

October 2004

# HOMELAND SECURITY

## Management Challenges Remain in Transforming Immigration Programs





Highlights of [GAO-05-81](#), a report to congressional committees

# HOMELAND SECURITY

## Management Challenges Remain in Transforming Immigration Programs

### Why GAO Did This Study

The Department of Homeland Security (DHS) assumed responsibility for the immigration enforcement and services programs of the former Immigration and Naturalization Service (INS) in 2003. The three DHS bureaus with primary responsibility for immigration functions are U.S. Customs and Border Protection (CBP), U.S. Citizenship and Immigration Services (CIS), and U.S. Immigration and Customs Enforcement (ICE). This transfer creates a great opportunity for DHS to address long-standing management and operational problems within INS. The Homeland Security Act requires GAO to review the transfer of immigration functions to DHS. In response, this report assesses the status of (1) communication and coordination of roles and responsibilities, (2) integration of immigration and customs investigators in ICE, and (3) administrative services and systems in CBP, CIS, and ICE.

### What GAO Recommends

GAO recommends that DHS use key practices to create a mechanism for periodically obtaining and considering employee feedback on their ideas and concerns and provides specific guidance on roles and responsibilities and administrative services. DHS commented on a draft of this report and generally agreed with our findings and recommendations.

[www.gao.gov/cgi-bin/getrpt?GAO-05-81](http://www.gao.gov/cgi-bin/getrpt?GAO-05-81).

To view the full product, including the scope and methodology, click on the link above. For more information, contact Richard M. Stana at (202) 512-8777 or Stanar@gao.gov.

### What GAO Found

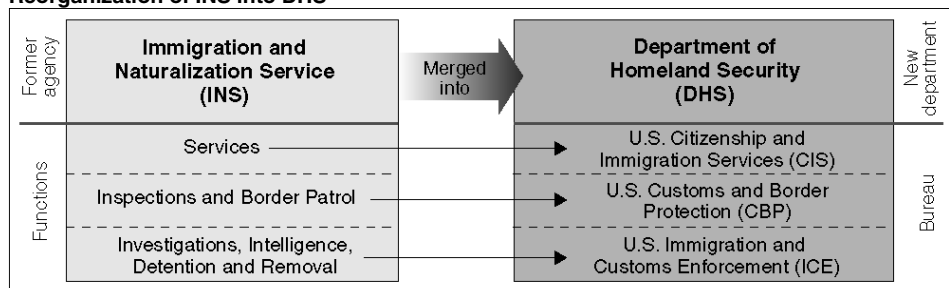
Most of the field officials with whom GAO spoke generally characterized communication and coordination with other DHS immigration programs in their geographic area as good or excellent. Other officials noted, that in some areas related to investigative techniques and other operations, unresolved issues regarding the roles and responsibilities of CBP, CIS, and ICE give rise to disagreements and confusion, with the potential for serious consequences. According to headquarters and field officials, some guidance has been made available to the field, and there are plans to provide more.

Most ICE field officials GAO contacted said they have taken initial steps toward integrating the former immigration and customs investigators, such as establishing cross-training and pay parity. Most of these officials said, however, that additional important steps remained to be completed to fully integrate investigators. They reported that the lack of uniform policies and procedures for some ICE operations has caused confusion and hindered the creation of a new integrated culture. Headquarters officials said they were responding to these challenges.

Officials in CBP, CIS, and ICE expressed confusion about a new shared services system for mission support when interviewed 3 to 4 months after the system was instituted. They also expressed frustration with problems they have encountered with travel, budget, and payroll systems, which are not a part of the shared services system. Additionally, the realignment of staff for shared services, along with other events, has resulted in some mission staff being assigned administrative work as a collateral duty, which may affect mission productivity.

Key practices used by other public and private organizations that have undergone successful mergers and transformations may be helpful to DHS in addressing the challenges raised in this report and in transforming immigration enforcement and services. These key practices include establishing communication strategies to create shared expectations and involving employees to gain ownership for changes.

Reorganization of INS into DHS



Source: GAO analysis of DHS data.

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Figure 3: Key Practices for Successful Mergers and Organizational Transformations

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**Abbreviations**

ASAC	associate special agent in charge
CBP	U.S. Customs and Border Protection
CIS	U.S. Citizenship and Immigration Services
COSS	Customs Overtime Scheduling System
DHS	Department of Homeland Security
FBI	Federal Bureau of Investigation
FFMS	Federal Financial Management System
FLETC	Federal Law Enforcement Training Center
ICE	U.S. Immigration and Customs Enforcement
INS	Immigration and Naturalization Service
RAC	resident agent in charge
SAC	special agent in charge
TECS	Treasury Enforcement Communications System

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United States Government Accountability Office  
Washington, DC 20548

October 14, 2004

Congressional Committees

The Homeland Security Act of 2002 established the Department of Homeland Security (DHS) and led to the most substantial reorganization of the federal government since the 1940s.<sup>1</sup> The duties and responsibilities of several former agencies were transferred to DHS, including responsibility for immigration enforcement and services. These functions were transferred from the Immigration and Naturalization Service (INS), which was abolished in 2003. Transfer of the immigration functions creates a great opportunity for DHS to successfully address long-standing management and operational problems within INS that we have reported over the years.

