

OFFICE OF INSPECTOR GENERAL

Review of U.S. Customs and Border Protection's FY 2014 Drug Control Performance Summary Report



Homeland
Security

**January 23, 2015
OIG-15-26**



HIGHLIGHTS

Review of U.S. Customs and Border Protection's FY 2014 Drug Control Performance Summary Report

January 23, 2015

Why We Did This

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. The Office of Inspector General (OIG) is required to conduct a review of the agency's submission and provide a conclusion about the reliability of each assertion 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

KPMG LLP, under contract with the Department of Homeland Security OIG, issued an Independent Accountants' Report on the U.S. Customs and Border Protection's (CBP) fiscal year (FY) 2014 Drug Control Performance Summary Report. CBP management prepared the Performance Summary Report and related disclosures to comply with the requirements of ONDCP circular, *Accounting of Drug Control Funding and Performance Summary* (Circular), dated January 18, 2013. Based on its review, nothing came to KPMG LLP's attention that caused it to believe that the Performance Summary Report for the year ended September 30, 2014, is not presented, in all material respects, in conformity with the criteria in the ONDCP Circular. KPMG LLP 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 23 2015

TO: Eugene H. Schied
Assistant Commissioner
U.S. Customs and Border Protection

FROM: Mark Bell 
Assistant Inspector General for Audits

SUBJECT: *Review of U.S. Customs and Border Protection's FY 2014 Drug Control Performance Summary Report, Report Number OIG-15-26*

Attached for your information is our final report, *Review of U.S. Customs and Border Protection's FY 2014 Drug Control Performance Summary Report*. U.S. Customs and Border Protection's (CBP) management prepared the Performance Summary Report and related disclosures to comply 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, KPMG LLP (KPMG), to review CBP's Drug Control Performance Summary Report. KPMG is responsible for the attached Independent Accountants' Report of its review, dated January 20, 2015, and the conclusions expressed in it. KPMG's report contains no recommendations.

Consistent with our responsibility under the *Inspector General Act*, we will provide copies of our report to appropriate 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 Don Bumgardner, Acting Deputy Assistant Inspector General for Audits, at (202) 254-4100.

Attachment



KPMG LLP
Suite 12000
1801 K Street, NW
Washington, DC 20006

Independent Accountants' Report

Inspector General
U.S. Department of Homeland Security:

We have reviewed the accompanying Performance Summary Report of the U.S. Department of Homeland Security's (DHS) Customs and Border Protection (CBP) for the year ended September 30, 2014. CBP's management is responsible for the Performance Summary Report.

Our review was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants, and applicable standards contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. A review is substantially less in scope than an examination, the objective of which is the expression of an opinion on the Performance Summary Report. Accordingly, we do not express such an opinion.

Management of CBP prepared the Performance Summary Report to comply with the requirements of the Office of National Drug Control Policy (ONDCP) Circular, *Accounting of Drug Control Funding and Performance Summary*, dated January 18, 2013 (the Circular).

Based on our review, nothing came to our attention that caused us to believe that the Performance Summary Report for the year ended September 30, 2014, referred to above, is not presented, in all material respects, in conformity with the criteria set forth in the Circular.

This report is intended solely for the information and use of management of DHS and CBP, the DHS Inspector General, the ONDCP, and the U.S. Congress, and is not intended to be and should not be used by anyone other than these specified parties.

KPMG LLP

January 20, 2015



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

January 20, 2015

MEMORANDUM FOR: Mark Bell
Assistant Inspector General for Audit
Department of Homeland Security

FROM: Jaye M. Williams
Chief Financial Officer

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

In compliance with the Office of National Drug Control Policy (ONDCP) Circular, *Accounting of Drug Control Funding and Performance Summary*, dated January 18, 2013, U.S. Customs and Border Protection (CBP) submits its Performance Summary Report to ONDCP. The report contains the results of CBP's Fiscal Year (FY) 2014 performance in support of the *National Drug Control Strategy*.

CBP makes the following assertions:

- (1) Performance reporting system is appropriate and applied—CBP has a system to capture performance information accurately and the system was properly applied to generate the performance data;
- (2) All performance targets in FY 2014 were successfully met;
- (3) Methodology to establish performance targets is reasonable and consistently applied, given past performance and available resources. Professional judgement was used in establishing performance measure targets based on subject matter experts with several years of experience in the field; and
- (4) Adequate performance measures exist for all significant drug control activities. CBP has established at least one acceptable performance measure for each Drug Control Decision Unit identified in reports. Each performance measure considers the intended purpose of the National Drug Control Program Activity.

