine that the FY 2018 performance measures for all significant drug control activities did not require material modification.

If you have any questions or would like additional information, please contact me at (202) 344-2571, or a member of your staff may contact Mr. James Andersen, Director, Performance Management and Analysis Division, at (202) 344-2925.

Attachments
The performance measures presented below directly link to the 2017 National Drug Control Strategy by evaluating U.S. Customs and Border Protection’s (CBP) success in disrupting domestic drug trafficking. This Performance Summary Report contains the performance measures aligned to drug control decision units as required by the Office of National Drug Control Policy (ONDCP) Circular: Accounting of Drug Control Funding and Performance Summary, dated May 8, 2018. The drug control decision units are as follows: (1) Salaries and Expenses, (2) Air and Marine Interdiction, Operations, Maintenance, and Procurement and (3) Border Security Fence, Infrastructure and Technology.

Drug Control Decision Unit – Salaries and Expenses

Performance Measure – Amount of currency seized on exit from the United States.

(1) Performance Measures

The performance measure “Amount of currency seized on exit from the United States” provides the total dollar amount of all currency, in millions, seized during outbound inspection of exiting passengers and vehicles, both privately-owned and commercial. The scope of this measure includes all ports of entry on both the southwest and northern borders and all modes of transportation (land, air, and sea). This measure assists in evaluating CBP’s success in disrupting domestic drug trafficking at the land border ports of entry, a key outcome for the 2017 National Drug Control Strategy. This measure is tracked by CBP’s Office of Field Operations (OFO).

This measure provides an indicator of success for CBP’s Outbound Enforcement Program (OEP) in disrupting domestic drug trafficking at the land borders by stemming the flow of potential narcotics-related proceeds destined to criminal or transnational groups.

The OFO conducts risk-based Outbound operations at land border ports of entry and international airports, enabling CBP to enforce U.S. laws and regulations applying to the Outbound arena, including but not limited to immigration and drug laws. The OEP is part of CBP’s effort to effectively monitor and control the flow of goods and people leaving the United States. The goal of OEP is to keep the United States safe by preventing the illicit export of goods, ranging from firearms to components of weapons of mass destruction, by individuals seeking to circumvent U.S. export control laws. This goal was developed in recognition of the fact that such goods could potentially fall into the hands of terrorists or criminal elements. The program also seeks to disrupt criminal elements and terrorist organizations by interdicting the proceeds of criminal activity and arresting members of their organizations.

A number of presidential strategies, including the President’s National Export Initiative, the President’s Export Control Reform Initiative, the National Drug Control Strategy, and the
National Southwest Border Counter Narcotics Strategy, designate outbound enforcement as a crucial component on the war on drugs. The total amount of illegal currency being smuggled out of the United States that was seized upon exit in FY 2018 was $38.7 million. This money was potentially destined for criminal organizations.

(2) Prior Years Performance Targets and Results

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<tr>
<th>Fiscal Year</th>
<th>FY 2014</th>
<th>FY 2015</th>
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<td>$30.0M</td>
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<tr>
<td>Actual:</td>
<td>$37.7M</td>
<td>$37.6M</td>
<td>$28.9M</td>
<td>$39.0M</td>
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While the average dollar value of the amount per seizure increased from approximately $32,000 in FY 2017 to over $37,000 in FY 2018, there was a decrease in the total number of individual seizures, down nearly 17 percent. There was a significant decrease in the number of large seizures over $100,000, which went from 48 in FY 2017 to 29 in FY 2018. A single seizure of over $7.5 million contributed significantly to the increase in the average dollar value per seizure and CBP exceeding its target for FY 2018 by approximately 30 percent.

In addition to regular risk-based outbound enforcement efforts, CBP also conducts limited special operations set up in support of collaborative enforcement efforts with the Drug Enforcement Agency (DEA) and Immigration and Customs Enforcement (ICE), as well as with other law enforcement agencies though the Border Enforcement Security Task Force.

(3) Current Year Performance Targets

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<th>Fiscal Year</th>
<th>FY 2019</th>
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<td>Target:</td>
<td>$30.0M</td>
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CBP will continue to conduct risk-based Outbound enforcement operations to identify and seize currency being transported out of the country illegally and work with these law enforcement agencies and both local and international partners to identify and disrupt outbound smuggling activities.