Our past work on transformations has shown that it is unrealistic to expect DHS to have fully resolved these difficult and long-standing problems after just one and a half years in operation. As we have reported,<sup>2</sup> successful organizational transformations can take 5 to 7 years to implement, and the three DHS bureaus with primary responsibility for immigration functions—U.S. Customs and Border Protection (CBP), U.S. Citizenship and Immigration Services (CIS), and U.S. Immigration and Customs Enforcement (ICE)—are in the process of transformation as they develop new ways of dealing with each other and managing their performance. We have also reported that in the short term, the experience of private sector mergers is that productivity and effectiveness, for example, decline as attention is concentrated on critical and immediate issues. Given the gravity of DHS's mission, a focus on critical and immediate issues is understandable. Nevertheless, because any failure by DHS to effectively carry out its mission could expose the nation to very serious consequences, it is important that DHS start immediately to take advantage of its unique opportunity to transform immigration management and program operations and provide the immigration enforcement and services that the American people need.

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<sup>1</sup>P.L. 107-296 (2002).

<sup>2</sup>GAO, *Results-Oriented Cultures: Implementation Steps to Assist Mergers and Organizational Transformations*, [GAO-03-669](#) (Washington, D.C.: July 2, 2003).

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The Homeland Security Act requires us to review the transfer of functions from INS to DHS, and identify issues associated with the transition.<sup>3</sup> This report is intended to satisfy the requirements of the mandate. To help formulate the objectives to respond to this mandate, we spoke with immigration experts in the public and private sectors and representatives of pro- and anti-immigration advocacy groups in the Washington, D.C., area, and reviewed prior reports that we and others have issued. From these efforts, we identified three issues that, early in the transition, appeared to represent significant management challenges and that we believed related to a range of mission and mission support activities. Thus, this report assesses the status of (1) communication and coordination among immigration programs in DHS, (2) integration of immigration and customs investigators in ICE, and (3) administrative services and systems used following the transition into DHS. We did not assess program performance or DHS's overall response to long-standing problems in this review. Additionally, our analysis was based on a snapshot in time, primarily during the first half of fiscal year 2004, and it is possible our results may be different if our interviews were conducted today.

In assessing the integration of immigration and customs investigators in ICE, we briefly discuss the former U.S. Customs Service (Customs), which transferred from the Department of the Treasury. Customs was responsible for enforcing customs laws in regulating legitimate commercial activity and for safeguarding U.S. borders against the illegal entry of goods. Before September 11, 2001, Customs' enforcement activities focused primarily on preventing the smuggling of drugs into the United States.

To address the objectives, we reviewed laws; CBP, CIS, and ICE transition documents; policies; and other relevant documents. We also interviewed officials at headquarters who were responsible for managing ICE's detention and removal, intelligence, and investigations programs; CIS's adjudications program; and CBP's Border Patrol and inspections programs between September 2003 and August 2004. We interviewed ICE, CIS, and CBP officials responsible for developing plans for the transition in September 2003. We interviewed officials in CBP, CIS, and ICE field offices between December 2003 and March 2004 in the following cities: Arlington, Virginia; Baltimore, Maryland; New York, New York; Miami, Florida; Detroit, Michigan; and San Diego, California, and with the U.S.

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<sup>3</sup>P.L. 107-296, Sec. 477(d)(1).

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Border Patrol field offices in Miami, Detroit, and San Diego. We selected these locations because of their geographic dispersion, their proximity to major ports of entry, and the relative proximity of ICE, CBP, and CIS offices to one another. In these locations, we talked with officials responsible for inspections, the Border Patrol, and inspectors in CBP; officials responsible for adjudications and adjudicators in CIS; and managers, supervisory investigators, and investigators in ICE. Baltimore and Arlington were used as preliminary site visits to form our interview questions. In the remaining four cities and all remaining ICE field offices, we used a structured interview to obtain information and opinions relevant to our objectives from the two most senior ICE officials.<sup>4</sup> In total, this meant interviewing 49 SACs and ASACs in ICE's field offices. Many of these officials provided specific examples to help explain their arguments, which we did not verify.

We conducted our review between August 2003 and August 2004 in accordance with generally accepted government auditing standards. A more detailed discussion of our scope and methodology appears in appendix I.

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## Results in Brief

Most of the field officials in the CBP, CIS, and ICE offices with whom we spoke generally characterized communication and coordination with other DHS immigration programs in their geographic area as good or excellent. They attributed their positive views mainly to working relationships that existed before the transition of INS to DHS—particularly with inspections (in CBP), adjudications (in CIS), and detention and removal (in ICE). While CBP, CIS, and ICE headquarters offices have issued guidance on the various programs' roles and responsibilities, some field officials in all three bureaus said they would like additional guidance to provide a clearer understanding of such roles and responsibilities. Officials noted that in some cases, unresolved disagreements and confusion regarding the roles and responsibilities of the DHS immigration bureaus related to various investigative techniques and other operational issues has the potential for serious consequences. As one example, field officials told us that

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<sup>4</sup>Special agents in charge (commonly referred to as SACs) are law enforcement officers responsible for directing ICE investigation operations and resources in a specific geographic area. SACs are the most senior managers in the field offices of ICE's investigations program. Associate special agents in charge (commonly referred to as ASACs) are the second most senior managers in the field offices of ICE's investigations program. During our review the title ASAC was changed to deputy special agent in charge.