If you have any questions or would like additional information, please contact me at (202) 344-2364, or a member of your staff may contact Mr. James McNally, Director, Investment Analysis Office, at (202) 344-1651.

Attachments

**U.S. Department of Homeland Security
U.S. Customs and Border Protection
Performance Summary Report
Fiscal Year (FY) 2014**

The performance measures presented below directly link to the 2014 *National Drug Control Strategy* by evaluating U.S. Customs and Border Protection's (CBP) success in disrupting domestic drug trafficking. This Performance Summary Report (PSR) contains the performance measure 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 January 18, 2013. The drug control decision units are as follows: (1) Salaries and Expenses, (2) Air and Marine Operations, (3) Automation Modernization, and (4) Border Security Fence, Infrastructure and Technology. Based on this PSR, the attached Management Assertions letter states the following: (1) the performance reporting system is appropriate and applied; (2) all performance targets in Fiscal Year (FY) 2014 were met; (3) the methodology used to establish performance targets is reasonable and applied; and (4) adequate performance measures exist for all significant drug control activities.

Drug Control Decision Unit – Salaries and Expenses

Performance Measure – Office of Field Operations – 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, which is a key outcome for the National Drug Control Strategy.

This measure is based upon the seizure-related enforcement outcomes of CBP's Outbound Enforcement program, which provides an indicator of the success that CBP has 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 CBP Office of Field Operations (OFO) conducts risk-based Outbound operations at land border ports of entry and international airports, enabling CBP to enforce U.S. laws and regulations which apply to the Outbound arena, including, but not limited to, immigration and drug laws. The Outbound Enforcement program is part of CBP's effort to effectively monitor and control the flow of goods and people leaving the United States. The goal of CBP's Outbound Enforcement program 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 their proceeds 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 currency seized upon exit from the United States in FY 2014, which was in excess of \$37.7

million, is an indicator of CBP's success in disrupting domestic drug trafficking at the borders. These currencies could have been destined for criminal or transnational groups.

(2) Prior Years Performance Targets and Results

Fiscal Year:	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Target:	None	\$40.0M	\$35.0M	\$30.0M	\$30.0M
Actual:	None	\$47M	\$31.9M	\$36.9M	\$37.7M

Once CBP instituted its risk-based Outbound enforcement strategy in FY 2009 and increased the overall level of Outbound enforcement activities, CBP saw a gradual but significant decrease in currency seizures both in terms of absolute number of seizures and the average amount seized through FY 2012. During the second half of FY 2013 and the course of FY 2014, special operations set up in support of collaborative enforcement efforts with the Drug Enforcement Agency (DEA) and Immigration and Customs Enforcement (ICE) through Operation Toll Road, as well as working with other law enforcement agencies through the Border Enforcement Security Task Force (BEST), resulted in a number of larger seizures that temporarily increased the total amount seized over the level observed in the prior years. These special operations are not permanent programs and may or may not continue in the future.

(3) Current Year Performance Targets

Fiscal Year:	FY 2015
Target:	\$30.0M

Currently, CBP conducts limited Outbound enforcement operations, examining only departing goods and travelers identified as high-risk based on CBP Officer assessment at the ports and/or automated systems alerts triggered by available data. Based upon this limited operational strategy and the deterrence effect associated with a relatively new program, as described above, such operations should result in a decrease in the amount of currency seized as an expected outcome. For FY 2015 and subsequent years, the combination of fewer special operations and the deterrence effect of regular Outbound operations support the decision to maintain the \$30.0M target.

(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 TECS (a computer-based tool used to support CBP operations) by the CBP Officer at the time of occurrence of the violation. On a monthly basis, the detailed transaction data is compiled and extracted into the summary provided by the Operations Management Report (OMR) module in BorderStat, the CBP system of record for capturing and reporting on all enforcement and operations statistical data across its operational components. 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 – Office of Air and Marine – Percentage of Joint Interagency Task Force-South (JIATF-S) annual mission hour objective achieved.

(1) Performance Measures

The Office of Air and Marine (OAM) conducts extended border operations as part of CBP’s layered approach to homeland security. OAM 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. OAM coordinates with the larger law enforcement and interdiction community through its partnership with Joint Interagency Task Force - South (JIATF-S). JIATF-S is the tasking coordinator and controller for counter-drug missions within the transit¹ and source² 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. OAM typically supports JIATF-S requests with P-3 Airborne Early Warning (AEW) and P-3 Long-Range Tracker (LRT) 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 August 19, 2003, Presidential Determination Regarding U.S. Assistance to the Government of Colombia Airbridge Denial Program, OAM began receiving funding in FY 2005 to support JIATF-S as part of its base budget.

