



# Homeland Security

## FY 2020 - 2022 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) 2020-2022 presents the Department's performance measure results and FY 2021 and FY 2022 targets. It also summarizes information on key initiatives in the DHS Performance Management Framework related to the Strategic Review, our FY 2020 results for the Department's Agency Priority Goals (APG), and also includes the Human Capital Operating Plan. The report is consolidated to incorporate our annual performance plan and annual performance report.

For FY 2020, the Department's Performance and Accountability Reports consist of the following three reports:

- DHS Agency Financial Report | Publication date: November 16, 2020
- DHS Annual Performance Report | Publication with the DHS Budget
- DHS Report to our Citizens (Summary of Performance and Financial Information) | Publication date: March 29, 2021

When published, all three reports will be located on our public website at: <http://www.dhs.gov/performance-accountability>.



## Contact Information

For more information, contact:  
Department of Homeland Security  
Office of the Chief Financial Officer  
Office of Program Analysis and Evaluation  
245 Murray Lane, SW  
Mailstop 200  
Washington, DC 20528

## Table of Contents

<b>Introduction .....</b>	<b>2</b>
<b>Relevant GAO and OIG Reports by DHS Component .....</b>	<b>3</b>
<i>Countering Weapons of Mass Destruction (CWMD) Office .....</i>	<i>3</i>
<i>Customs and Border Protection (CBP).....</i>	<i>3</i>
<i>Cybersecurity and Infrastructure Security Agency (CISA).....</i>	<i>14</i>
<i>Federal Emergency Management Agency (FEMA) .....</i>	<i>17</i>
<i>Immigration and Customs Enforcement (ICE).....</i>	<i>23</i>
<i>Management (MGMT) .....</i>	<i>27</i>
<i>Science and Technology (S&amp;T).....</i>	<i>29</i>
<i>Transportation Security Administration (TSA) .....</i>	<i>30</i>
<i>U.S. Citizenship and Immigration Services (USCIS).....</i>	<i>34</i>
<i>U.S. Coast Guard (USCG) .....</i>	<i>34</i>
<i>U.S. Secret Service (USSS).....</i>	<i>38</i>
<b>Acronyms .....</b>	<b>39</b>

## 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 2020 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?adv\\_begin\\_date=10%2F01%2F2019&adv\\_end\\_date=09%2F30%2F2020&q=\\*%26amp;facets=a%3A2%3A%7Bs%3A14%3A%22tx\\_agency\\_term%22%3Bs%3A9%3A%22Executive%22%3Bs%3A24%3A%22tx\\_agency\\_executive\\_term%22%3Ba%3A1%3A%7Bi%3A0%3Bs%3A31%3A%22Department+of+Homeland+Security%22%3B%7D%7D&path=Reports+%26+Testimonies&now\\_sort=docdate+desc&rows=10&page\\_name=main&tab=Solr&perpage=10&sort=docdate+desc](https://www.gao.gov/search?adv_begin_date=10%2F01%2F2019&adv_end_date=09%2F30%2F2020&q=*%26amp;facets=a%3A2%3A%7Bs%3A14%3A%22tx_agency_term%22%3Bs%3A9%3A%22Executive%22%3Bs%3A24%3A%22tx_agency_executive_term%22%3Ba%3A1%3A%7Bi%3A0%3Bs%3A31%3A%22Department+of+Homeland+Security%22%3B%7D%7D&path=Reports+%26+Testimonies&now_sort=docdate+desc&rows=10&page_name=main&tab=Solr&perpage=10&sort=docdate+desc).

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

[https://www.oig.dhs.gov/reports/audits-inspections-and-evaluations?field\\_dhs\\_agency\\_target\\_id=All&field\\_fy\\_value=2](https://www.oig.dhs.gov/reports/audits-inspections-and-evaluations?field_dhs_agency_target_id=All&field_fy_value=2).

## Relevant GAO and OIG Reports by DHS Component

### Countering Weapons of Mass Destruction (CWMD) Office

---

#### GAO Reports

**Title: National Biodefense Strategy: Additional Efforts Would Enhance Likelihood of Effective Implementation**

**Number:** [GAO-20-273](#)

**Date:** 2/19/2020

**Summary:** Issued in September 2018, the National Biodefense Strategy (Strategy) and implementation plan, along with National Security Presidential Memorandum-14, are designed to enhance national biodefense capabilities. GAO analyzed the strategy, plans, National Security Presidential Memorandum-14, and compared them to selected characteristics of GAO's work on effective national strategies, enterprise risk management, organizational transformation, and interagency coordination. GAO found there are no clear, detailed processes, roles, and responsibilities for joint decision-making, including how agencies will identify opportunities to leverage resources or who will make and enforce those decisions. As a result, questions remain about how this first-year effort to catalogue all existing activities will result in a decision-making approach that involves jointly defining and managing risk at the enterprise level. Without clearly documented methods, guidance, processes, and roles and responsibilities for enterprise-wide decision-making, the effort runs the risk of failing to move away from traditional mission stovepipes toward a strategic enterprise-wide approach that meaningfully enhances national capabilities.

### Customs and Border Protection (CBP)

---

#### GAO Reports

**Title: Border Security--U.S. Customs and Border Protection's Management of a Temporary Facility in Texas Raised Concerns about Resources Used**

**Number:** [GAO-20-321R](#)

**Date:** 3/11/2020

**Summary:** While completing a review of medical care provided to adults and children in CBP custody, GAO identified concerns about the use of Government resources at a temporary soft-sided facility in Tornillo, TX operated for processing and holding single adults in Border Patrol custody between August 2019 and January 2020. This GAO correspondence to Congressional requesters relates these concerns, including a finding that CBP detained far fewer individuals at this facility than the facility's designed capacity of 2,500 persons, and spent millions of dollars for food services not needed. Facing a surge of cross-border traffic that began in the Fall of 2018, CBP

decided in May 2019 to place a delivery order against an existing General Services Administration contract through the Federal Supply Schedule, using an emergency supplemental appropriation for humanitarian assistance to fund the sole-source acquisition. GAO found that during the Tornillo facility's five months of operation, the facility held an average of 30 adults per day and no more than 68 adults on any given day. GAO also found that from the facility's opening in August 2019 through the beginning of November 2019, CBP deployed 4 Texas National Guard personnel, 3 contracted security guards, and 1 CBP officer per detainee at the Tornillo facility; the \$66 million contract did not include costs for these personnel. GAO's correspondence highlighted concerns about the initial terms and conditions negotiated by CBP which did not provide flexibility for variation in the number of people in custody, and the lack of input and information sharing among CBP's acquisition, operational, and headquarters personnel regarding the need for and use of the Tornillo facility. The Department concurred with GAO's recommendation that the Commissioner of CBP conduct an assessment of the acquisition and use of the Tornillo facility, and identify any lessons learned.

### **Title: Southwest Border--Actions Needed to Improve DHS Processing of Families and Coordination between DHS and HHS**

**Number:** [GAO-20-245](#)

**Date:** 2/19/2020

**Summary:** Congress requested that GAO review issues related to non-citizen family units arriving at the Southwest Border, specifically 1) what CBP data indicate about the numbers and characteristics of these family units; 2 and 3) the extent to which CBP and ICE, respectively, have developed and implemented policies and procedures for processing these family units; and 4) how DHS and the Department of Health and Human Services (HHS) share information about unaccompanied children, including those separated from their parents or other adults after they initially arrived as part of a family unit. GAO found that CBP apprehended more family-unit members in the first half of FY19—about 213,400—than the number apprehended in all of FY18, roughly 160,400. Of all family-unit members apprehended from FY16 through FY19 Q2, GAO found that a majority were Central American nationals, and a majority of children in family units were under age 12. GAO also found that CBP developed some policies and procedures for processing family units, but that the Component does not have sufficient controls to ensure their effective implementation. GAO additionally found that ICE developed procedures for processing family units, but that the Component does not systematically track in its data system family separations carried-out by ICE. Further, GAO found that DHS and HHS have interagency agreements setting-out roles and responsibilities with regard to unaccompanied children, but that long-standing gaps in information sharing between these agencies remain. The Department concurred with all eight GAO recommendations for CBP and/or ICE, involving the development and implementation of training, guidance, record-keeping procedures, data-system updates, detainee-tracking systems, and coordination with HHS.

### **Title: Southwest Border--Actions Needed to Address Fragmentation in DHS's Processes for Apprehended Family Members**

**Number:** [GAO-20-274](#)

**Date:** 2/19/2020

**Summary:** In FY19, CBP reported apprehending more than 527,000 non-citizen members of family units at or between U.S. ports of entry along the Southwest Border, a 227 percent increase from FY18. Congress requested that GAO review issues related to families arriving at the border, specifically the extent to which the Department had identified, collected, documented, and shared information that Components need to inform processes involving family members apprehended at the border. GAO found that DHS has not identified the information about family members apprehended at the border that Components collectively need. GAO also found that CBP does not routinely collect and document sufficient information on apprehended family members to assist decision-making by other agencies, including USCIS, ICE, and the HHS' Office of Refugee Resettlement. In addition, GAO found that DHS Components' data systems have fragmented information about family members. The Department concurred with all four GAO recommendations, involving development of collective requirements for information about family members apprehended together; ensuring the collection of all collectively required information at the time of a family unit's apprehension; incorporating all of this collectively required information on Form I-213; and evaluating options for developing a unique identifier shared across DHS data systems to link family members apprehended together.

**Title: Department of Homeland Security: Assessment of Air and Marine Operating Locations Should Include Comparable Costs across All DHS Marine Operations**

**Number:** [GAO-20-663](#)

**Date:** 9/24/2020

**Summary:** As mandated in the Federal Aviation Administration Reauthorization Act of 2018, GAO completed a review of program operations, including CBP and U.S. Coast Guard (USCG) marine mission activities across operating locations, and the Department's assessment of components operating locations for air and marine mission activities. Based on site visits to CBP and USCG locations housing air and marine operations along the Northern, Southwest, and Southeast borders in three states, GAO recommended that the Department develop and implement a mechanism to compare costs across Components marine operating locations. The Department concurred with this recommendation.

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

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

**Date:** 10/27/2020

**Summary:** Following a 2016 amendment of the Tariff Act of 1930, the House Ways and Means Committee requested a GAO review of the resources available to the Department to implement Section 307's prohibition on imports using forced labor. In general, GAO found that the while program has increased investigations and enforcement actions with respect to forced-labor imports, the program lacks complete and consistent summary data, and has not set performance targets. Based on the report's findings, GAO recommended that the program performs and documents an assessment of workforce needs to identify potential gaps; that the Forced Labor Division issues guidance or take other action to improve the completeness, consistency, and accuracy of data on active, suspended, and inactive investigations; and ensure that the mission

program sets targets for key performance indicators related to enforcing the prohibition on forced-labor imports. CBP concurred with all three recommendations.

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

**Number:** [GAO-20-692](#)

**Date:** 9/24/2020

**Summary:** In a September 2020 report reviewing the enforcement of Intellectual Property Rights in the U.S. and other advanced economies, GAO found the program’s primary enforcement processes incompatible with combatting counterfeit goods in small packages. Based on this finding, GAO recommended that the program take steps to develop a streamlined approach against these types of shipments—and the program concurred with this recommendation.