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conflicting positions by ICE and the Border Patrol over an investigative technique known as controlled deliveries has hampered communication and coordination and can not only hinder the accomplishment of ICE's mission but potentially put ICE investigators at risk.<sup>5</sup> According to headquarters and field officials, there are plans to issue more guidance on operational roles and responsibilities. Specifically, CBP and ICE plan to issue more guidance clarifying the roles and responsibilities of Border Patrol agents and investigators (in such areas as investigative techniques used in border operations, asset forfeiture, and information sharing), although they could not provide a specific date when the guidance would be issued to the field.

Top officials in ICE's special agent in charge (SAC) offices said that, although they had taken initial steps toward integrating the former immigration and customs investigative workforces at the time of our review, additional important steps remained to be completed at many offices to fully integrate investigators. The initial steps most SACs said their offices have taken include (1) assigning investigators from the former INS and Customs offices to work in new investigative groups that are in the same physical location, (2) providing classroom-based cross-training and on-the-job-training so former INS investigators know the laws and perform the functions of legacy Customs investigators and vice versa; and (3) resolving the pay disparity between former INS and Customs investigators. However, many of these officials reported that the continuation of former INS and Customs investigators working in separate locations has been an obstacle to integration. A headquarters official told us that ICE has begun to co-locate some SAC offices and that other offices would be co-located as existing leases expire. ICE officials currently estimate that it would cost \$150 million to co-locate all SAC offices immediately. Field officials also reported that the lack of uniform policies and procedures for some ICE operations has caused confusion and hindered the creation of a new integrated culture. ICE headquarters officials told us that they are prioritizing the establishment of uniform policies and that until a new ICE policy is established, SAC offices are required to use the policies of the former agencies. In addition, many field officials said that the lack of unique public identifiers such as badges, credentials, and uniforms has held up creation of a unified ICE agency and

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<sup>5</sup>Controlled delivery is an ICE investigative method that involves allowing a known group of illegal aliens or contraband to enter the country so they can be followed to their destination and arrested by ICE investigators.



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caused frustration and embarrassment. In August 2004, ICE headquarters officials confirmed there had been a delay in issuing symbols such as badges and raid jackets and that such symbols were either already available or were in the final stages of development.

In an attempt to provide more efficient administrative mission support services, DHS is in the process of developing and implementing systems and processes called “shared services.” In December 2003, DHS instituted a shared service system in which certain mission support services—such as human resources—are provided by one bureau to the other bureaus. Certain mission support services were not incorporated into the shared services system. Officials in CBP, CIS, and ICE expressed confusion about shared services when we interviewed them 3 to 4 months after the system was instituted. Many field officials said they did not know what constitutes shared services, what processes they should use for receiving assistance from a shared service provider, or how many of their staff administrative positions would be reassigned to positions in other offices as shared service providers. DHS headquarters officials acknowledged in June 2004 (6 months after the initiation of shared services) that although a communication strategy was in place, communicating information about shared services was a “work in progress” and that it was the responsibility of the individual bureaus (both those providing and those receiving services) to communicate to their field staff about how the shared services process worked. CBP, CIS, and ICE officials also expressed frustration with problems they have encountered with travel, budget, and payroll—which are administrative systems managed within the agencies and not a part of shared services. At least in part because of problems with funding codes in the travel software, some ICE staff have waited for months to be reimbursed for government travel. Some ICE field officials also expressed concern about their ability to manage their budgets and payroll problems, because of the systems used for these functions. Some mission staff in CBP, CIS, and ICE field offices also told us that inspectors, investigators, and adjudicators have been assigned administrative functions full-time or as a collateral duty because (1) some administrative staff from their office were reassigned to other offices to serve as shared service providers, (2) the increase in staff because of mergers in inspections and investigations and, (3) hiring freezes. One effect of assigning mission staff to administrative work is that because they are not spending all of their time on duties needed to accomplish the program’s mission, they are not reaching the full potential of the program position.

Carrying out this transformation will not be an easy or quickly realized task, so it is understandable that challenges have arisen. In July 2003, to

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help agencies like DHS in such transformations, we reported on nine key practices that have been found at the center of successful mergers and transformations.<sup>6</sup> While all nine key practices are important in this transformation, we believe two would be particularly helpful to DHS in addressing the longstanding and new challenges identified in this report relating to the transformation of immigration programs in DHS: (1) establishing a communication strategy to create shared expectations and report related progress and (2) involving employees to obtain their ideas and gain their ownership of the transformation. While we did not assess in this review the degree to which these practices are being used, we did identify certain parts of the key practices that have not been fully integrated into immigration strategies, such as establishing a feedback mechanism to identify and address employee concerns.

To help DHS address the challenges to the overall transformation of immigration programs, we recommend that the Secretary of Homeland Security help ensure that all parts of the key practices we identified are used to address the new and pre-existing challenges related to immigration enforcement and services. In particular, DHS should create a mechanism to periodically obtain employee feedback, clarify roles and responsibilities for field staff in the three bureaus with immigration responsibilities, and provide additional detailed guidance on processes and procedures to follow for the provision of shared administrative services.