Currently, CBP conducts limited risk-based Outbound enforcement operations based on the availability of CBP Officers and funding, examining only departing goods and travelers identified as high-risk based on CBP Officer assessment at the ports and/or automated system alerts triggered by available data. On-going CBP efforts at risk-based outbound enforcement and conducting limited special operations will continue in FY 2019. The observed decrease in the total number of individual seizures during FY 2018 is not a significant indicator of any unusual fluctuation in seizure activity. CBP will retain the target of $30.0M for FY 2019. CBP will consider revising the target in FY 2020 if the FY 2019 results more clearly establish a long-term trend.
(4) **Quality of Performance Data**

The data underlying this measure is accurate, complete and unbiased. This measure is calculated from outbound seizure-related enforcement action data entered into Treasury Enforcement Communications System (TECS), a computer-based tool used to support CBP operations, by the CBP Officer at the time the violation occurred. On a monthly basis, the detailed transaction data for each Field Office is compiled and extracted from TECS into BorderStat, the CBP system of record for capturing and reporting all enforcement and operations statistical data across its operational components. The extracted data is then summarized within the Operations Management Report module in BorderStat. The monthly summary data is reviewed by OFO’s Outbound Program Manager to verify accuracy and identify anomalies.
Drug Control Decision Unit – Air and Marine Operations

Performance Measure – Percentage of Joint Interagency Task Force-South (JIATF-S) annual mission hour objective achieved.¹

(1) Performance Measures

This performance metric is specific to CBP’s Air and Marine Operations (AMO). AMO conducts extended border operations as part of CBP’s layered approach to homeland security. AMO deploys assets in the source and transit zones through coordinated liaison with other U.S. agencies and international partners. The National Interdiction Command and Control Plan (NICCP) sets the overarching operational architecture for organizations involved in interdicting illicit drugs in keeping with the goals and objectives of the National Drug Control Strategy. In the source and transit zones, AMO coordinates with the larger law enforcement and interdiction community through its partnership with JIATF-S. JIATF-S is the tasking coordinator and controller for counter-drug missions within the transit² and source³ zones. JIATF-S submits its resource allocation requirements through the NICCP. The Department of Homeland Security (DHS) responds to the requirements in a Statement of Intent, which details a baseline level of effort in terms of assets and resources. AMO typically supports JIATF-S requests with P-3 Airborne Early Warning and P-3 Long-Range Tracker aircraft, but has also supported JIATF-S with other aircraft, including its DHC-8 and C-12M fixed-wing aircraft, Black Hawk rotary-wing aircraft, and unmanned aircraft systems (UAS).

As a result of the 2003 Presidential Determination Regarding U.S. Assistance to the Government of Colombia Airbridge Denial Program, AMO began receiving funding in FY 2005 to support JIATF-S as part of its base budget.

The performance measure “Percentage of JIATF-S Annual Mission Hour Objective Achieved” identifies the degree to which AMO meets its intended flight hours for JIATF-S in support of the National Drug Control Strategy, which is reported to DHS, ONDCP, and JIATF-S.

(2) Prior Years Performance Targets and Results

The Percentage of JIATF-S Annual Mission Hour Objective Achieved was initially introduced as a measure in FY 2011.

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<th>Fiscal Year</th>
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<tr>
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<td>Actual:</td>
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<td>100.0%</td>
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¹ Actual results are presented on a binary basis, where 0 percent represents that the target was not met and 100 percent represents that the target was either met or exceeded.
² The transit zone encompasses Central America, Mexico, the Caribbean Sea, the Gulf of Mexico, and the eastern Pacific Ocean.
³ The source zone includes the principal drug producing countries of Bolivia, Columbia, and Peru.
In its annual Statement of Intent, DHS responds to the requirements in the NICCP. The FY 2018 DHS Statement of Intent included CBP’s objective to provide 6,000 flight hours for detection and monitoring activities with aircraft in support of JIATF-S operations. During FY 2018, AMO flew a total of 7,400 hours in the transit zone, of which 6,249 were in direct coordination with JIATF-S. AMO exceeded the JIATF-S goal of 6,000 hours; the primary driver was the P-3 (6,124 hours).

(3) Current Year Performance Targets

Fiscal Year: FY 2019
Target: Provide 100 percent of the 6,000 hours of JIATF-S support budgeted for the transit zone.

AMO submitted its input for the FY 2019 DHS Statement of Intent to the DHS Office of Policy. This input was based on current anticipated budgets, flight crew availability, and planning estimates involving maritime patrol aircraft flight hours in the transit zone.

The FY 2019 DHS Statement of Intent included CBP’s objective to provide 6,000 flight hours in the transit zone with its P-3 and UAS.

(4) Quality of Performance Data

The data underlying this measure is accurate, complete and unbiased. AMO flight data is recorded using the Tasking, Operations, and Management Information System, which underwent a DHS verification and validation during FY 2016. The data from this system can be queried through any CBP computer with appropriate access. AMO ensures the data is complete and accurate through a quality assurance process, which includes annual reconciliation of data, and data entry error mitigation techniques established from the verification and validation assessment.
Drug Control Decision Unit – Automation Modernization

Performance Measure – Percent of time TECS is available to end users.