## DHS OIG Reports

**Title: DHS Lacked Technology Needed to Successfully Account for Separated Migrant Families**

**Number:** [OIG-20-06](#)

**Date:** 11/27/2019

**Summary:** During FY18, DHS apprehended more than 100,000 families for illegal entry. Under a Zero-Tolerance Policy in force from May 5, 2018 to June 20, 2018, the Department referred for prosecution all adults illegally entering the U.S., effectively requiring the separation of migrant children from their parents. OIG conducted this review to determine the effectiveness of the Department’s information technology systems in tracking detainees and supporting efforts to reunify families. OIG found that CBP had known of IT deficiencies prone to producing difficulties in recording and tracking family separations since U.S. Border Patrol conducted November 2017 operations mirroring the Zero-Tolerance Policy. DHS concurred with all five OIG recommendations, relating to process improvements and related training; modifications in the Enforce3 IT system to limit user errors and improve data quality; creation and distribution of roles/responsibilities and standard operating procedures for family reunification; ICE and CBP effort to ensure system interoperability and information sharing; and coordination between DHS and the Office of Refugee Resettlement in HHS to adopt standard processes for collecting and sharing detainee-tracking information across agencies.

**Title: Lack of Internal Controls Could Affect the Validity of CBP’s Drawback Claims**

**Number:** [OIG-20-07](#)

**Date:** 12/12/2019

**Summary:** Drawbacks are refunds of duties, taxes, and fees imposed on imported products later exported or destroyed. Between 2011 and 2018, CBP processed an average of \$896 million annually. OIG found that CBP did not require importers and claimants to maintain documentation for a period of time that would provide adequate support for drawback transactions; that CBP did not require drawback specialists to review prior drawback claims to determine whether, taken together, an importer claimed an excessive amount; and that CBP’s legacy drawback system lacked effective controls to prevent, or to detect and correct excessive drawback claims. CBP



plans to correct these deficiencies as part of the implementation period for the Trade Facilitation and Trade Enforcement Act of 2015, which began on February 24, 2019. However, OIG could not determine whether CBP had resolved prior-year audit findings until enough data to support compliance testing has become available. As a result, OIG could not verify whether CBP has remedied the identified internal-control deficiencies, so OIG's recommendations remain open.

**Title: Investigation of Alleged Violations of Immigration Laws at the Tecate, California, Port of Entry by U.S. Customs and Border Protection; OSC Final Letter to President; OSC Referral to DHS**

**Number:** [OSC File No. DI-18-5034](#)

**Date:** 3/23/20

**Summary:** Following referral of a whistleblower complaint from the U.S. Office of Special Counsel to DHS on August 23, 2018, OIG reviewed three allegations of immigration law violations at the CBP port of entry in Tecate, CA. OIG's investigation substantiated each of the three factual allegations, in whole or in part. Specifically, OIG found that, contrary to Federal law and CBP policy, CBP officials at Tecate returned some asylum applicants from inside the U.S. back to Mexico to redirect the applicants to other ports. OIG also substantiated the claim that in July 2018, Tecate began manning a limit-line position near the U.S.-Mexico border to prevent asylum seekers or others without travel documents from entering the port, instead redirecting most asylum seekers to the port of entry at San Ysidro, CA. In addition, OIG confirmed that Tecate personnel did not document when they redirected asylum applicants to other ports of entry from the limit line, or when they returned and redirected asylum applicants from pedestrian primary screening. OIG's investigative report contained no recommendations.

**Title: CBP's ACAS Program Did Not Always Prevent Air Carriers from Transporting High-Risk Cargo into the United States**

**Number:** [OIG-20-34](#)

**Date:** 5/11/2020

**Summary:** CBP and TSA established the Air Cargo Advance Screening (ACAS) program to identify high-risk air cargo and preventing it from entering the United States. Federal regulations prohibit air carriers from transporting cargo on aircraft bound for the United States until they fully resolve all ACAS referrals for shipments deemed high-risk. However, OIG found that in a random sample of 309 ACAS referrals from Fiscal Years 2017 and 2018, air carriers did not fully resolve 138 referrals, or 45 percent of the sample. OIG finds that the shortfall in this sample occurred because neither CBP nor TSA had developed adequate policies and procedures to ensure that air carriers resolved ACAS referrals in a timely and appropriate manner. The Department concurred with all four OIG recommendations, related to CBP, TSA, and air carriers sharing and aligning procedures involving cargo screening and resolution of ACAS referrals.

**Title: CBP Separated More Asylum-Seeking Families at Ports of Entry Than Reported and For Reasons Other Than Those Outlined in Public Statements**

**Number:** [OIG-20-35](#)

**Date:** 5/29/2020

**Summary:** Under a Zero-Tolerance Policy in force from May 2018 to June 2018, the Department referred for prosecution all adults illegally entering the U.S., effectively requiring the separation of any family units apprehended. On June 20, 2018, the official in charge of CBP's Office of Field Operations said to reporters that "[w]e has had seven cases, seven cases of family separations across the entire Southwest Border since May 6<sup>th</sup>." OIG found that, in fact, CBP separated at least 60 families at ports of entry between May and June 2018, 35 of which involved reasons other than prosecution of a parent or child welfare. The Department concurred with OIG's recommendation that CBP complete evaluation of data from the Component's Secure Integrated Government Mainframe Access dating back to FY16 and provide OIG several identifying data elements for all members of separated families.

**Title: Capping Report -- CBP Struggled to Provide Adequate Detention Conditions During 2019 Migrant Surge**

**Number:** [OIG-20-38](#)

**Date:** 6/12/2020

**Summary:** CBP has responsibility for providing short-term detention for aliens arriving in the U.S. without valid travel documents, in compliance with *National Standards on Transport, Escort, Detention, and Search*. In 2019, Congress mandated that OIG continue its program of unannounced inspections of CBP holding facilities, with a particular focus on evaluating CBP's capacity to address detainees' health needs. OIG issued *Management Alerts* in May 2019 and June 2019 calling on DHS to take immediate action to address conditions at one Border Patrol facility in El Paso and four in the Rio Grande Valley. This report supplements the 2019 *Management Alerts* and reports the results of 21 inspections of Border Patrol facilities and CBP ports of entry conducted by OIG in 2019. OIG found that despite establishing temporary holding facilities to alleviate overcrowding, Border Patrol struggled to limit detention to the 72 hours generally permitted because of limited options for transfer. In addition, even after deploying medical professionals to these facilities, overcrowding made it difficult for the Border Patrol to manage contagious illnesses. The Department concurred with OIG's recommendations for procedures to provide and document telephone calls for unaccompanied alien children in custody, and to implement consistent guidance on how CBP handles detainees' personal property.

**Title: CBP Has Not Demonstrated Acquisition Capabilities Needed to Secure the Southern Border**

**Number:** [OIG-20-52](#)

**Date:** 7/14/2020

**Summary:** Executive Order 13767 (January 25, 2017) directed DHS to plan, design, and construct a wall along the U.S. Southern Border. OIG reviewed documents from the Wall Acquisition Program and interviewed DHS officials to determine the extent to which CBP had demonstrated the capabilities needed to execute the Analyze/Select phase of the Department's Acquisition Lifecycle Framework, culminating in Acquisition Decision Event 2A – Program Approval. OIG found that CBP did not conduct an Analysis of Alternatives to select the most effective, appropriate, and affordable solutions to obtain operational control of the Southern Border, instead relying on outdated prior solutions to identify materiel alternatives for meeting the mission requirement. OIG also found that CBP did not use a sound, well-documented methodology to identify and

prioritize investments in border areas that would benefit most from physical barriers. The Department did not concur with OIG recommendations involving appropriate criteria for an Analysis of Alternatives for this acquisition program and determining the need for an implementation plan for ensuring complete operational control of the Southern Border. The Department concurred with an OIG recommendation that Border Patrol revise its methodology for prioritizing Southern Border investments consistent with recommendations in [GAO-18-614](#).

**Title: CBP Needs a Comprehensive Process for Conducting Covert Testing and Resolving Vulnerabilities - (REDACTED)**

**Number:** [OIG-20-55](#)

**Date:** 7/28/2020

**Summary:** The Trade Facilitation and Trade Enforcement Act of 2015 requires CBP to conduct risk-based covert testing of its operations. OIG conducted this study to determine whether CBP's covert tests identify vulnerabilities at ports of entry and borders, and whether CBP uses test results to address identified vulnerabilities or shares lessons learned throughout the Component. Part of the audit work for this study included an OIG site visit to an international airport, and interviews of port officials in the Chicago Field Office after an express consignment covert test. OIG found that CBP's Operational Field-Testing Division and Border Patrol's Checkpoint Internal Assessment program do not use risk assessments or intelligence to plan and conduct covert tests, do not plan coordinated tests, or design system-wide tests. Further, OIG found that CBP does not widely share results of covert tests, consistently make recommendations on the basis of covert-test results or ensure that results translate into completed corrective actions. Finally, OIG found that CBP does not effectively manage covert-testing activities to ensure data reliability, completeness, and security compliance because of changes in leadership and limited staff. The Department concurred with all seven OIG recommendations, relating to development of policies and processes to address identified shortfalls.

**Title: U.S. Customs and Border Protection Compliance with Use of Force Policy for Incidents on November 25, 2018 and January 1, 2019 - Law Enforcement Sensitive**

**Number:** [OIG-20-64](#)

**Date:** 8/24/2020

**Summary:** In response to concerns from Congress, OIG reviewed CBP's uses of tear gas against migrants near the port of entry at San Ysidro, CA on November 25, 2018 and January 1, 2019. OIG found that while these uses of tear gas in response to physical threats appeared to fall within CBP's use-of-force policy, Border Patrol had not secured advance authorization to deploy an acoustic device with an "alert tone" mode—as used during the November 25 incident—which may increase the risk of temporary or permanent hearing loss to those exposed, increasing the risk of Government liability. OIG also found that not all Border Patrol agents had the required training and certification to carry less-lethal devices, further increasing liability risk to the Government, because Border Patrol lacked internal controls to ensure that all agents fulfilled relevant training requirements. The Department concurred with all four OIG recommendations, relating to development of policies and processes to address identified shortfalls.

**Title: Five Laredo and San Antonio Area CBP Facilities Generally Complied with the National Standards on Transport, Escort, Detention, and Search****Number:** [OIG-20-67](#)**Date:** 9/1/2020

**Summary:** As part of OIG oversight of CBP holding facilities mandated by Congress, OIG conducted unannounced inspections at five CBP facilities in the Laredo and San Antonio areas of Texas in February 2020, including three U.S. Border Patrol stations and two Office of Field Operations ports of entry. OIG found that all five facilities appeared to operate in compliance with *National Standards on Transport, Escort, Detention, and Search*. OIG verified detainees' access to water, food, toilets, sinks, basic hygiene supplies, and bedding. OIG also observed clean facilities and verified appropriate temperatures and ventilation in holding rooms. OIG staff also observed Border Patrol operating in compliance with CBP Directive 2210-004, conducting intake health assessments using CBP Form 2500. OIG made no recommendations as a result of these inspections.

**Title: Early Experiences with COVID-19 at Border Patrol Stations and OFO Ports of Entry****Number:** [OIG-20-69](#)**Date:** 9/4/2020

**Summary:** Reporting the results of a survey of 136 Border Patrol Stations and 307 ports of entry served by the Office of Field Operations, DHS OIG provided information to agency decision-makers as they consider additional responses to the pandemic. Regarding detained individuals, Border Patrol stations are designed for short-term holding and lack the space needed to maintain effective social distancing among those in custody but made no recommendations. CBP employees are also at risk of coming into contact with COVID-19 due to their job responsibilities. CBP is responsible for ensuring its holding facilities at Border Patrol stations and OFO ports of entry comply with the National Standards on Transport, Escort, Detention, and Search, which specify how individuals should be treated in CBP custody, including general medical requirements related to contagious diseases. In addition, the Centers for Disease Control and Prevention issued interim guidance on the management of COVID-19 in detention facilities, including recommendations for enhanced cleaning and disinfecting, social distancing strategies, infection control, screening procedures, and care of confirmed and suspected cases. OIG made no recommendations as a result of this review.