We provided a draft of this report to DHS for comment. In its response, DHS generally agreed with our overall findings and recommendations and requested that we add more context in some areas, such as the department's communication and employee feedback efforts. We discuss some of these efforts in the relevant portions of this report but note that many of these efforts were ongoing at the time the concerns were raised during our fieldwork. DHS also said that our fieldwork coincided with the implementation of the shared services initiative and, as such, it did not believe the field managers views expressed in this report accurately portray the initiative or the current level of comprehension of the initiative. While things change over time, we believe that the views expressed at the time of our interviews indicate a need in the field for

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<sup>6</sup>GAO, *Results-Oriented Cultures: Implementation Steps to Assist Mergers and Organizational Transformations*, GAO-03-669 (Washington, D.C.: July 2, 2003).

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additional detailed guidance on the shared administrative services initiative.

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## Background

The primary mission of DHS is, among other things, to prevent terrorist attacks within the United States in the aftermath of the September 11, 2001, attacks on the World Trade Center and the Pentagon. The creation of DHS brought together 22 agencies with responsibility for securing the borders and coastal waters, transportation sector, ports, and critical infrastructure (such as telecommunications systems), among other things. In addition, DHS consolidated some nonsecurity agencies such as the Federal Emergency Management Agency's natural disaster response functions and maritime safety and drug interdiction by the Coast Guard. The creation of DHS was also intended to coordinate the sharing of homeland security information and foster closer coordination with federal agencies that were not incorporated into DHS, such as the Federal Bureau of Investigation (FBI) and the Department of State.

Under INS, and now within DHS, immigration enforcement and service are complex, multifaceted functions. Immigration enforcement includes, among other things, patrolling 8,000 miles of international boundaries to prevent illegal entry into the United States; inspecting over 500 million travelers each year to determine their admissibility; apprehending, detaining, and removing criminal and illegal aliens; disrupting and dismantling organized smuggling of humans and contraband as well as human trafficking; investigating and prosecuting those who engage in benefit and document fraud; and enforcing compliance with programs such as the Student and Exchange Visitor Information System (SEVIS) and the United States Visitor and Immigrant Status Indication Technology (US-VISIT). Immigration service includes providing services or benefits to facilitate entry, residence, employment, and naturalization of legal immigrants; processing millions of applications each year; making the right adjudicative decision in approving or denying the applications; and rendering decisions in a timely manner.

Some background about the long-standing management problems at INS is useful to set the stage for the transformation task DHS inherited. In this respect, over the years, we have written numerous reports that identified management challenges INS experienced in its efforts to achieve both effective immigration law enforcement and service delivery. In assuming the responsibility for immigration enforcement and services, DHS inherits

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many of these management challenges. For example, in 1997 we reported that INS lacked clearly defined priorities and goals and that its organizational structure was fragmented both programmatically and geographically. Additionally, after a reorganization in 1994, field managers still had difficulty determining whom to coordinate with, when to coordinate, and how to communicate with one another because they were unclear about headquarters offices' responsibilities and authority. We also reported that INS had not adequately defined the roles of its two key enforcement programs—Border Patrol and investigations—which resulted in overlapping responsibilities, inconsistent program implementation, and ineffective use of resources. INS's poor communication led to weaknesses in policies and procedures. In later reports, we reported that broader management challenges affected efforts to implement programs to control the border, deter alien smuggling, reduce immigration benefit fraud, reduce unauthorized alien employment, remove criminal aliens, and manage the immigration benefit application workload and reduce the backlog.<sup>7</sup>

INS was abolished, effective in 2003, by the Homeland Security Act of 2002,<sup>8</sup> and its functions were transferred to three agencies within the Department of Homeland Security. INS's Immigration Services Division, responsible for processing applications for immigration benefits, was placed in CIS, which reports directly to the Deputy Secretary of DHS. INS's interior enforcement programs—investigations, intelligence, and detention and removal—were placed in ICE. Within ICE, investigators and intelligence analysts from former INS and the U.S. Customs Service were merged into the investigations and intelligence offices, while staff from former INS's detention and removal program were placed in the detention