The performance measure “Percentage of Joint Interagency Task-Force South (JIATF-S) Annual Mission Hour Objective” identifies the degree to which OAM meets its intended flight hours for JIATF-S in support of the National Drug Control Strategy.

(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.

Fiscal Year:	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Target:	None	100%	100%	100%	100%
Actual:	None	100%	100%	100%	100%

In the NICCP, dated March 17, 2010, JIATF-S forecasted its FY 2011 support requirements for a range of aircraft. In its annual Statement of Intent, DHS responds to the requirements in the NICCP. The FY 2014 DHS Statement of Intent included CBP’s objective to provide 5,050 flight hours for detection and monitoring activities with aircraft in support of JIATF-S operations. OAM exceeded the goal of 5,050 hours for FY 2014, flying a total of 6,293.7 hours with its P-3 (5,918.8 hours), UAS (317.0 hours), and the King Air B-350 Multi-Role Enforcement Aircraft (33.0 hours), and DHC-8 aircraft (24.9 hours).

(3) Current Year Performance Targets

¹ The transit zone encompasses Central America, Mexico, the Caribbean Sea, the Gulf of Mexico, and the eastern Pacific Ocean.

² The source zone includes the principal drug producing countries of Bolivia, Columbia, and Peru.

Fiscal Year: 2015

Target: Provide 100% of the 6,000 hours of JIATF-S support budgeted for the transit zone.

On October 31, 2014, OAM submitted its input for the FY 2015 DHS Statement of Intent to the DHS Office of Policy, via the Homeland Secured Data Network. This input was based on current anticipated budgets and planning estimates involving maritime patrol aircraft flight hours in the transit zone.

The FY 2015 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. OAM P-3 flight data is recorded using a Post Flight Record Form (CBPAVP-051-2 RI 26 July 2004). The flight data entry is then validated against the Computerized Aircraft Reporting and Material Control (CARMAC) System, which is utilized by aircraft maintenance to track flight time accrued on the aircraft. The flight data is then checked monthly against the Tasking, Operations, and Management Information System (TOMIS). The data from these systems can be queried through any CBP computer with appropriate access.

Drug Control Decision Unit – Automation Modernization

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

(1) Performance Measures

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 24X7 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 Department of Homeland Security 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.

(2) Prior Years Performance Targets and Results

Fiscal Year:	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Target:	98.0%	99.0%	99.0%	99.0%	99.0%
Actual:	99.6%	100%	99.9%	99.9%	99.9%

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 surpassed its goal this year with an availability of 99.9%.

(3) Current Year Performance Targets

Fiscal Year:	2015
Target:	99.0%

Current trends and funding expectations point to a likelihood of achieving the FY 2015 target of 99.0% with no anticipated challenges to TECS system availability.

(4) Quality of Performance Data

Applications availability statistics of the major production servers associated with TECS Production, TECS Airports, TECS Land Borders and Seized Asset Case Tracking System (SEACATS), is used to provide "TECS Systems" availability. The range of data is from all systems. Note: The scope of the data is changing as the customer base increases with new users and applications. TECS is actively adding end users.

The Computer Associates Event and Automation tool for mainframe systems (CA OPS/MVS) is a web-based application that enables system administrators/technicians to track and analyze the performance of business processes and network infrastructure, and diagnose the cause of end-user performance as well as process monitoring and automation.

CA OPS/MVS monitors all system logs and task activity and has been customized to timestamp and log all down and up-times associated with a subsystem or process as well as the host system. System and started task outages are monitored by the Automated Operations team via automated processes and then compiled into a table called "System Availability". Technical Operations Center personnel then access the

table and provide additional information regarding outages. Personnel from each shift access the System Availability table every day and update any new records in the table.

All data logged are reviewed for accuracy and comments are added by Computer Operations staff for the purpose of identifying discrepancies. Each business day Subject Matter Experts (Systems, Applications, and Networks) meet at the Significant Outages and Incidents meeting to review the CIO Outage Report which is generated for the Office of Information Technology (OIT) Assistant Commissioner and other senior CBP management staff. The Subject Matter Experts review incidents and validate the information that is being reported. The OIT Assistant Commissioner and senior CBP management review the audited data. Discrepancies caused in outages times or impact may occur by rare events such as network rerouting data across backup links or CA OPS/MVS tool issues. These issues are identified by the Subject Matter Experts, and corrected by the Duty Officer and Technology Operations staff who provide the finalized reports to the OIT Assistant Commissioner and senior CBP management staff.