**Title: Management Alert - CBP Needs to Award A Medical Services Contract Quickly to Ensure No Gap in Services****Number:** [OIG-20-70](#)**Date:** 9/3/2020

**Summary:** OIG issued this Management Alert to underscore the urgency of awarding a new medical-services contract to support CBP operations on the Southwest Border, with the current award due to lapse in less than 30 days. Through ongoing reviews of *CBP's Use of FY19 Humanitarian Funds* and *CBP's Policies and Procedures for Detained Migrants Experiencing Serious Medical Conditions*, OIG learned that a 2015 award of a Blanket Purchase Agreement to Loyal Source Government Services (LSGS) had reached its final option period, and that CBP faced an

obligation to extend the LSGS award by six months no later than August 30, 2020, or award a new contract prior to the expiration of the LSGS award on September 29, 2020. As of July 2020, LSGS maintained an average of 800 medical professionals in a month to meet contractual requirements to expand services. Locations without contracted support relied on CBP officers, Border Patrol agents, or local healthcare providers to conduct medical health interviews. At a time when CBP faces a COVID-19 pandemic posing a serious public health and safety risk to migrants in custody and CBP staff, OIG emphasized the critical importance of medical services continuing uninterrupted. CBP expressed appreciation for OIG's concern, but termed the concern "misplaced because pre-solicitation efforts are well underway to ensure a timely FY 2020 award."

**Title: Review of CBP's Major Cybersecurity Incident During a 2019 Biometric Pilot**

**Number:** [OIG-20-71](#)

**Date:** 9/21/2020

**Summary:** Conducting a review after a major privacy incident for the Department, OIG found that CBP did not adequately safeguard data on an unencrypted device used during the Component's Vehicle Face System technology pilot. Perceptics, LLC, a subcontractor working on this CBP effort, transferred copies of CBP biometric data to its own company network without CBP's authorization or knowledge between August 2018 and January 2019. The DHS privacy incident followed a malicious cyber-attack on the subcontractor's network. This data breach compromised about 184,000 images from the CBP pilot, some of which ended-up on the Dark Web. DHS requires subcontractors to protect personally identifiable information (PII) from theft or misuse. In this case, Perceptics staff directly violated DHS security and privacy protocols when they downloaded CBP's sensitive PII from an unencrypted device to the company's own network. OIG found that CBP's information-security practices proved inadequate to prevent the subcontractor's actions. The Department concurred with all three OIG recommendations, including completion of all mitigation required from the 2019 data breach; ensuring that all existing pilot locations for CBP's Biometric Entry-Exit program; and establishing a plan for the Biometric Entry-Exit program to assess third-party equipment supporting biometric data collection to ensure partners' compliance with DHS security and privacy standards.

**Title: CBP Did Not Adequately Oversee FY 2019 Appropriated Humanitarian Funding**

**Number:** [OIG-20-78](#)

**Date:** 9/28/2020

**Summary:** In FY19, CBP received \$192.7 million to address the needs of migrants in the Component's custody. OIG conducted this review to determine whether CBP has adequately planned for and executed funds appropriated in FY19 quickly and effectively to address humanitarian needs on the Southwest Border. OIG found that U.S. Border Patrol's execution process did not adequately ensure that the humanitarian appropriation purchased items required to meet migrants' basic needs, and Border Patrol approved purchases of toner cartridges, fingerprint pads, and physical restraints, for example. OIG attributes these approvals to the fact that neither Border Patrol nor CBP had guidance or defined criteria in place for reimbursing consumables. OIG additionally found that CBP relied on a single Contracting Officer's Representative rather than on-site personnel to make certain that all funds reimbursed to Border

Patrol Sectors complied with the intent of Congress to fund consumables to meet migrants' basic needs. The Department concurred with all four OIG recommendations, relating to development of policies and processes to address identified shortfalls.

**Title: CBP's Entry Reconciliation Program Puts Revenue at Risk****Number:** [OIG-20-79](#)**Date:** 9/30/2020

**Summary:** In 2015, CBP identified revenue collection as one of seven Priority Trade Issues. CBP scrutinizes revenue collections from importers because of illicit attempts to evade duties, taxes, and fees. Reconciliation serves as the means by which an importer may correct information initially provided to CBP at the time of input. OIG conducted this review to determine the accuracy and compliance with requirements of CBP's Entry Reconciliation Program and concluded that CBP cannot insure either attribute. OIG found that these shortfalls occur because CBP's Standard Operating Procedures (SOPs) for the Reconciliation Program do not require importers to substantiate self-reported merchandise values with source documentation. OIG also found that different ports have entry have implemented the Program SOPs differently. In addition, OIG noted that CBP missed opportunities to collect additional revenue after failing to assess monetary damages for importers who filed reconciliation entries late or not at all, attributing these shortfalls to insufficient internal controls. OIG found that CBP actions compromised the integrity of the Entry Reconciliation Program and may have put at risk \$751 million of reconciliation revenues collected between January 1, 2014 and July 31, 2017. The Department did not concur with an OIG recommendation to require importers to provide source documents to support reconciliation filings, and processes to ensure accurate filings or investigate cases of large value changes. The Department concurred with three OIG recommendations relating to development of policies and processes to address identified shortfalls.

**Title: DHS Cannot Determine the Total Cost, Effectiveness, and Value of Its Joint Task Forces****Number:** [OIG-20-80](#)**Date:** 9/30/2020

**Summary:** In a September 2020 report, DHS OIG found that DHS has not effectively managed and coordinated Department resources for Joint Task Forces (JTF), a critical operational tool for the program. Specifically, OIG finds that the Department has not maintained oversight authority through changes in leadership, implemented and updated policies and procedures, identified optimal JTF staffing levels and resources, nor established a process to capture total allocated costs associated with JTFs. In addition, the Department has not fully complied with public-law requirements to report to Congress on JTFs' cost and impact, establish outcome-based performance measures, nor establish and maintain a joint-duty-training program. OIG attributes these shortfalls to the absence of a Department-level office to manage and oversee JTFs while fulfilling public-law requirements, so JTFs have lacked the leadership and guidance to accomplish their intended mission. OIG finds that DHS cannot determine JTFs' total cost, effectiveness, and value, and cannot ensure the effective and efficient use of resources allocated to JTFs. OIG made seven recommendations related to these findings—the Department acknowledged receipt of this

report but did not agree or disagree with recommendations in light of the Acting Secretary's review of JTFs' status and future under the "Way Ahead" Memorandum.

### **Title: DHS Inconsistently Implemented Administrative Forfeiture Authorities under CAFRA**

**Number:** [OIG-20-66](#)

**Date:** 8/7/2020

**Summary:** DHS inconsistently implemented seizure and administrative forfeiture authorities under the *Civil Asset Forfeiture Reform Act* of 2000 (CAFRA) in FYs 2014 through 2018. DHS components used inconsistent processes for administrative forfeitures under CAFRA. Specifically, we found inconsistencies in the forms used to notify property owners and the process for responding to claims. Additionally, CBP inappropriately used waivers to extend deadlines for responding to claims.

DHS did not establish department-wide policy and instead allowed components to use different policies and processes to guide administrative forfeiture activities. Without proper oversight, DHS may be unaware of noncompliance and possible abuse of seizure and forfeiture authorities. In addition, DHS may risk losing the public's trust and exposing the Department to litigation. The OIG recommend the Under Secretary for Management develop and implement a department-wide structure and designate an office to manage and oversee forfeiture activities across DHS. OIG also recommended developing department-wide policies and procedures, including consistent CAFRA notices and forms that meet federal plain language writing requirements, consistent interpretation on managing CAFRA claims, and use of a Hold Harmless Agreement.

### **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 an October 2020 report, DHS OIG found that a practice of "Queue Management," in which CBP officers stationed at or near ports of entry control the number of undocumented aliens entering the ports, led to officers turning-away asylum seekers who had already entered the U.S., and redirecting asylum seekers and other undocumented persons to other ports, which in some cases resulted in illegal border crossings between the ports of entry. Based on findings made from unannounced visits to seven different program locations, OIG recommended that the program resume standard processing, provide guidance and training to officers relating to proper handling of persons indicating an intention to apply for asylum; and evaluate options for more efficient use of holding space to process undocumented persons, including asylum seekers. The Department did not concur with the first recommendation--resuming processing of the undocumented at the ports which currently redirect individuals to other ports, or re-designating the ports now redirecting undocumented individuals to exclude them. The Department concurred with the second and third recommendation.

## Cybersecurity and Infrastructure Security Agency (CISA)

---

### GAO Reports

#### **Title: Election Security: DHS Plans Are Urgently Needed to Address Identified Challenges Before the 2020 Elections**

**Number:** [GAO-20-267](#)

**Date:** 2/6/2020

**Summary:** Since the 2017 designation of election infrastructure as critical infrastructure, DHS, through CISA, has assisted state and local election officials in securing election infrastructure through regional support and assistance, education, and information sharing. This report addresses DHS's election security efforts and selected election officials' perspectives on them, and DHS's planning for the 2020 elections. GAO reviewed DHS's strategies, plans, and services provided to election officials. The review identified the challenges such as inadequate tailoring of services, not always providing actionable recommendations in DHS classified threat briefings or making unclassified versions of the briefings available, the inability of CISA personnel supporting election security operations to access social media websites from situational awareness rooms, few capabilities that CISA field staff could quickly provide on election day, and a lack of clarity regarding CISA's incident response capabilities in the event of a compromise that exhausts state and local resources.

#### **Title: Critical Infrastructure Protection: Additional Actions Needed to Identify Framework Adoption and Resulting Improvements**

**Number:** [GAO-20-299](#)

**Date:** 2/25/2020

**Summary:** Cyber threats to the nation's critical infrastructure (e.g., financial services and energy sectors) continue to increase and represent a significant national security challenge. To better address such threats, National Institute of Standards and Technology (NIST) developed, as called for by federal law, a voluntary framework of cybersecurity standards and procedures. The objectives of the review were to determine the extent to which SSAs have developed methods to determine framework adoption and implementation of the framework has led to improvements in the protection of critical infrastructure from cyber threats. GAO analyzed documentation, such as implementation guidance, plans, and survey instruments and made ten recommendations (one to NIST) on establishing time frames for completing selected programs and nine to the SSAs to collect and report on improvements gained from using the framework.

#### **Title: Information Technology: DHS Directives Have Strengthened Federal Cybersecurity, but Improvements Are Needed**

**Number:** [GAO-20-133](#)

**Date:** 2/4/2020

**Summary:** GAO evaluated DHS's binding operational directives. The report addressed (1) DHS's process for developing and overseeing the implementation of binding operational directives and



(2) the effectiveness of the directives, including agencies' implementation of the directive requirements. GAO made four recommendations to DHS:

- Determine when in the directive development process coordination with relevant stakeholders should occur
- Develop a strategy for when and how to independently validate selected agencies' self-reported actions on meeting directive requirements, using a risk-based approach
- Ensure that the directive performance metric for addressing vulnerabilities identified in high value asset assessments aligns with the process DHS has established
- Develop a schedule and plan for completing the high value asset program reassessment and addressing the outstanding issues on completing the required assessments, identifying needed resources, and finalizing guidance to agencies and third parties.

**Title: Chemical Security: DHS Could Use Available Data to Better Plan Outreach to Facilities Excluded from Anti-Terrorism Standards**

**Number:** [GAO-20-722](#)

**Date:** 9/29/2020

**Summary:** DHS established the Chemical Facility Anti-Terrorism Standards (CFATS) program to assess the risk posed by facilities with threshold quantities of hazardous chemicals of interest and inspect them to ensure compliance with DHS standards. However, certain types of facilities subject to other regulatory programs are excluded from the CFATS program by statute which include facilities regulated under the Maritime Transportation Security Act program, public water systems, and wastewater treatment works. GAO reviewed issues related to excluded facilities and the federal programs that regulate excluded facilities contain requirements or guidance that align with CFATS standards and if DHS conducts outreach to excluded facilities.