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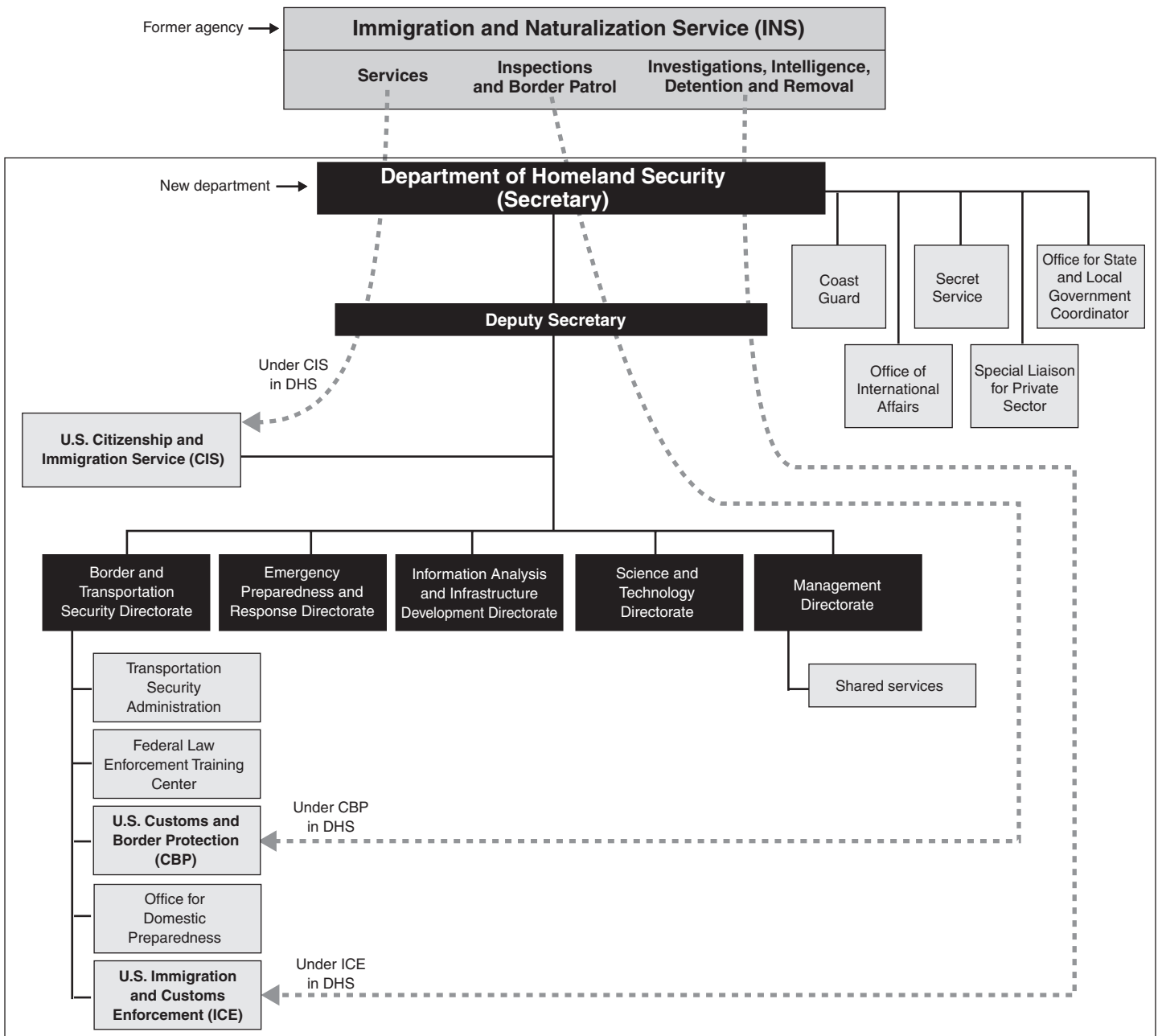
<sup>7</sup>GAO, *INS's Southwest Border Strategy: Resource and Impact Issues Remain after Seven Years*, [GAO-01-842](#) (Washington, D.C.: August 2, 2001); GAO, *Alien Smuggling: Management and Operational Improvements Needed to Address Growing Problem*, [GAO/GGD-00-103](#) (Washington, D.C.: May 1, 2000); GAO, *Immigration Benefit Fraud: Focused Approach Is Needed to Address Problems*, [GAO-02-66](#) (Washington, D.C.: January 31, 2002); GAO, *Immigration Enforcement: Challenges to Implementing the INS Interior Enforcement Strategy*, [GAO-02-861T](#) (Washington, D.C.: June 19, 2002); GAO, *Criminal Aliens: INS' Efforts to Identify and Remove Imprisoned Aliens Need to be Improved*, [GAO/T-GGD-97-154](#) (Washington, D.C.: July 15, 1997) and *Criminal Aliens: INS's Efforts to Identify and Remove Imprisoned Aliens Continue to Need Improvement*, [GAO/T-GGD-99-47](#) (Washington, D.C.: Feb., 25, 1999); GAO, *Immigration Benefits: Several Factors Impede Timeliness of Application Processing*, [GAO-01-488](#) (Washington, D.C.: May 4, 2001).

<sup>8</sup>P.L. 107-296, Sec. 471(a).

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and removal office. CBP incorporated inspectors from former INS, Customs, and Agriculture and Plant Health Inspection Service, as well as former INS's Border Patrol agents. CBP and ICE both report to the Undersecretary for Border and Transportation Security, who in turn reports to the Deputy Secretary of the DHS. See figure 1 for the organizational position of immigration programs in DHS.

**Figure 1: Immigration Programs in DHS**



Source: GAO analysis of President's fiscal year budget, PL. 107-286.

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CBP, CIS, and ICE each have a separate chain of command and field structure. Under former INS, there were 33 district offices, each headed by a district director, who had responsibility for adjudications, detention and removal, inspections, intelligence, and investigations. In DHS, the responsibilities of the 33 district offices under the former INS were distributed among 33 CIS district offices, 27 Special Agent in Charge investigations field offices, 22 detention and removal field offices, 20 CBP offices for field operations (that oversee about 300 land, sea, and air ports of entry), and 6 field intelligence units. The former INS's 20 border patrol sectors remained intact.<sup>9</sup>

CBP brought together INS and Customs inspections programs that, prior to the transition, largely worked side by side in many land ports of entry around the country and that shared similar missions. CIS was a direct transfer of the Immigration Services Division within INS, and the program remained largely intact. In contrast, ICE is a patchwork of agencies and programs that includes INS's investigations and intelligence programs, Customs' investigations and intelligence programs, Customs' air and marine interdiction division, the Federal Protective Service, and the Federal Air Marshals. In combining the investigations programs, ICE has been tasked with merging INS investigators who specialized in immigration enforcement (e.g., criminal aliens) with Customs investigators who specialized in customs enforcement (e.g., drug smuggling). The integration of INS and Customs investigators into a single investigative program has involved blending of two vastly different workforces, each with its own culture, policies, procedures, and mission priorities. Both programs were in agencies with dual missions that prior to the merger had differences in investigative priorities. For example, INS primarily looked for illegal aliens and Customs primarily looked for illegal drugs. In addition, INS investigators typically pursued administrative violations, while Customs investigators typically pursued criminal violations.