(1) Performance Measures

This performance metric is for Automation Modernization, part of the Air and Marine Interdiction, Operations, Maintenance, and Procurement budget decision unit. The metric is managed and measured by CBP’s Office of Information Technology (OIT). The measure, “Percent of time TECS is available to end users,” quantifies the availability of the TECS service to all end-users based on a service level of 24/7 service. TECS is a CBP mission-critical law enforcement application system designed to identify individuals and businesses suspected of or involved in violation of Federal law. TECS is also a communications system permitting message transmittal between the DHS law enforcement offices and other National, state, and local law enforcement agencies, access to the Federal Bureau of Investigation's National Crime Information Center and the National Law Enforcement Telecommunication Systems (NLETS). NLETS provides direct access to state motor vehicle departments. This measure assists in evaluating CBP’s success in improving information systems for Analysis, Assessment, and Local Management, a key outcome for the National Drug Control Strategy.

TECS availability is a collection of key performance indicators (KPI) gathered from off-the-shelf and custom monitoring tools. The tools monitor all components and sub-systems of three mission critical applications: Western Hemisphere Travel Initiative, Traveler Primary Air Client, and U.S. Arrival.

Synthetic transactions are performed on all three applications to simulate a user. The results of these transactions are measured against defined performance standards. Breaches of the performance standards are transmitted as alerts to the Technology Operations Center and the application development team for review and resolution.

TECS is deemed unavailable when all three applications are in a critical or unresponsive state simultaneously. Outages for systems maintenance are considered down time and affect TECS availability.

(2) Prior Years Performance Targets and Results

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<tbody>
<tr>
<td>Target:</td>
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<td>99.0%</td>
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<td>Actual:</td>
<td>99.9%</td>
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TECS surpassed its goal this year with an availability of 100 percent.
(3) Current Year Performance Targets

Fiscal Year: FY 2019
Target: 99.0%

The target is established based on the KPIs for the three applications that comprise the TECS Availability metric. Current trends and funding expectations point to a likelihood of achieving the FY 2019 target of 99.0 percent with no anticipated challenges to TECS system availability. This target is established via a negotiated contract with the TECS service provider.

(4) Quality of Performance Data

The data is accurate, complete, and unbiased. All data logged is reviewed for accuracy and comments are added by Computer Operations staff for the purpose of identifying discrepancies. Each business day, OIT Subject Matter Experts meet at the Significant Outages and Incidents meeting to review the Chief Information Officer Outage Report which is generated for the OIT Assistant Commissioner and other senior CBP management staff. The Subject Matter Experts review incidents and validate the information reported. The OIT Assistant Commissioner and senior CBP management review the report.
**Drug Control Decision Unit – Border Security Fencing, Infrastructure and Technology**

**Performance Measure** – Rate of Interdiction Effectiveness along the Southwest Border between the ports of entry.

(1) **Performance Measures**

Since FY 2014, the United States Border Patrol (USBP) has focused on and measured improvement in its Interdiction Effectiveness Rate (IER) on the Southwest border. The IER is the percent of detected illegal entrants who were apprehended or turned back after illegally entering the U.S. between the Southwest Border ports of entry. The IER focuses on positive outcomes (apprehensions or turnbacks) of recent entrants made in the immediate border area. This measure assists in evaluating CBP’s success in disrupting domestic drug trafficking between the land border ports of entry, a key outcome for the National Drug Control Strategy.

Border Patrol agents (BPAs) detect and intercept any combination of threats that present themselves along the borders including: terrorists, weapons of terrorism, smuggling of narcotics and other contraband, and people who illegally enter the United States. The interdiction of people frequently coincides with the interdiction of drugs in the border environment; therefore, the IER can be associated with effectiveness in resolving all cross-border entries, including those involving persons transporting narcotics. Since introducing this measure in FY 2014, USBP has increased the IER from 76 percent at the end of FY 2013 to a high of 82.7 percent at the end of FY 2016. In FY 2017, the IER decreased to 78.9 percent, but by the end of FY 2018, the IER had re-gained some ground, finishing FY 2018 at 79.7 percent.

The enforcement advantage gained from fencing, other infrastructure, and technology, such as sensors and cameras, allows agents to more effectively and efficiently detect, identify, and intercept threats. CBP’s enforcement posture over the past several years since 9/11 has benefitted from a build-up in resources and capabilities, including manpower. This improved enforcement posture has coincided with an overall decrease in apprehensions since 2005, the year when data integrity improved due to new mandatory reporting requirements, and an improvement in the IER since it was tracked in FY 2013. During FY 2018, the USBP seized 458,834 pounds of marijuana along the Southwest border, a decrease of 735,593 pounds seized in 2005 along the Southwest border.