**Title: Critical Infrastructure Protection: Actions Needed to Enhance DHS Oversight of Cybersecurity at High-Risk Chemical Facilities**

**Number:** [GAO-20-453](#)

**Date:** 5/14/2020

**Summary:** GAO examined the cybersecurity efforts of the CFATS program, including the extent to which the program (1) assesses the cybersecurity efforts of covered facilities, and (2) determines the specialty training and level of staff needed to assess cybersecurity at covered facilities. Thousands of high-risk chemical facilities may be subject to the risk posed by cyber threat adversaries—terrorists, criminals, or nations. GAO conducted site visits to observe the cybersecurity portion of CFATS inspections based on scheduled inspections, reviewed inspection documents, and interviewed CFATS inspectors. GAO also analyzed inspection guidance and training against key practices and assessed workforce planning documents and processes.

**Title: Cybersecurity: DHS and Selected Agencies Need to Address Shortcomings in Implementation of Network Monitoring Program**

**Number:** [GAO-20-598](#)

**Date:** 8/18/2020

**Summary:** GAO examined the extent to which selected agencies have effectively implemented key Continuous Diagnostics and Mitigation (CDM) program requirements and determine challenges agencies identified in implementing the requirements, and steps DHS has taken to address these challenges, by examining three agencies (the Federal Aviation Administration, Indian Health Services, Small Business Administration). Conclusions included that DHS has taken numerous steps to help manage CDM implementation challenges, including tracking risks of insufficient resources, providing forums for agencies to raise concerns, and allowing agencies to provide feedback to DHS on contractor performance.

## DHS OIG Reports

### **Title: DHS Can Enhance Efforts to Protect Commercial Facilities from Terrorism and Physical Threats**

**Number:** [OIG-20-37](#)

**Date:** 6/11/2020

**Summary:** The objective of the audit was to determine the extent of DHS's efforts to deter and prevent terrorism or physical threats within the commercial facilities sector. CISA is primarily responsible for working with components and partners to defend against current threats to the commercial facilities sector and build a more secure and resilient infrastructure. However, CISA does not do such things as effectively coordinate and share best practices to enhance security across the commercial facilities sector, coordinate within DHS on security assessments to prevent potential overlap, ensure completion of required After Action Reports to share best practices with the commercial facilities sector, adequately inform all commercial facility owners and operators of available DHS resources. It was recommended that CISA improve coordination and outreach to safeguard the commercial facilities sector.

### **Title: DHS Made Limited Progress to Improve Information Sharing under the Cybersecurity Act in Calendar Years 2017 and 2018**

**Number:** [OIG-20-74](#)

**Date:** 9/25/2020

**Summary:** The review was conducted to evaluate CISA's progress in meeting *Cybersecurity Act of 2105* requirements for calendar years 2017 and 2018 required under Section 107 of the Act. Section 107 of the Act requires Inspectors General from the Intelligence Community and appropriate agencies to submit a joint report to Congress on Federal Government actions to share cybersecurity information. To fulfill the requirement, CISA, developed policies, procedures, and an automated capability, known as the Automated Indicator Sharing (AIS) program, to share cyberthreat information between the Federal Government and the private sector. CISA increased the number of AIS participants as well as the volume of cyberthreat indicators it has shared since the program's inception in 2016. However, CISA made limited progress improving the overall quality of information it shares with AIS participants to effectively reduce cyberthreats and protect against attacks. It was recommended that CISA improve quality by increasing participants' sharing of cyber-information, completing system upgrades, and hiring the staff needed to enhance program training and outreach.

## Federal Emergency Management Agency (FEMA)

---

### GAO Reports

**Title: Emergency Alerting: Agencies Need to Address Pending Applications and Monitor Industry Progress on System Improvements**

**Number:** [GAO-20-294](#)

**Date:** 2/6/2020

**Summary:** The Integrated Public Alert & Warning System (IPAWS) enables authorized federal, state, territorial, tribal, and local alerting authorities to send a Wireless Emergency Alert (WEA) to mobile devices, such as cell phones and an Emergency Alert System (EAS) alert to media platforms, such as radios and television. FEMA operates IPAWS and the Federal Communications Commission (FCC) establishes rules for telecommunications providers to deliver WEA and EAS alerts. A public safety agency must submit an application and receive approval from FEMA to become an IPAWS alerting authority. In September 2019, more than 1,400 alerting authorities had access to IPAWS, up from fewer than 100 authorities in 2013. All states have at least one state alerting authority, but gaps in local authority access remain that could limit the timeliness of alerts as emergencies occur at the local level. GAO found 430 pending IPAWS applications as of September 2019, some of which dated back to 2012. FEMA has not established procedures to prioritize and follow up with applicants and FEMA officials acknowledged that doing so would be beneficial. GAO made three recommendations, including that FEMA establish procedures to prioritize and address pending IPAWS applications and that FCC develop goals and performance measures to monitor the WEA improvements.

**Title: Puerto Rico Disaster Recovery: FEMA Actions Needed to Strengthen Project Cost Estimation and Awareness of Program Guidance**

**Number:** [GAO-20-221](#)

**Date:** 2/5/2020

**Summary:** As of September 30, 2019, FEMA had obligated nearly \$6 billion in Public Assistance grants to Puerto Rico for 1,558 projects since the September 2017 hurricanes. Of this \$6 billion, \$5.1 billion was obligated for emergency work projects such as debris removal and temporary power restoration. However, FEMA and Puerto Rico faced challenges in developing long-term, permanent work projects under the Public Assistance program. The large number of damaged sites and delays in establishing cost estimation guidance specific to Puerto Rico have also presented challenges to developing projects, according to FEMA and Puerto Rico officials. Both parties must agree to fixed cost estimates for these projects before work can begin. FEMA and Puerto Rico had approved fixed cost estimates for 19 projects as of September 2019, out of 9,344 damaged sites in Puerto Rico, such as schools, hospitals, and roads. FEMA and Puerto Rico have recently taken actions, including extending the deadline for fixed cost estimates, to address these challenges. However, it is too soon to assess the impact of these actions. FEMA has adapted its Public Assistance cost estimating guidance to accurately reflect costs in Puerto Rico but could improve the guidance to further enhance its reliability. GAO found that FEMA's guidance substantially or fully met best practices for nine of 12 steps included in the GAO Cost Estimating

and Assessment Guide, such as documenting and defining the purpose of the estimate. However, FEMA could improve the guidance in three areas, including analyzing risks and future uncertainties that could affect these estimates.

**Title: Water Infrastructure: Technical Assistance and Climate Resilience Planning Could Help Utilities Prepare for Potential Climate Change Impacts**

**Number:** [GAO-20-24](#)

**Date:** 1/16/2020

**Summary:** As part of analyzing the federal financial assistance to drinking water and wastewater utilities, federal agencies have taken some actions to promote climate resilience when providing financial assistance for water infrastructure projects, but agencies do not consistently include the consideration of climate resilience when funding such projects. Most selected experts suggested that federal agencies should require that climate information be considered in the planning of water infrastructure projects as a condition of providing financial assistance. Moreover, representatives from several utilities said that such a requirement could be an effective and feasible way to help enhance utilities' climate resilience. A requirement would ensure that utilities consider climate resilience in planning for water infrastructure projects and potentially limit future fiscal exposures. For example, from fiscal years 2011 through 2018, the Federal Government provided at least \$3.6 billion in disaster recovery financial assistance for drinking water and wastewater infrastructure related projects. GAO recommends that Congress consider requiring that climate resilience be considered in planning for federally funded water infrastructure projects.

**Title: Emergency Transportation Relief: Federal Transit Administration and FEMA Took Actions to Coordinate, but Steps Are Needed to Address Risk of Duplicate Funding**

**Number:** [GAO-20-85](#)

**Date:** 11/13/2019

**Summary:** Transit plays an important role in a community's post-disaster recovery. The Federal Transit Authority (FTA) has primary responsibility for providing disaster assistance funding to transit agencies if it receives an appropriation from Congress. If FTA does not receive an appropriation, transit agencies can apply to FEMA for funding. GAO recommends that FTA and FEMA identify and develop controls, such as methods to more easily identify transit expenses within larger applications, to address the risk of duplicate funding. The Department of Transportation agreed with the recommendation and noted steps FTA has taken to address it. However, GAO believes FTA would benefit from identifying additional internal controls to address the risk of duplicate funding. The Department of Homeland Security agreed with the recommendation and outlined steps FEMA plans to complete in 2020.

## **DHS OIG Reports**

**Title: Risk Assessment of FEMA's Grant Closeout Process**

**Number:** [OIG-20-10](#)

**Date:** 2/4/2020

**Summary:** Section 2(c) of the Grants Oversight and New Efficiency (GONE) Act required the OIG of an agency with more than \$500 million in annual grant funding to conduct a risk assessment to determine whether an audit or review of the agency's grant closeout process was warranted. We identified potential risks in FEMA's grant closeout process across three broad categories. The three broad categories include risks associated with Unreliable Systems of Record, Lack of Integration in Grant Closeout Policies and Guidance, and Delays in Grant Closeout and Deobligation of Funds. As a result, we conclude, pursuant to the dictates of GONE Act section 2, that a full audit of FEMA's grant closeout process is warranted.

### **Title: FEMA's Advance Contract Strategy for Disasters in Puerto Rico**

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

**Date:** 3/23/2020

**Summary:** Following Hurricane Maria, FEMA did not maximize the use of advance contracts to address identified capability deficiencies and needs in Puerto Rico. Specifically, we identified 49 of 241 new contracts issued in the aftermath of Hurricane Maria for the same goods or services covered by existing advance contracts. In addition, FEMA Region II did not issue any new advance contracts prior to Hurricane Maria and did not perform analysis to identify goods or services to obtain through advance contracts. We attributed FEMA's limited use of advance contracts to its lack of strategy and documented planning process for ensuring maximum use of advance contracts. Although FEMA reported to Congress in December 2007 it had a strategy in place, we determined it was a one-time strategy that did not meet the intent of the Post-Katrina Emergency Management Reform Act of 2006. Without advance contracts to expedite acquisitions, goods and services for people in need may have been delayed or were more costly to the Government.

Further, FEMA did not maintain contract files in accordance with Federal acquisition regulations and departmental or its own policy. This occurred because FEMA's Office of the Chief Procurement Officer did not have controls in place to ensure contract personnel follow Federal regulations and departmental or its own internal policy. As a result, FEMA's ability to hold contractors accountable for deliverables is hindered. We made four recommendations to help FEMA improve its strategy for advance contracts, its process for identifying capability needs and gaps, and its contract file management practices.

### **Title: FEMA Has Made More than \$3 Billion in Improper and Potentially Fraudulent Payments for Home Repair Assistance since 2003**

**Number:** [OIG-20-23](#)

**Date:** April 6, 2020

**Summary:** FEMA's Individuals and Households Program (IHP) has a robust process for collecting and verifying information provided by underinsured disaster applicants. However, FEMA does not collect sufficient supporting documentation or verify that applicants claiming to have no insurance are eligible for home repair assistance. Rather, according to FEMA, it relies on applicant self-certifications because no comprehensive repository of homeowner's insurance data exists, and any additional verification processes would delay home repair payments. As a result, FEMA made, and we are questioning, more than \$3 billion in improper and potentially fraudulent payments to individuals since 2003. Additionally, FEMA did not properly assess and report improper payment risks within IHP because it disregarded significant internal control deficiencies and prior audit

findings when it evaluated program risks. Therefore, IHP applicants who claimed no homeowner's insurance received less oversight even though they posed the greatest risk for improper and fraudulent payments. Without implementing changes to its home repair assistance processes, FEMA cannot ensure it is being a prudent steward of Federal resources and adequately assessing its risks of improper payments. We made two recommendations to FEMA to improve its IHP home repair documentation, verification, and risk management processes. FEMA disagreed with our conclusions that it made more than \$3 billion in improper and potentially fraudulent payments since 2003. FEMA also did not concur with the two recommendations in this report.