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<sup>9</sup>In addition to the 33 district offices, CIS also runs four Service Centers, three regional offices, eight asylum offices, and a number of application support centers, and sub-offices. The SAC offices also have subordinate and smaller Resident Agent in Charge (RAC) offices that report to them. Each of the 20 Border Patrol sectors has subsector stations within its geographical area.

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## Communication and Coordination Generally Considered Good or Excellent by Program Officials, yet Some Cite a Need for Clearer Guidance on Roles and Responsibilities

Most field officials with whom we spoke in CBP, CIS, and ICE characterized communication and coordination with their local counterparts as good or excellent. Officials also said that positive relationships were primarily based on previous working relationships built while the programs— particularly inspections, detention and removal, and adjudications—were all within one agency, INS or Customs. About a quarter of the officials we interviewed across the immigration programs in CBP, CIS, and ICE also said that they would like a clearer understanding of the roles and responsibilities of each program. Those ICE officials who characterized communication and coordination as fair to poor attributed the inability to resolve their problems to various reasons, depending on the program; these included a lack of communication or conflicts in roles with the Border Patrol and the intelligence program’s distance from, and production of useful work for, the SAC offices. Near the end of our work, some headquarters and field officials in CBP, CIS, and ICE told us efforts were under way, and agreed upon, to clarify issues related to roles and responsibilities that have arisen.

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## Most Officials Reported Positive Communication and Coordination among Programs

Communication among CBP, CIS, and ICE occurs at the headquarters and field level in different ways. All three bureaus have liaisons at the headquarters level. For example, ICE has liaisons to CBP and CIS that serve as points of contact and facilitators in convening the appropriate officials for discussions on cross-cutting issues, and ICE’s liaisons are to contact those agencies’ liaisons should ICE initiate discussions. In the field, officials in CBP, CIS, and ICE said they typically used meetings to maintain contact with one another, although the frequency of meetings varied—from not at all to bimonthly—and there are no requirements for field officials to meet regularly. Officials who said that they met regularly also said that they found these meetings to be useful in sharing information and addressing issues that cut across programs.

Overall, most field officials we contacted who responded to this question in CBP, CIS, and ICE characterized communication and coordination among their programs as good or excellent. Most SACs and ASACs said that communication and coordination with CBP’s inspections, CIS’s adjudications, and ICE’s detention and removal programs were good or excellent. On the other hand, about one-third of SACs and ASACs who responded to this question believed that communication and coordination with CBP’s Border Patrol and ICE’s intelligence programs were fair to poor. Some officials said they expressed this view concerning communication and coordination with the Border Patrol because there were conflicts or overlaps in roles and responsibilities or a lack of



communication. SACs and ASACs who characterized communication and coordination with ICE's intelligence program as fair or poor said they did so for such reasons as the intelligence office was not in close proximity to the SAC office or they did not feel that intelligence analysts were producing analyses useful to the SAC office. Table 1 presents the responses by ICE's SACs and ASACs regarding communication and coordination with CBP, CIS, and other ICE programs.

**Table 1: Summary of Interview Responses by ICE's SACs and ASACs Regarding Communication and Coordination with CBP, CIS, and other ICE Programs**

Communication between ICE field offices and					
Rating	CBP: Border Patrol	CBP: Inspections	CIS: Adjudications	ICE: Detention and removal	ICE: Intelligence
Good or excellent	21 (70%)	41 (91%)	36 (88%)	35 (83%)	28 (68%)
Fair or poor	9 (30%)	4 (9%)	5 (12%)	7 (17%)	13 (32%)
<b>Total</b>	<b>30 (100%)</b>	<b>45 (100%)</b>	<b>41 (100%)</b>	<b>42 (100%)</b>	<b>41 (100%)</b>

Source: GAO survey.

Note: Data are based on 40 telephone interviews and 9 face-to-face interviews with SACs and ASACs. We did not include responses from the 2 SACs and 2 ASACs in the Baltimore and Arlington SAC offices, as our interviews with them were preliminary and the questions were not close ended. The total number of SAC and ASAC interview responses varies for several reasons: (1) One SAC office had two ASACs; (2) we did not interview one SAC who was new to his position; and we did not interview an ASAC who was also new to his position. Additionally, the total responses for each category varied because not all SACs and ASACs responded to all of our questions.

