



Highlights of [GAO-06-462T](#), testimony before the Chairman, Subcommittee on National Security, Emerging Threats, and International Relations, Committee on Government Reform, House of Representatives

Why GAO Did This Study

Immigration and Customs Enforcement's (ICE) mission is to prevent terrorist attacks within the United States and reduce the vulnerability of the United States to terrorism while ensuring its mandated customs, immigration, and federal protective enforcement functions are not diminished. The ICE Office of Investigations (OI) supports that mission by investigating customs and immigration violations. This testimony addresses the following key questions that were answered in GAO-06-48SU, a restricted report issued with the same title: (1) What structure and activities has OI adopted to address its mission? (2) In fiscal year 2004 and the first half of fiscal year 2005, how did OI use its investigative resources to achieve its goals? (3) How does OI ensure that its resource use contributes to its ability to prevent the exploitation of systemic vulnerabilities in customs and immigration systems?

What GAO Recommends

GAO recommended that Homeland Security implement management practices to support resource allocation decisions, including a risk assessment, revised performance measures, and monitoring and communication systems to provide meaningful data about resource use.

The Department of Homeland Security concurred with GAO's recommendations.

www.gao.gov/cgi-bin/getrpt?GAO-06-462T.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Richard Stana at (202) 512-8816 or stanar@gao.gov.

HOMELAND SECURITY

Better Management Practices Could Enhance DHS's Ability to Allocate Investigative Resources

What GAO Found

OI's organizational structure and investigative activities reflect those of its legacy agencies—the U.S. Customs Service and the Immigration and Naturalization Service—and include activities to prevent terrorism. OI retained responsibility for enforcing customs and immigration laws, and its field structure was created by relying on the strategic priorities of its legacy agencies to determine the composition and locations of field offices. Senior OI officials said that OI seeks to accomplish its homeland security mission by focusing on cases that seem to have a connection to national security.

Data from ICE's case management system indicate that its investigative activities generally relate to legacy missions, with about half of OI resources during fiscal year 2004 and the first half of 2005 used for cases related to drugs, financial crimes, and general alien investigations—investigations unlikely to contain a nexus to national security. Overall, between 10 and 15 percent of investigative resources were used for investigations considered to have a link to national security. OI's current method of tracking these cases captures data about the cases where a nexus to national security is assumed due to the nature of the violation, primarily investigations of munitions control, illegal exports, visa violations, and terrorism. Additionally, the equivalent of about 400 of its 5,600 special agents worked full time to identify incarcerated aliens who were eligible for removal from the United States, a function that does not require the skills and training of criminal investigators. ICE plans to free investigators for more appropriate duties by shifting these functions to other ICE units and to study whether other functions could be shifted to employees in a noninvestigatory job series.

To make resource use decisions in pursuit of OI's goal to prevent the exploitation of systemic vulnerabilities in customs and immigration systems, OI primarily relies on the judgment of staff in its major field offices, in addition to national programs developed in headquarters that are implemented in multiple field offices. Although GAO found no evidence that OI has failed to investigate any national security-related lead that came to its attention, applying a risk management approach to determine what types of customs and immigration violations represent the greatest risks for exploitation by terrorists and other criminals could provide OI with greater assurance that it is focusing on preventing violations with the greatest potential for harm, while striking a balance among its various objectives. OI has taken some initial steps to introduce principles of risk management into its operations, but has not conducted a comprehensive risk assessment of the customs and immigration systems to determine the greatest risks for exploitation, nor has OI analyzed all relevant data to inform the evaluation of alternatives and allow risk-based resource allocation decisions. OI also lacks outcome-based performance goals that relate to its objective of preventing the exploitation of these systemic vulnerabilities. Finally, OI does not have sufficient systems to help ensure ongoing monitoring and communication of vulnerabilities discovered during its investigations.