### **Title: FEMA Needs to Effectively Designate Volunteers and Manage the Surge Capacity Force**

**Number:** [OIG-20-32](#)

**Date:** 5/11/2020

**Summary:** The Surge Capacity Force (SCF) is a unique volunteer workforce that allows federal partners throughout the government to assist FEMA with responding to and restoring communities following a catastrophic event. FEMA is not effectively designating SCF volunteers and managing the SCF program during disaster operations. In 2017, FEMA coordinated with multiple Federal agencies and augmented its workforce for the first time, using Tier 4 SCF volunteers to respond to multiple events. FEMA was not prepared to deploy SCF Tier 4 volunteers rapidly and efficiently. This occurred because FEMA had neither a clear commitment from other Federal agencies outside DHS to participate in SCF, nor a roster of volunteers capable of rapidly deploying. In addition, FEMA did not have mechanisms to make other Federal agencies aware of SCF or procedures to identify readily available volunteers. The absence of a commitment from other agencies and volunteer rosters contributed to FEMA's delayed deployment of SCF volunteers from other agencies. FEMA did not adequately measure SCF performance because it did not have mechanisms to collect the data and feedback to gauge program success. In addition, FEMA did not effectively manage the SCF financial program because it relied heavily on the internal financial controls of volunteers' home agencies without guarding against breakdowns in those controls. This could lead to FEMA reimbursing agencies for inaccurate, unreasonable, and unnecessary costs. Finally, FEMA did not close out mission assignments promptly because it did not make closing them out a priority in what officials described as a series of "overwhelming" catastrophes. Not closing out mission assignments promptly could prevent funds from being deobligated and could mean Federal funds sit idle instead of being put to better, more efficient use. We made four recommendations for FEMA to improve designation of SCF volunteers and management of the SCF program.

### **Title: FEMA Did Not Properly Award and Oversee the Transitional Sheltering Assistance Contract**

**Number:** [OIG-20-58](#)

**Date:** August 5, 2020

**Summary:** FEMA's Transitional Sheltering Assistance Program contracted with Corporate Lodging Consultants to provide hotel rooms for disaster survivors. In 2017, FEMA spent about \$642 million for more than 5 million hotel rooms. The OIG found that FEMA did not properly award or oversee its contract with Corporate Lodging Consultants to administer disaster survivors' hotel stays, as

officials did not: ensure proper pre-award contract review by FEMA's Chief Information Officer, Chief Security Officer, and Chief Privacy Officer; finalize contract requirements, performance metrics, or reporting standards, including a Quality Assurance Surveillance Plan; take corrective actions to address identified contractor deficiencies; ensure the contractor verified and validated hotels in the Transitional Sheltering Assistance Program; and ensure FEMA and contractor employees completed required privacy training. As a result, FEMA released personally identifiable information for about 2.3 million disaster survivors, increasing the survivors' risk of identity theft. Furthermore, inadequate contractor oversight may have also increased the risk that unacceptable lodging conditions were used. These deficiencies occurred because FEMA officials did not ensure staff responsible for TSA contract award and oversight had the guidance and training needed to be effective. The report contains six recommendations aimed at improving FEMA's contract oversight and management, the handling of sensitive information, and FEMA employee and contractor privacy training.

### **Title: FEMA Has Paid Billions in Improper Payments for SBA Dependent Other Needs Assistance since 2003**

**Number:** [OIG-20-60](#)

**Date:** August 12, 2020

**Summary:** FEMA's IHP has no assurance of applicants' eligibility for Small Business Administration (SBA) Dependent Other Needs Assistance (ONA) payments. According to OMB Circular A-123, Appendix C, when documentation or verification is non-existent to support an eligibility payment decision it must be considered improper. FEMA did not collect sufficient income and dependent documentation or verify self-reported information to determine whether applicants below the income threshold, known as Failed Income Test (FIT), were eligible for SBA Dependent ONA payments. FEMA believed requiring documentation or verification would delay the disbursement of assistance and relied on an honor system to make eligibility and payment decisions. We determined, according to FEMA-provided data, it has paid, and we are questioning, the more than \$3.3 billion in improper payments to applicants deemed as FIT for SBA Dependent ONA since 2003. Additionally, FEMA has not evaluated the program risk associated with not collecting or verifying income information. Per Federal requirements, agencies must conduct risk assessments to determine whether programs are susceptible to improper payments. Rather, FEMA assessed IHP at the overall program level and did not specifically evaluate each IHP form of assistance, such as SBA Dependent ONA. These weaknesses have allowed applicants self-certifying income and dependent information to receive less oversight, despite posing the greatest risk for improper payments. As such, FEMA cannot assure Congress and taxpayers it is a prudent steward of federal resources and adequately assesses the risks of improper payments. FEMA strongly disagreed with our methodology and resulting conclusions. In addition, FEMA did not concur with any of the three recommendations in this report.

### **Title: FEMA Is Not Effectively Administering a Program to Reduce or Eliminate Damage to Severe Repetitive Loss Properties**

**Number:** [OIG-20-68](#)

**Date:** 9/8/2020

**Summary:** Severe repetitive loss (SRL) properties are those that flood repeatedly, causing significant difficulties for property owners. FEMA is not adequately managing SRL properties covered by the National Flood Insurance Program (NFIP). FEMA has not established an effective program to reduce or eliminate damage to SRL properties and disruption to life caused by repeated flooding. First, FEMA does not have reliable, accurate information about SRL properties. This deficiency occurred because of ambiguous FEMA forms to request removal of SRL designation, poor organizational structure, and unassigned roles for ensuring SRL data integrity. As a result, FEMA is using inaccurate information to make funding-related decisions, including requesting appropriations from Congress, deciding where to implement large-scale mitigation projects, and determining which residential mitigation projects to fund through its Flood Mitigation Assistance (FMA) grant program. Additionally, not all NFIP policyholders who have mitigated their SRL property have benefited from reduced policy premiums. Second, FEMA's FMA, which aims to mitigate flood damage for NFIP policyholders, provides neither equitable nor timely relief to SRL applicants. We attribute this inefficiency to decentralized FMA grant application requirements and inadequate enforcement of grant requirements. FEMA could strengthen its approach to mitigating risk to SRL properties by promoting the use of Increased Cost of Compliance coverage, which is included in NFIP flood policies to assist with mitigation and could make mitigation relief funding more timely and equitable. FEMA concurred with all three recommendations.

**Title: FEMA Mismanaged the Commodity Distribution Process in Response to Hurricanes Irma and Maria**

**Number:** [OIG-20-76](#)

**Date:** 9/25/2020

**Summary:** FEMA mismanaged the distribution of commodities in response to Hurricanes Irma and Maria in Puerto Rico. FEMA lost visibility of about 38 percent of its commodity shipments to Puerto Rico, worth an estimated \$257 million. Commodities successfully delivered to Puerto Rico took an average of 69 days to reach their final destinations. Inadequate FEMA contractor oversight contributed to the lost visibility and delayed commodity shipments. FEMA did not use its Global Positioning System transponders to track commodity shipments, allowed the contractor to break inventory seals, and did not ensure documented proof of commodity deliveries. Given the lost visibility and delayed shipments, FEMA cannot ensure it provided commodities to Puerto Rico disaster survivors as needed to sustain life and alleviate suffering as part of its response and recovery mission. In addition, FEMA's mismanagement of transportation contracts included multiple contracting violations and policy contraventions. These violations occurred because of poor acquisition planning that did not address requirements for transoceanic shipments. While we understand FEMA's priority on expediting commodity shipments to disaster survivors, it overrode the importance of following sound inventory management practices, significantly increasing the potential for fraud, waste, and abuse. Contract costs grew without FEMA having proof that services were performed as required and ultimately led to contract overruns of about \$179 million and at least \$50 million in questioned costs. We made five recommendations that, when implemented, should improve FEMA's management and oversight of its disaster response activities. FEMA concurred with four of the five recommendations.



## Immigration and Customs Enforcement (ICE)

---

### GAO Reports

**Title: Immigration Enforcement--Immigration-Related Prosecutions Increased from 2017 to 2018 in Response to U.S. Attorney General's Direction**

**Number:** [GAO-20-172](#)

**Date:** 12/3/2019

**Summary:** Considering the Attorney General's April 2017 prioritization of immigration-related prosecutions, Congress requested that GAO review data and information on such prosecutions and the effect of this prioritization on federal resources. Key issues include 1) how Department of Justice (DOJ) prioritized criminal prosecutions of immigration-related offenses in response to the Attorney General's 2017 and 2018 memoranda; 2) what DHS and DOJ information from FY14 through FY18 indicate about criminal prosecutions for immigration-related offenses; and 3) resources that DOJ, DHS, and the Federal Judiciary used to support an increased level of immigration-related prosecutions. GAO found that DOJ prioritized immigration-related prosecutions in 2017 and 2018, particularly by increasing one-day improper-entry prosecutions. GAO also found that DHS referred, and DOJ prosecuted more immigration-related cases in FY18 than in each of the four prior fiscal years. In addition, GAO found that U.S. Attorneys' Offices, the U.S. Marshals Service, Border Patrol, and federal defenders along the Southwest Border shifted existing resources to support increased immigration-related prosecutions. GAO made no recommendations as a result of this review.

**Title: Immigration Detention--ICE Should Enhance Its Use of Facility Oversight Data and Management of Detainee Complaints**

**Number:** [GAO-20-596](#)

**Date:** 8/19/2020

**Summary:** The joint explanatory statement accompanying the Consolidated Appropriations Act, 2019 includes a provision indicating that GAO would follow-up a June 2018 report by DHS OIG ([OIG-18-67](#)) examining ICE's management and oversight of detention facilities. This GAO study examines 1) ICE and other DHS entities' mechanism for overseeing compliance with standards for facilities used for immigration detention; and 2) ICE and other DHS entities' mechanisms for receiving and addressing detainee complaints, including how ICE uses complaint information. To address these objectives, GAO visited a non-generalizable sample of 10 immigration-detention facilities located in New Jersey, Florida, Arizona, and Washington which hold detainees for more than 72 hours, touring these facilities and interviewing relevant ICE officials. GAO found that ICE and other DHS entities use inspections and other mechanisms to monitor facilities' compliance with standards, but ICE does not fully analyze and monitor the results of these checks. GAO also found that ICE and other DHS entities have mechanisms to receive detainee complaints, but ICE could further analyze complaints and provide greater assurance of addressing the complaints. The Department concurred with all six GAO recommendations, involving enhancements to the collection, recording, formatting, and analysis of data used in management and oversight of detention facilities.

**Title: Immigration Detention--Care of Pregnant Women in DHS Facilities****Number:** [GAO-20-330](#)**Date:** 3/24/2020

**Summary:** Congress requested that GAO review the Department's detention of pregnant women, examining 1) what available data indicate about pregnant women detained or held in DHS facilities; 2) policies and standards that DHS has in place to address the care of pregnant women; and 3) what is known about the care provided to pregnant women in DHS facilities. To address these objectives, GAO interviewed both ICE and CBP officials at Component headquarters and from a non-generalizable sample of four field locations for each Component, selected from those holding the greatest number of pregnant women from FY14 through FY17. GAO found that DHS logged more than 4,600 detentions of pregnant women from 2016 through 2018 for different lengths of time and in varying types of facilities. GAO also found that DHS policies and detention standards addressing the care of pregnant women vary by facility type and by DHS Component. In addition, GAO found that DHS inspections, medical data, and complaints offer insights into the care provided to pregnant women held in DHS facilities. GAO made no recommendations as a result of this review.