Many SACs and ASACs indicated that their positive views of communication and coordination with staff from other programs were primarily based on previous working relationships built while the programs were all in INS or Customs. In addition, officials we contacted in CIS and CBP, and other officials in ICE, said that they also relied on working relationships that existed before the transfer to facilitate communication and coordination on cross-cutting issues. Those SACs and ASACs who responded that they relied to a little or no extent on pre-existing working relationships said that they provided such a response because they did not have a prior relationship to rely upon. In addition, such informal means of maintaining communication and coordination among program officials, while helpful, can be short-lived as personnel retire or resign. For the long term, processes that provide a systematic way of building and maintaining such relationships among program staff provide better assurance of effective communication and coordination.

Providing guidance that outlines roles and responsibilities among the programs is one way of helping to achieve systematic maintenance of such

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relationships. In this respect, the headquarters offices for CBP, CIS, and ICE have issued some guidance on roles and responsibilities of certain aspects of the immigration programs. For example,

- CBP and ICE issued general guidelines on each bureau's roles and responsibilities regarding how they would transfer the assets of antismuggling investigators from the Border Patrol to ICE, and how they would handle antismuggling investigations after the transfer of these investigators to ICE. A memorandum jointly issued by CBP and ICE in April 2004 for SACs and Border Patrol sector chiefs in field locations outlined each program's basic responsibilities. ICE would assume responsibility for administrative support; funding of the antismuggling investigators; and all investigations and complex cases such as international in nature or related to organizations or national security. The Border Patrol would have lead responsibility for cross-border and border-related interdiction activities, such as surveillance to interdict illegal border crossings. According to CBP officials, the intent of the memorandum was in part to provide each program with a basic framework for working together.
- CBP and CIS convened a working group to decide who would correct mistakes on aliens' arrival and departure forms. Several advocacy groups argued in the months following the transfer that as a result of the dispersal of immigration programs across DHS agencies, aliens entering the country did not know who to go to if an error was made on their arrival/departure form. The two bureaus agreed that an alien must seek an official in CBP to correct a CBP mistake, and a CIS official to correct a CIS mistake. Additionally, CBP and CIS agreed that if an alien seeking a correction inquires at the wrong office, then that person is to be directed to the appropriate authorities for making the correction. CBP and CIS officials provided us with this policy in written memos dated March 31, 2004, and March 30, 2004, respectively, that they said each bureau provided to its staff.
- CIS issued guidance to its field offices in December 2003 stating that its Office of Fraud Detection and National Security is to serve as the focal point and clearinghouse for requests from law enforcement agencies for benefits or "cover" documents.<sup>10</sup> The guidance outlined the procedures that CIS is to use in responding to law enforcement agencies outside DHS

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<sup>10</sup>"Cover" immigration documents are those used by law enforcement confidential informants or cooperating witnesses, for example, in furtherance of a particular investigation or intelligence collection effort. These documents are not actual benefits.

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(for example, the FBI and Drug Enforcement Agency) that want to provide benefits for aliens they have brought into the country as witnesses in a criminal case or as informants.

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### Some Field Officials Expressed a Need for Additional Guidance on Roles and Responsibilities

Notwithstanding the above guidance, some officials we contacted across CBP, CIS, and ICE said that they would like a clearer understanding of the roles and responsibilities of each program. In addition, some difficulties with coordination cannot be resolved locally or by pre-existing working relationships because they reflect a lack of clarity in the programs' roles and responsibilities and impede communication and coordination between them. For example, four SAC officials were unsure how the role of the senior inspector, inherited from INS and now in CBP, would affect ICE investigators' roles in conducting investigations in the ports of entry.<sup>11</sup>

CBP has stated that cases are not always referred to ICE by the senior inspectors, and there is no CBP policy to refer such cases to ICE. This is because some cases concern immigration violations related only to attempted illegal entry at a port of entry and as such are CBP matters regarding admissibility, not ICE interior enforcement matters. According to CBP headquarters officials responsible for inspections, the bureau is exploring the concept of expanding the senior inspector position to address broader types of investigations rather than only immigration matters, but the role of the senior inspector in relation to the role of ICE investigators has not yet been determined.

Additional examples included problems (1) between ICE investigations and CBP's Border Patrol in negotiating controlled deliveries, (2) between ICE investigations and CIS in the area of benefit fraud, and (3) among CBP, CIS, and ICE in the area of issuing paroles to aliens.<sup>12</sup>

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<sup>11</sup>The senior inspectors, in addition to performing the duties of the CBP officer, present criminal cases to the United States Attorney regarding certain potential criminal immigration violations that occur at ports of entry. Such criminal violations are, for example, re-entry after removal and alien smuggling and involve an administrative removal action and a potential criminal case.

<sup>12</sup>Benefit fraud includes the willful misrepresentation of a material fact to gain an immigration benefit in the absence of lawful entitlement. Benefit fraud includes such schemes as marriage fraud and non-immigrant visa fraud.