The decrease in marijuana seizures correlates to the decrease in demand since the legalization of marijuana in states in the U.S.

Targets and results for the “Rate of interdiction effectiveness along the Southwest Border between ports of entry” measure is based on data collected on apprehensions, turnbacks and gotaways, which together constitute entries. The formula used to calculate the IER is \[(\text{Apprehensions} + \text{Turnbacks}) / \text{(Entries)}\]. The scope includes all areas of the Southwest border that are generally at or below the northern most checkpoint within a given area of responsibility.

Apprehensions are defined as: a deportable subject who, after making an illegal entry, is taken into custody and receives a consequence. Gotaways are defined as: a subject who, after making
an illegal entry, is not turned back or apprehended and is no longer being actively pursued by BPAs. Turnbacks are defined as: a subject who, after making an illegal entry into the US, returns to the country from which he/she entered, not resulting in an apprehension or gotaway.

(2) Prior Years Performance Targets and Results

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<td>80.0%</td>
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<tr>
<td>Actual</td>
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<td>81.0%</td>
<td>82.7%</td>
<td>78.9%</td>
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This performance measure was initially introduced as a DHS strategic measure in FY 2014. USBP did not meet the IER target for FY 2018 achieving only 79.7 percent, which is roughly a 0.8 percent increase from FY 2017 IER of 78.9 percent. The baseline data collection during FY 2013 coincided with an effort on part of the USBP to standardize the methods across Southwest border sectors to record apprehensions, gotaways, and turnbacks, the three key factors in the formula for calculating the IER.

The cumulative FY 2018 result was below the annual target, however, the USBP did steadily improve its IER each quarter for a final result of 79.7%. Ongoing staffing shortages of Border Patrol agents continue to present challenges to responding to illegal entries. In FY 2018 Q2, the Administration launched Operation Guardian Support, placing National Guard (NG) personnel in a supporting role for the USBP. The timing of the deployment of NG personnel, who largely assist with surveillance technology and maintenance functions, correlates with the steady, quarterly increase in the IER. Overall, the NG deployment intended to improve situational awareness closer to the border and give the Border Patrol flexibility to re-task and reprioritize response capabilities, leading to a contribution toward improved interdiction effectiveness.

(3) Current Year Performance Targets

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<th>Fiscal Year</th>
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<tr>
<td>Target</td>
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The USBP is working closely with CBP's Office of Human Resources Management to enhance recruiting efforts and assist in streamlining hiring of new agents. In addition, the implementation of USBP's Operational Control framework will allow leadership to ensure that Southwest Border commanders focus annual operational planning on efforts that support the framework with the intent of increasing effectiveness, including interdiction effectiveness.

(4) Quality of Performance Data

Apprehension, gotaway, and turnback data is captured by Border Patrol Agents (BPAs) at the station level and entered into the following systems:

- Apprehensions are entered into the e3 Processing (e3) system. All data entered via e3 resides in the Enforcement Integrated Database (EID), the official system of record for
this data, which is under the purview of the USBP Headquarters Statistics and Data Integrity (SDI) Unit. The physical database is owned and maintained by ICE.

- Gotaways and turnbacks are entered into the Intelligent Computer Assisted Detection (ICAD) Tracking Sign-cutting and Modeling (TSM) application, which resides with the U.S. Border Patrol. TSM is under the purview of and is owned by the U.S. Border Patrol’s Enforcement Systems Unit.

Apprehension data is entered into e3 by Border Patrol agents (BPAs) at the station level as part of the standardized processing procedure. BPAs use standard definitions for determining when to report a subject as a gotaway or turnback. Some subjects can be observed directly as evading apprehension or turning back; others are acknowledged as gotaways or turnbacks after BPAs follow evidence that indicate entries have occurred, such as foot sign, sensor activations, interviews with apprehended subjects, camera views, communication between and among stations and sectors, and other information. Data input into the TSM system occurs at the station level. The e3 Processing application and TSM are used continuously to document apprehension, gotaway, and turnback data. Calculation of the measure is done by the U.S. Border Patrol Headquarters Statistics and Data Integrity Unit (SDI) and is: (Apprehensions + Turnbacks)/Total Entries. Total entries is the sum of apprehensions, turnbacks, and gotaways.

Patrol Agents in Charge ensure all agents are aware of and utilize proper definitions for apprehensions, gotaways, and turnbacks at their respective stations and ensure accurate documentation of subjects. In addition to station level safeguards, the USBP Headquarters SDI Unit validates data integrity by utilizing various data quality reports. Data issues are corrected at the headquarters level or forwarded to the original inputting station for correction. All statistical information requested is routed through the USBP Headquarters SDI Unit to ensure accurate data analysis and output.
Appendix A
Report Distribution

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