## DHS OIG Reports

**Title: U.S. Immigration and Customs Enforcement's Criminal Alien Program Faces Challenges****Number:** [OIG-20-13](#)**Date:** 2/18/2020

**Summary:** Through ICE's Criminal Alien Program (CAP), the Component can successfully identify aliens charged with or convicted of crimes. In FY19, ICE arrested aliens charged with or convicted of 489,100 crimes. OIG found that because ICE relies on cooperation from other law-enforcement agencies, the Component's efforts to apprehend aliens in uncooperative jurisdictions sometimes face challenges. OIG also identified opportunities to streamline CAP processes to increase efficiencies. For example, ICE field offices task 160 officers with administrative Pacific Enforcement Response Center (PERC) functions, including research and issuing detainers, rather than arresting criminal aliens. OIG also found that ICE did not consistently document all CAP-related actions because certain electronic systems lack required fields and full information sharing. ICE does not require officers to complete some necessary data fields or track cases of lawful permanent residents charged with but not convicted of crimes. These deficiencies may harm ICE's credibility with law-enforcement partners and impede effective performance of the CAP mission. The Department concurred with all four OIG recommendations, including realignment of officer resources to apprehension of aliens released from uncooperative jurisdictions; completing an independent workforce analysis to determine whether centralizing research and issuing detainers at PERC would prove more efficient than including local research centers in this work; developing policies, procedures, and other enhancements for ICE's automated systems; and evaluation of how to track consistently lawful permanent residents with pending convictions.

**Title: Early Experiences with COVID-19 at ICE Detention Facilities****Number:** [OIG-20-42](#)**Date:** 6/18/2020

**Summary:** As of April 2020, ICE operated 196 detention facilities across the United States. OIG sent surveys to one employee at each of the facilities identified by ICE as knowledgeable about daily operations and responses to the COVID-19 pandemic, receiving survey responses from 188 of these facility representatives between April 8 and April 20, 2020. OIG conducted this inspection via survey because of the inherent risks associated with on-site inspections, and because the survey allowed OIG to collect information about all responsive facilities at once. OIG found that the number of detainees in ICE custody testing positive for COVID-19 increased dramatically from one detainee on March 25, 2020 to 1,312 detainees in 52 facilities on May 26, 2020. Facilities responding to OIG's survey reported many actions to mitigate viral transmission, including increased cleaning/disinfecting and quarantining new detainees when possible. OIG found that facilities reported concerns with their inability to distance detainees adequately, or to quarantine individuals possibly infected with COVID-19. Facilities reported decreases in staff availability due to COVID-19 but indicated that they had contingency plans in place to ensure continued operations. Personnel at facilities expressed concerns about shortfalls in staffing and personal protective equipment in case of a COVID-19 outbreak in their facility. OIG made no recommendations as a result of this review.

**Title: Capping Report: Observations of Unannounced Inspections of ICE Facilities in 2019****Number:** [OIG-20-45](#)**Date:** 7/1/2020

**Summary:** In 2019, OIG continued to conduct unannounced inspections, as directed by Congress, of ICE detention facilities. These inspections monitor facilities' compliance with the 2000 *National Detention Standards* or the 2008 *Performance-Based National Detention Standards*, intended to set consistent expectations about conditions of confinement with respect to facilities' environmental health and safety; accommodations for food service, medical care, and personal hygiene; visitation and recreation; and grievance systems. Although conditions varied among the four facilities inspected and not all facilities exhibited every issue, OIG's inspections revealed several common issues: At three facilities, OIG found segregation practices which infringed on detainees' rights. Detainees at all four facilities had difficulties resolving issues through the grievance and communication systems, including allegations of verbal abuse by staff. Two facilities had issues with classifying detainees according to their risk levels, which could affect safety. OIG concluded that these areas of non-compliance with detention standards inhibit the facilities' ability to foster environments that protect detainees' rights, health, and safety. The Department concurred with OIG's recommendation that Enforcement and Removal Operations field offices overseeing the inspected facilities address identified issues and ensure the facilities' compliance with relevant detention standards.

**Title: Special Report - ICE Should Document Its Process for Adjudicating Disciplinary Matters Involving Senior Executive Service Employees****Number:** [OIG-20-54](#)**Date:** 7/20/2020

**Summary:** After learning of an allegation that a former member of the Senior Executive Service (SES) employed at ICE received favorable treatment during disciplinary proceedings, OIG conducted a review of ICE's policies and procedures regarding SES discipline. OIG found that ICE does not follow its written policy when conducting disciplinary reviews of SES employees. ICE's relevant written policies include an Employee Code of Conduct, a Table of Offenses and Penalties, and Discipline and Adverse Action Operating Procedures (DAAP). In combination, the Code of Conduct tells ICE employees how to maintain the highest standards of integrity and professionalism required of them, and the DAAP and Table of Offenses and Penalties promote fairness and consistency in cases when employees do not meet these standards. With limited exceptions, all three policies apply to all ICE employees. While OIG found that ICE deviated from written policy in the case reviewed, OIG did not find evidence of actual favoritism or inappropriate influence in the employee's disciplinary or security-clearance reviews. The Department concurred with an OIG recommendation that ICE complete and issue a draft policy documenting the Component's process for disciplining SES members.

**Title: HSI Effectively Contributes to the FBI's Joint Terrorism Task Force, But Partnering Agreements Could Be Improved (REDACTED)****Number:** [OIG-20-59](#)**Date:** 8/13/2020

**Summary:** An August 2020 report by DHS OIG found that the program makes effective contributions to the Federal Bureau of Investigation's counterterrorism efforts through the Joint Terrorism Task Forces, but that the agreements framing the program's cooperation may prove legally insufficient. A DHS JTF Modernization Plan (23 September 2020) directs a transition of DHS JTFs' staff, facilities, and capabilities back to their parent component no later than 1 October 2020.

**Title: Children Waited for Extended Periods in Vehicles to Be Reunified with Their Parents at ICE's Port Isabel Detention Center in July 2018****Number:** [OIG-20-65](#)**Date:** 8/19/2020

**Summary:** OIG began this review after receiving two Congressional requests in response to a news report that children who arrived at ICE's Port Isabel, TX detention facility on the afternoon of July 15, 2018 waited as long as 39 hours before ICE reunified them with their parents, with most children spending at least one night in vans located outside the facility. OIG found that on this first day of attempted mass reunifications, ICE had not prepared to reunify promptly all children arriving at Port Isabel. ICE and the Department of Health and Human Services' Office of Refugee Resettlement had fundamentally different understandings about the timing and pace of reunifications, and ICE personnel at Port Isabel underestimated the resources necessary to process the parents of arriving children. As a result, some children waited in vehicles at Port Isabel, while others waited in unused detention cells, though all benefitted from climate-controlled environments and continuous access to food, water, and restrooms as they waited. As the mass

reunifications continued over the following days, ICE personnel responded to the processing and space issues identified by OIG, which generally resulted in shorter wait times for children. OIG made no recommendations as a result of this review. ICE acknowledged OIG's findings and reiterated a commitment to ensure appropriate care for all individuals in ICE custody.

### **Title: DHS Cannot Determine the Total Cost, Effectiveness, and Value of Its Joint Task Forces**

**Number:** [OIG-20-80](#)

**Date:** 9/30/2020

**Summary:** In a September 2020 report, DHS OIG found that DHS has not effectively managed and coordinated Department resources JTFs, a critical operational tool for the program. Specifically, OIG finds that the Department has not maintained oversight authority through changes in leadership, implemented and updated policies and procedures, identified optimal JTF staffing levels and resources, nor established a process to capture total allocated costs associated with JTFs. In addition, the Department has not fully complied with public-law requirements to report to Congress on JTFs' cost and impact, establish outcome-based performance measures, nor establish and maintain a joint-duty-training program. OIG attributes these shortfalls to the absence of a Department-level office to manage and oversee JTFs while fulfilling public-law requirements, so JTFs have lacked the leadership and guidance to accomplish their intended mission. OIG finds that DHS cannot determine JTFs' total cost, effectiveness, and value, and cannot ensure the effective and efficient use of resources allocated to JTFs. OIG made seven recommendations related to these findings—the Department acknowledged receipt of this report but did not agree or disagree with recommendations in light of the Acting Secretary's review of JTFs' status and future under the "Way Ahead" Memorandum.

## **Management (MGMT)**

---

### **GAO Reports**

#### **Title: Employee Morale Survey Scores Highlight Progress and Continued Challenges**

**Number:** [GAO-20-349T](#)

**Date:** 1/14/2020

**Summary:** DHS has undertaken initiatives to strengthen employee engagement through efforts at its component agencies and across the department. They have instituted initiatives to improve awareness and access to support programs, benefits, and resources for DHS employees and their families. In 2019, DHS improved its employee engagement scores, as measured by the Office of Personnel Management's Federal Employee Viewpoint Survey—a tool that measures employees' perceptions of whether and to what extent conditions characterizing successful organizations are present in their agency. DHS increased its scores on a measure of employee engagement, the Employee Engagement Index (EEI), across 4 consecutive years, from a low of 53 percent in 2015 to 62 percent in 2019. While DHS has made progress in improving its scores, in 2019 it remained six

points below the government-wide average for the EEI. DHS and its component agencies have identified root causes for their engagement scores including concerns about leadership accountability and understaffing, among others. Nine recommendations related to DHS employee engagement and workforce planning were made. DHS implemented all but one of these recommendations—to review and correct its coding of cybersecurity positions and assess the accuracy of position descriptions. Finally, filling vacancies could help ensure continued leadership commitment across DHS's mission areas. GAO provided a copy of new information in this statement to DHS for review. DHS confirmed the accuracy of this information.

### **Title: Equal Employment Opportunity: DHS Could Better Address Challenges to Ensuring EEO in Its Workforce**

**Number:** [GAO-20-450T](#)

**Date:** 2/27/2020

**Summary:** DHS and its components have identified various deficiencies in their equal employment opportunity (EEO) programs but lack policies and procedures for developing action plans and formal staffing models to address deficiencies. Developing policies and procedures to help ensure components' EEO programs have action plans for addressing deficiencies could help DHS components better comply with Equal Employment Opportunity Commission (EEOC) requirements. DHS has plans to address nine areas of noncompliance in its EEO program identified by the EEOC. DHS's EEO and human capital offices assist and support DHS components in identifying and addressing EEO barriers. However, DHS's EEO office lacks policies and procedures to ensure components respond timely and completely to areas of noncompliance identified in EEOC feedback letters. Additionally, DHS EEO officials said they lack authority to ensure components' compliance with EEOC requirements. Without addressing these issues, DHS may not be effectively positioned to manage its EEO program. GAO recommended that DHS take six actions, including develop performance metrics for the department's EEO program; develop DHS and component formal staffing models; and analyze options for granting additional authorities to the most senior official for EEO and Diversity. DHS concurred with the six recommendations and described actions the department plans to take to address them.

## **DHS OIG Reports**

### **Title: Progress and Challenges in Modernizing DHS' IT Systems and Infrastructure**

**Number:** [OIG-20-61](#)

**Date:** 8/10/2020

**Summary:** The DHS Chief Information Officer (CIO), and most Component CIOs, conducted strategic planning activities to help prioritize legacy IT systems or infrastructure for modernization to better accomplish mission goals. The DHS 2019–2023 IT strategic plan included two distinct department-wide IT modernization initiatives: to adopt cloud-based computing and to consolidate data centers. However, not all components have complied with or fully embraced these efforts due to a lack of standard guidance and funding. Without consistent implementation of these efforts, DHS components remain hindered in their ability to provide personnel with more enhanced, up-to-date technology. The audit was conducted to determine whether DHS has effectively identified and prioritized mission-critical legacy IT systems and infrastructure for

modernization, to identify major challenges and operational impact associated with using and modernizing out-of-date IT, and to assess how recent legislation and executive direction may help address these challenges. It was recommended recommendations that DHS OCIO improve its ongoing modernization efforts and establish a risk rating process for major legacy IT investments.