Drug Control Decision Unit – Border Security Fencing, Infrastructure and Technology

Performance Measure – Office of Border Patrol – Interdiction Effectiveness Rate (IER) on the Southwest Border between the ports of entry.

(1) Performance Measures

In FY 2014 the United States Border Patrol (USBP) transitioned away from targeting the number of apprehensions on the Southwest border, and focused on improving the percentage of known entries that are apprehended or turned back to Mexico. The Border Patrol achieves this desired strategic outcome by maximizing the apprehension of detected illegal entrants or confirming that illegal entrants return to the country from which they entered, and by minimizing the number of persons who evade apprehension and can no longer be pursued.

USBP works to mitigate all threats – terrorists and weapons of terrorism, smuggling of narcotics, other contraband and people, and the illegal entry of people at the border. Border Patrol agents prepare for, detect, and intercept any and all combinations of these threats that present themselves along the borders. The interdiction of people frequently coincides with the interdiction of drugs in the border environment. Apprehensions are captured in Border Patrol’s IER, and this measure does not differentiate between apprehensions and those apprehended transporting narcotics. **Generally, all cross-border incursions are accounted for as entries, and result in either an apprehension, “turnback” or “gotaway”.** These results are accounted for in the IER. Over FY 2014, Border Patrol has increased their IER, which measures effectiveness in resolving all cross-border incursions.

The enforcement advantage gained from fencing, other infrastructure, and technology, such as sensors and cameras, allows agents to more effectively and efficiently perform their duties to detect, identify, and intercept threats. An improvement in CBP’s enforcement posture over the past several years since 9/11 has been a healthy build-up in resources and capabilities, including manpower, fencing, infrastructure and technology. This vastly improved enforcement posture has coincided with an overall decrease in apprehensions since 2005, and an improvement in the IER since it was tracked in FY13. Funds and resources provided in 2010 created an even stronger enforcement environment for 2011, as noted in the 2011 National Drug Control Strategy. During FY 2014, the Border Patrol seized 1,920,411 pounds of marijuana along the Southwest border, an increase of more than 725,000 pounds seized in 2005 along the Southwest border.

(2) Prior Years Performance Targets and Results

Fiscal Year:	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Target:	None	None	None	None	77%
Actual:	None	None	None	76%	79.3%

This performance measure was initially introduced as a DHS strategic measure in FY 2014. The baseline data collection during FY 2013 coincided with an effort on part of the Border Patrol 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 baseline data collection year result of 76% provided a reference for setting a target for FY 2014 of 77% or greater.

(3) Current Year Performance Targets

Fiscal Year: 2015

Target: ≥ 80%

A combination of efforts under a risk-based strategy can influence an improvement in the IER. Better intelligence and risk-based deployment of surveillance capabilities enhances situational awareness and aids in identifying potential or emerging threats. This in turn allows for better informed, more agile responses at tactical and strategic levels. At the tactical level, field commanders can direct personnel and mobile technologies to respond to higher threat areas. At the strategic level, USBP can place increased focus on positioning assets according to changing threat levels. Finally, coordination of operational efforts with our strategic partners improves unity of effort toward degrading transnational criminal organizations that profit in cross border illegal entries. In FY 2014 USBP employed these and other efforts, and will continue to apply additional actions to improve detection and interdiction of illegal entries.

(4) Quality of Performance Data

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 “entries.” Entries equal the sum of (Apprehensions + Turnbacks + Gotaways). The formula used to calculate the Interdiction Effectiveness Rate 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 Border Patrol agents.” “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.”

Apprehension, “gotaway”, and “turnback” data is captured by Border Patrol agents 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 Border Patrol Headquarters Statistics and Data Integrity (SDI) Unit. The physical database is owned and maintained by Immigrations and Customs Enforcement (ICE).
- “Gotaways” and “turnbacks” are entered into the CBP Enforcement Tracking System 1 (BPETS1), which resides with the Office of Border Patrol. BPETS1 is under the purview of and is owned by the 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 BPETS1 system occurs at the station level. The e3 Processing application and BPETS1 are used continuously to document apprehension, “gotaway”, and “turnback” data.

Patrol Agents in Charge ensure all agents are aware of and utilize proper definitions for apprehensions, “gotaways” and “turnbacks” at their respective stations and also ensure the necessary communication takes place between and among sectors and stations to ensure accurate documentation of subjects who may have crossed more than one station's area of responsibility. In addition to station level safeguards, the HQ Statistics and Data Integrity (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 from within DHS, USBP, or external sources are routed through the centralized HQ office within USBP. The SDI Unit coordinates with these entities to ensure accurate data analysis and output.



OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

Appendix A Report Distribution

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