### **Title: DHS Has Made Progress in Meeting SAVE Act Requirements But Challenges Remain for Fleet Management**

**Number:** [OIG-20-40](#)

**Date:** 6/15/2020

**Summary:** The *DHS Stop Asset and Vehicle Excess Act (SAVE Act)*, requires the Office of the Chief Readiness Support Officer (OCRSO), as delegated by DHS, to collect and review components' vehicle use data, including their analyses of the data and plans for achieving the right types and sizes of vehicles to meet mission needs. Most Components developed plans as required. However, only 2 of the 12 components we reviewed fully met requirements to analyze and document vehicle use and cost data to help them achieve the right type and size of fleet vehicles to meet their missions. This occurred because DHS did not require components to include data analyses in their OCRSO-reviewed submissions, as mandated by the SAVE Act. Without collecting reliable component vehicle fleet data and thoroughly evaluating this data, DHS and its components cannot ensure they are managing their vehicle fleets to achieve optimal size and composition. Had OCRSO thoroughly evaluated component submissions, it would have identified that components did not fully comply with SAVE Act requirements. OIG recommended that OCRSO update the *SAVE Act Execution Plan* and associated guidance, establish formal documented feedback to components on their fleet management plans, annual acquisition plans, and optimal fleet profiles, as required by the SAVE Act, implement a centralized, department-wide system accessible to collect, track, and monitor vehicle miles driven, number of trips, and maintenance costs and work with component vehicle fleet managers to establish a consistent process for funding the acquisition, leasing, and maintenance of vehicles to meet mission needs. When these four recommendations are implemented, the Department's oversight of its vehicle fleets should improve. 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.

## Transportation Security Administration (TSA)

---

### GAO Reports

**Title: AVIATION SECURITY: TSA Coordinates with Stakeholders on Changes to Screening Rules but Could Clarify Its Review Processes and Better Measure Effectiveness**

**Number:** [GAO-20-72](#)

**Date:** 11/20/2019

**Summary:** TSA coordinates reviews of its intelligence-based screening rules known as Silent Partner and Quiet Skies. Specifically, TSA's Intelligence and Analysis office coordinates quarterly rule reviews and notifies DHS and TSA stakeholders of rule changes. According to stakeholders, these review processes provide a good mechanism for program oversight. TSA has established guidance for rule changes that involve TSA stakeholders reviewing rules in advance of their implementation. In some instances, TSA uses an alternate process, allowed by guidance in exigent circumstances, where rule changes go into effect before some stakeholders review them. However, agency guidance does not define the conditions for using the standard or exigent processes. Clarifying guidance and documenting which review process is used could improve transparency and better ensure screening rule changes are adequately reviewed. GAO made three recommendations: clarify the criteria for exigent and standard rule review procedures, document which review process is used for each new rule or rule change and explore additional data sources for measuring rule effectiveness. DHS concurred with these recommendations.

**Title: AVIATION SECURITY: TSA Should Ensure Screening Technologies Continue to Meet Detection Requirements after Deployment**

**Number:** [GAO-20-56](#)

**Date:** 12/5/2019



**Summary:** TSA is responsible for overseeing security operations at roughly 440 TSA-regulated airports as part of its mission to protect the nation's civil aviation system. TSA uses technologies to screen passengers and their bags for prohibited items. Technology performance can degrade over time; nevertheless, TSA does not ensure that technologies continue to meet detection requirements after deployment to airports. TSA certifies technologies to ensure they meet requirements before deployment, and screeners are to regularly calibrate deployed technologies to demonstrate they are minimally operational. However, neither process ensures that technologies continue to meet requirements after deployment. Developing and implementing a process to ensure technologies continue to meet detection requirements after deployment would help ensure that TSA screening procedures are effective and enable TSA to take corrective action if needed. GAO made five recommendations: update TSA guidance for developing and approving screening technology explosives detection standards to reflect designated procedures, the roles and responsibilities of stakeholders, and changes in the agency's organizational structure, require and ensure that TSA officials document key decisions, including testing and analysis decisions, used to support the development and consideration of new screening technology explosives detection standards, require and ensure that TSA officials document their assessments of risk and the rationale—including the assumptions, methodology, and uncertainty considered—behind decisions to deploy screening technologies, develop a process to ensure that screening technologies continue to meet detection requirements after deployment to commercial airports and implement the process it develops to ensure that screening technologies continue to meet detection requirements after deployment to commercial airports. DHS agreed with all five recommendations and said TSA either has taken or will take actions to address them.

### **Title: AVIATION SECURITY: Federal Air Marshal Service Has Taken Steps to Address Workforce Issues, but Additional Actions Needed**

**Number:** [GAO-20-125](#)

**Date:** 2/12/2020

**Summary:** The Federal Air Marshal Service (FAMS) deploys air marshals to help ensure the security of, and to prevent threats to, civil aviation. GAO assessed several air marshal workforce issues. Among other things, air marshals have expressed concerns about schedule unpredictability and sleep deprivation. The Service has guidelines for shift lengths and rest periods but doesn't monitor if they are followed. Also, although the Service has adopted a plan to help prevent discrimination, it hasn't fully implemented it. GAO made 6 recommendations: identify and utilize a suitable system that provides information about air marshals' medical qualification status, develop and implement a plan to assess the health and fitness of the FAMS workforce as a whole, including trends over time, identify and implement a means to monitor the extent to which air marshals' actual shifts and rest hours are consistent with scheduling guidelines, provide all air marshals access to scheduling guidelines, including workday length and rest periods, disseminate or otherwise provide supervisory air marshals access to guidance that outlines authorities and procedures for changing an air marshal's work schedule and take steps to reaffirm and strengthen efforts to prevent discrimination by, for example, updating and following through on its 2012 action plan and renewing leadership commitment to the plan's goals. DHS concurred with all six recommendations.

**Title: PASSENGER RAIL SECURITY: TSA Engages with Stakeholders but Could Better Identify and Share Standards and Key Practices****Number:** [GAO-20-404](#)**Date:** 4/3/2020

**Summary:** GAO was asked to review TSA's efforts to assess passenger rail risk, as well as its role in identifying and sharing security standards and key practices. This report addresses (1) TSA's efforts to assess risk; (2) the extent to which TSA works with U.S. and foreign passenger rail stakeholders to identify security standards and key practices; and (3) the extent to which TSA shares passenger rail security standards and key practices with stakeholders. GAO found that TSA assesses passenger rail risks through the Transportation Sector Security Risk Assessment, the Baseline Assessment for Security Enhancement (BASE), and threat assessments. TSA uses the risk assessment to evaluate threat, vulnerability, and consequence for attack scenarios across various transportation modes. TSA surface inspectors use the baseline assessment, a voluntary security review for mass transit, passenger rail, and highway systems, to address potential vulnerabilities and share best practices, among other things. TSA works with U.S. stakeholders to identify security standards and key practices and identifies foreign standards and practices through multilateral and bilateral exchanges. However, TSA Representatives (TSARs), the primary overseas point of contact for transportation security matters, lack specific guidance on foreign rail stakeholder engagement. As a result, TSA is less likely to be fully aware of key practices in other countries, such as station security guidance. Specific guidance would provide TSARs with clear expectations and encourage more consistent engagement with foreign rail stakeholders. GAO recommends that TSA update TSAR guidance to include engaging with foreign passenger rail stakeholders and update the BASE cybersecurity questions to ensure they reflect key practices. DHS concurred with both recommendations.

**Title: TRANSPORTATION SECURITY: DHS Should Communicate the National Strategy's Alignment with Related Strategies to Guide Federal Efforts****Number:** [GAO-20-88](#)**Date:** 11/19/2020

**Summary:** GAO reviewed relevant transportation security documentation, interviewed officials within DHS and DOT on the development and use of the strategy, evaluated interagency collaboration during the development of the national strategy, and analyzed the national strategy's incorporation of risk information. TSA developed the national strategy, consistent with congressional direction, to govern federal transportation security efforts. However, TSA and Department of Transportation (DOT) officials all identified some degree of redundancy or overlap regarding the role of the strategy considering other transportation security strategies such as the National Strategy for Aviation Security. Agencies reported using the national strategy for reference, context, and general coordination, but not for driving program activities. Agencies instead use separate strategies and plans to guide program and resource decisions. However, DHS has not communicated how the strategy aligns with related strategies to guide these efforts. By doing so, federal stakeholders would be better positioned use the national strategy as part of a whole-of-government approach to preventing terrorist attacks. GAO recommends that DHS should communicate to key stakeholders how the National Strategy for Transportation Security

aligns with related strategies to guide federal efforts as it develops future iterations of the national strategy.

**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 technology 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. TSA set a goal in 2013 to increase screening technology testing efficiency. In addition, TSA reported to Congress in January 2020 that third party testing is a part of its efforts to increase supplier diversity and innovation. Without metrics to measure and assess the extent to which third party testing increases testing efficiency, TSA will be unable to determine the value of this concept. A number of recommendations were made related to establishing performance measures and third-party testing.

## DHS OIG Reports

**Title: TSA's Challenges with Passenger Screening Canine Teams**

**Number:** [OIG-20-28](#)

**Date:** 4/28/2020

**Summary:** TSA cannot show deployment and use of its Passenger Screening Canine (PSC) teams provide effective security at passenger screening checkpoints because they have not determined the number of teams needed to provide security and mitigate risks, may not be allocating PSC teams to the highest risk airports and cannot be assured airports are using PSC teams properly. OIG also found canines on TSA's PSC teams may not detect explosive devices in an operational environment, which places our Nation's aviation system and the traveling public at risk.

**Title: TSA Needs to Improve Monitoring of the Deployed Advanced Imaging Technology System**

**Number:** [OIG-20-33](#)

**Date:** 5/8/2020

**Summary:** TSA does not monitor the Advanced Imaging Technology system (AIT) to ensure it continues to fulfill needed capabilities for detecting non-metallic threat items concealed on air passengers. These issues occurred because TSA has not established comprehensive guidance to monitor performance of the AIT system

## U.S. Citizenship and Immigration Services (USCIS)

---

### GAO Report

**Title: Immigration: Actions Needed to Strengthen USCIS's Oversight and Data Quality of Credible and Reasonable Fear Screenings**

**Number:** [GAO-20-250](#)

**Date:** February 19, 2020

**Summary:** Actions Needed to Strengthen USCIS's Oversight and Data Quality of Credible and Reasonable Fear Screenings. USCIS's caseloads nearly doubled during this timeframe—from about 56,000 to almost 109,000 referrals for credible and reasonable fear screenings. Further, the credible fear caseload was larger in the first two quarters of fiscal year 2019 alone than in each of fiscal years 2014 and 2015. Referrals to USCIS for reasonable fear screenings also increased from fiscal years 2014 through 2018. USCIS asylum officers made positive determinations in 71 percent of all credible and reasonable fear screenings between fiscal years 2014 and the first two quarters of fiscal year 2019. The outcomes of the remaining screenings were generally split evenly (14 percent each) between negative determinations or administrative closures (such as if the applicant was unable to communicate).

## U.S. Coast Guard (USCG)

---

### GAO Reports

**Title: Department of Homeland Security: Assessment of Air and Marine Operating Locations Should Include Comparable Costs across All DHS Marine Operations**

**Number:** [GAO-20-663](#)

**Date:** 9/24/2020

**Summary:** USCG and CBP use aircraft and vessels to secure U.S. borders, support criminal investigations, and ensure maritime security and safety. Since DHS began operations in 2003, it has examined opportunities to integrate and coordinate CBP and USCG air and marine operations, including identifying opportunities for potential efficiencies such as consolidation of operating locations. This report examined, among other things: 1) CBP and USCG air and marine mission activities across operating locations and 2) DHS assessments of components' operating locations for air and marine mission activities. GAO recommends that DHS develop and implement a mechanism to compare costs across components' marine operating locations. DHS concurred with the recommendation.

**Title: Vessel Safety: The Coast Guard Conducts Recurrent Inspections and Has Issued Guidance to Address Emergency Preparedness**

**Number:** [GAO-20-459](#)

**Date:** 4/8/2020

**Summary:** The USCG initiated several efforts in 2018 to enhance oversight of the Recognized Organizations (RO) that perform Safety Management System (SMS) related services and certifications on its behalf. ROs need to have been an international classification society for 30 years and have a history of taking appropriate corrective actions in addressing vessel deficiencies. USCG authorized several ROs to conduct SMS audits and issue applicable certificates, but over 95 percent of these vessel oversight and compliance activities are conducted by a single RO, the American Bureau of Shipping. The efforts to implement oversight procedures were largely in response to EL FARO investigative report recommendations. In particular, the USCG established a new group to monitor ROs, developed new SMS-related guidance and associated work instructions, increased direct observations of ROs, developed key performance indicators, and developed guidance to request internal investigations for certain RO deficiencies. GAO determined it was too early to assess the overall effectiveness of these USCG efforts, but they believe they are positive steps toward enhancing oversight of ROs.

**Title: Arctic Capabilities: Coast Guard Is Taking Steps to Address Key Challenges, but Additional Work Remains**

**Number:** [GAO-20-374T](#)

**Date:** 2/5/2020

**Summary:** The USCG plays a significant role in Arctic policy implementation and enforcement. The USCG is also the sole provider and operator of the U.S. polar icebreaking fleet—a critical component in ensuring year-round access to the Arctic. This testimony and associated report addresses: 1) the USCG’s assessment of capability gaps in the region, and 2) key risks facing the Polar Security Cutter acquisition. GAO recommended, among other things, that USCG develop measures for assessing how its actions have helped to mitigate Arctic capability gaps. GAO also previously recommended that the Polar Security Cutter program develop a program schedule according to best practices. DHS concurred with all of the recommendations, and the USCG is in the process of addressing them.

**Title: USCG: Actions Needed to Ensure Investments in Key Data System Meet Mission and User Needs**

**Number:** [GAO-20-562](#)

**Date:** 7/2020

**Summary:** The USCG tracks and supports its activities with its Marine Information for Safety and Law Enforcement data system. It contains information on over 700,000 vessels and more. Earlier efforts to upgrade the system did not deliver all planned improvements, such as an ability to reduce duplicate records. GAO examined: 1) the extent to which Marine Information for Safety and Law Enforcement (MISLE) supports USCG operations and decision-making; (2) the extent to which the USCG has policies, procedures, and training to ensure reliable MISLE data; and (3) USCG efforts to enhance, upgrade, or replace MISLE since 2008. A number of problems were identified. For example, users told GAO duplicate entries created uncertainty on whether vessels or their operators had earlier safety violations or warranted inspection. GAO also identified data errors and missing records. GAO made recommendations, including addressing data errors and inconsistent data entries, developing a mission needs statement, and identifying and analyzing

alternatives to select solutions to meet mission needs. The USCG concurred with all recommendations and said it plans to replace MISLE.

**Title: USCG ACQUISITIONS: Opportunities Exist to Reduce Risk for the Offshore Patrol Cutter Program**

**Number:** [GAO-21-9](#)

**Date:** 11/2020

**Summary:** In 2018, Hurricane Michael devastated the shipyard where construction of the USCG's Offshore Patrol Cutters was about to begin. The service needs the 25 new cutters soon to replace others that are more than 50 years old, but the hurricane added delays and cost. The USCG accepted significant risk with the design, schedule, and cost—both before and after the hurricane—to get the cutters built quickly. But the cutter's design is unstable, its schedule optimistic, and its cost estimate incomplete—making it likely that building it will take longer and cost more.

**Title: Natural Gas Exports - Updated Guidance and Regulations Could Improve Facility Permitting Processes**

**Number:** [GAO-20-619](#)

**Date:** 9/2020

**Summary:** A GAO analysis of Liquefied Natural Gas permit and regulations processes determined that USCG and Federal Energy Regulatory Commission (FERC) were not in compliance with OMB Guidance that states that agencies should conduct a standards-specific review of regulations that cite technical standards every 3 to 5 years. Although the USCG has a process for conducting reviews it does not specify their frequency and some standards were found to be significantly out of date. Without processes to conduct a standards-specific review of regulations every 3 to 5 years, USCG cannot be assured that its regulations remain effective at ensuring safety of the increasing number of Liquid Natural Gas shipments. Additionally, FERC does not regularly review and update its interagency agreements, which outline agencies' roles and responsibilities in the onshore permitting process, because it does not have a process to do so. Establishing a process to regularly review and update FERC's agreements with other partner agencies, such as the USCG, would help ensure that other agencies clearly understand and consistently implement the permitting process and the agreements address policy changes that may affect the process.

**Title: Natural Gas Exports - Updated Guidance and Regulations Could Improve Facility Permitting Processes**

**Number:** [GAO-20-554](#)

**Date:** 9/27/2020

**Evaluation:** USCG issues regulations requiring tankers and other large vessels to develop Vessel Response Plans (VRP) or use Alternative Planning Criteria that identify the resources available to respond to an oil spill, including spills resulting from fire or explosion. USCG reviews VPRs against regulatory requirements. GAO and industry stakeholders identified risks in the USCG's processes such as a lack of clarity about how proposed APC measures designed to prevent incidents are to be evaluated, as well as the impact of its military personnel rotations on the consistency of APC reviews; the relatively small number (71 of more than 3,000 VRPs) of verifications conducted of

salvage and marine firefighting response capabilities; limited availability of reliable data on the location of oil spill and marine firefighting response capabilities; and limited availability of certain resource providers to respond to an incident due to vague subcontract language.

**Title: A Strategic Approach and Interagency Leadership Could Improve Federal Efforts in the U.S. Arctic**

**Number:** [GAO-20-460](#)

**Date:** 4/2020

**Summary:** Climate change has led to record low levels of ice in the U.S. Arctic—prolonging the shipping season and opening shipping routes. This may expand economic opportunities, but harsh weather and ice conditions—plus the lack of maritime infrastructure—pose safety risks. For example, not having a designated harbor of refuge means ships don't have a place to moor in an emergency. Agencies have taken steps to address infrastructure gaps, but federal efforts lack consistent leadership and a current strategy. GAO recommended designating an interagency group and developing a strategy to lead efforts in addressing the region's maritime infrastructure.

## DHS OIG Reports

**Title: DHS Should Seek a Unified Approach when Purchasing and Using Handheld Chemical Identification Devices**

**Number:** [OIG-20-16](#)

**Date:** 2/28/2020

**Summary:** OIG noted that while DHS has not identified handheld chemical-identification devices used for drug interdiction as a joint mission requirement, CBP, USCG, CWMD, FEMA, and TSA maintain inventories of these devices purchased for a total \$48.4 million. OIG found that these procurement actions disregarded OMB's May 2005 guidance on *Implementing Strategic Sourcing* and Secretary Jeh Johnson's April 2014 Memorandum on *Strengthening Departmental Unity of Effort*. The Department concurred with OIG's recommendation for the establishment of a process to coordinate and perform technical reviews across Components for common mission requirements and capability needs, including handheld chemical-identification devices. The Department did not concur with OIG's recommendation for an annual item-by-item spend analysis of Components' procurement data as the basis for strategic-sourcing approaches for products and services. The Department noted that the Strategic Sourcing Program Office enables DHS-level involvement in Component procurement actions prior to award.

**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-20-36](#)

**Date:** 6/3/2020

**Summary:** OIG identified 16 allegations of race-based harassment involving cadets between 2013 and 2018 that the USCG Academy (the Academy) was aware of and had sufficient information to investigate and address through internal hate and harassment procedures. We identified issues in how the Academy addressed 11 of them. First, in six incidents, the Academy did not thoroughly

investigate the allegations and/or did not discipline cadets. In some instances, cadets committed similar misconduct again. The Academy also did not include civil rights staff as required in six instances (including two of the instances noted previously). Therefore, civil rights staff could not properly track these incidents to proactively identify trends and offer the Academy assistance. In addition, in one incident involving potential hate allegations, the Academy did not follow USCG process for addressing hate incidents. Finally, the review determined race-based harassment is underreported at the Academy for various reasons, including concerns about negative consequences for reporting allegations. Underreporting is especially concerning because our questionnaire results and interviews indicate harassing behaviors continue at the Academy.

## U.S. Secret Service (USSS)

---

### OIG Reports

**Title:** United States Secret Service Expenses Incurred at Trump Turnberry Resort

**Number:** [OIG-20-18](#)

**Date:** 3/18/2020

**Summary:** The U.S. Secret Service (USSS) incurred an undisclosed amount for President Trump's visit to the Trump Turnberry Resort in Scotland from July 14 to 15, 2018. This amount represents the operational and temporary duty costs associated with supporting Secret Service personnel who traveled to Scotland before, during, and after the President's visit. Of the total amount, the Secret Service paid an aggregated amount to the Turnberry Resort for hotel rooms, golf carts, and logistical support. These figures do not include salaries and benefits for government personnel traveling with the President, which the Secret Service would have incurred regardless of whether the President traveled. Also excluded are costs associated with assistance provided by the Department of Defense, such as the use of military aircraft to transport personnel and equipment, because the USSS is not required to reimburse these costs. We did not identify any fraud indicators or costs that were not authorized in relation to the President's visit to the Trump Turnberry Resort. The report does not contain any recommendations.



## Acronyms

ACAS – Air Cargo Advance Screening	IHP – Individuals and Households Program
AIT – Advanced Imaging Technology	IPAWS – Integrated Public Alert & Warning System
APR – Annual Performance Report	IT – Information Technology
BASE – Baseline Assessment for Security Enhancement	JTF – Joint Task Force
CAFRA – Civil Asset Forfeiture Reform Act of 2000	LSGS – Loyal Source Government Services
CAP – Criminal Alien Program	MGMT – Management
CBP – U.S. Customs and Border Protection	MISLE – Marine Information for Safety and Law Enforcement
CDM – Continuous Diagnostics and Mitigation	NBAF – National Bio and Agro-Defense Facility
CFATS – Chemical Facility Anti-Terrorism Standards	NIST – National Institute of Standards and Technology
CIO – Chief Information Officer	OCRSO – Office of the Chief Readiness Support Officer
CISA – Cybersecurity and Infrastructure Security Agency	OIG – Office of Inspector General
CWMD -- Countering Weapons of Mass Destruction	OMB – Office of Management and Budget
DAAP – Discipline and Adverse Action Operating Procedures	ONA – Other Needs Assistance
DHS – Department of Homeland Security	PERC - Pacific Enforcement Response Center
DOJ – Department of Justice	PSC – Passenger Screening Canine
EI – Employee Engagement Index	RO – Recognized Organizations
EEO – Equal Employment Opportunity	SBA – Small Business Administration
EEOC – Equal Employment Opportunity Commission	SMS – Safety Management System
FAMS – Federal Air Marshal Service	SOP – Standard Operating Procedure
FCC – Federal Communications Commission	S&T – Science and Technology Directorate
FEMA – Federal Emergency Management Agency	SCF – Surge Capacity Force
FERC – Federal Energy Regulatory Commission	SRL – Severe repetitive loss
FIT – Failed Income Test	TSA – Transportation Security Administration
FTA – Federal Transit Authority	U.S. – United States
FY – Fiscal Year	USCG – U.S. Coast Guard
GAO – U.S. Government Accountability Office	USDA – U.S. Department of Agriculture
GONE – Grants Oversight and New Efficiency	USCIS – U. S. Citizenship and Immigration Services
ICE – U.S. Immigration and Customs Enforcement	USSS – U.S. Secret Service
	VRP – Vessel Response Plan
	WEA – Wireless Emergency Alert





Homeland  
Security



Homeland  
Security