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Controlled Deliveries Have  
Reportedly Been Hampered by  
Communication and  
Coordination between Border  
Patrol and ICE

According to some of the field officials we contacted, how the Border Patrol and ICE should communicate and coordinate with each other on controlled deliveries had not been fully defined. An ICE official told us that prior to the transition, this technique was used by both INS and Customs agents and, while INS typically coordinated with the Border Patrol, Customs agents, because they were often dealing with narcotics, did not necessarily coordinate with INS unless the controlled delivery was going through Border Patrol checkpoints. Based on what we were told, since the transition, ICE and the Border Patrol have had conflicting positions that hamper communication and coordination about controlled deliveries. Border Patrol officials we contacted stated that their mission is to prevent and detect illegal entry of persons or contraband between ports of entry. Some ICE investigators we contacted said that they believe, on the other hand, that in order to dismantle smuggling organizations—one of ICE's priorities—they need to do more than arrest the individual drivers or couriers. We talked with ICE officials in one field office who told us that there have been occasions when the Border Patrol deployed additional agents to an area after learning that ICE intended to conduct a controlled delivery. ICE investigators stated that this not only can hinder the accomplishment of their mission but potentially puts ICE investigators at risk. This is because Border Patrol agents can unsuspectingly encounter an undercover ICE agent in the course of interdicting persons attempting to cross the border, and if a gunfight ensues, the undercover ICE agent risks revealing his or her identity to the smugglers, or the ICE and Border Patrol agents risk injuring each other. A Border Patrol chief and deputy chief we interviewed stated that if CBP headquarters issued a formal memorandum stating that controlled deliveries by ICE were allowed, they would be willing to coordinate with local ICE managers.

A Border Patrol official in headquarters told us that after the terrorist attacks on September 11, former Customs investigators began to lead operations on the border and between ports of entry, and saw their program as having authority to conduct operations on the border. When these investigators transitioned to ICE in March 2003, both agencies eventually sought to clarify their roles and responsibilities concerning controlled deliveries. The two bureaus formed a working group to do this in April 2004.

An outcome of the working group discussions, according to CBP headquarters officials, is that Border Patrol and ICE plan to issue guidance

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in the form of a memorandum of understanding concerning the general roles and responsibilities of their respective staffs for controlled deliveries.<sup>13</sup> This new guidance, according to the Border Patrol official in headquarters who chaired the working group, is to state that all controlled deliveries between ports of entry have to be approved by the local Border Patrol chief, who will make a decision based on guidance from headquarters. Additionally, according to this same official, the guidance will state that the Border Patrol will have the responsibility, during controlled deliveries, for inspections to ensure that there are no weapons of mass destruction, for example, in vehicles or on persons in addition to the known smuggled goods or persons. Officials told us the guidance will also outline a process for grievances when local managers cannot agree. Border Patrol officials said they did not have a date when the guidance would be finalized, but that as of August 2004, a final draft was sent to CBP's Commissioner to be signed, after which ICE's Assistant Secretary would be given the draft for signature.

Focus of Benefit Fraud Investigations Reported as a Source of Disagreement among CIS and ICE Field Officials

At the time of our site visits, how ICE and CIS should communicate and coordinate with each other in cases of suspected benefit fraud has not been formally defined by either CIS or ICE headquarters, and the field officials we contacted said that this has caused disagreement among CIS and ICE field officials. The difficulty between CIS and ICE investigations regarding benefit fraud is not new. We have noted in a past report that INS had numerous problems related to its enforcement of benefit fraud, including a lack of protocols for adjudicators and others in coordinating benefit fraud and a lack of criteria for investigators in prioritizing benefit fraud cases.<sup>14</sup> Prior to the transition, INS had begun to place a priority on investigating benefit fraud perpetrated by large-scale organizations or persons of special interest, and this priority has continued under ICE. As a result, some CIS field officials told us that ICE would not pursue single cases of benefit fraud. ICE field officials who spoke on this issue cited a lack of investigative resources as to why they could not respond in the manner CIS wanted. For example, one ASAC acknowledged that CIS depended on ICE to go forward with leads on benefit fraud but said that

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<sup>13</sup>The guidance is also to cover other issues, such as Title 21 authority (covers the importation, distribution, manufacture, and possession of illegal narcotics), asset forfeiture, and sharing of intelligence and information.

<sup>14</sup>Investigators in both INS's service centers and district offices investigated possible benefit fraud on the basis of information that they received from staff who processed benefit applications (adjudication officers), other INS investigative units, INS regional units, the public, and other federal and local law enforcement agencies.

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his office could not commit large numbers of investigators to benefit fraud until more investigators were cross-trained. An ASAC and group supervisor in another office also cited the lack of investigators to address benefit fraud and acknowledged that the vast majority of the CIS cases referred to that ICE office were not investigated because of this lack of resources.

According to CIS officials, adjudicators refer single cases of benefit fraud to ICE, in part because they rely on ICE to conduct database checks on systems CIS adjudicators cannot access. For example, ICE's Treasury Enforcement Communications System (TECS) may have information on individuals that could help adjudicators determine whether to approve or deny an application for benefits.<sup>15</sup> However, CIS officials in three cities we visited stated that the applicants' files they send over to ICE are sometimes kept without notification of whether an investigation was initiated or not by ICE investigators for long periods of time. An ICE official in headquarters responsible for managing benefit fraud explained that SAC offices may investigate single cases of alleged fraud but the extent to which that is done depends on the assessment of the SAC office's staff resources and the priorities of the local U.S. Attorney's Office.<sup>16</sup> Without having information from ICE that might form the basis for denying an application, CIS still has the responsibility to adjudicate the application and instead may even approve applications or take other temporary action when fraud is suspected. For example, in one office we visited, CIS officials said that they had 154 cases of alleged benefit fraud that they had referred to ICE since June 2003. They said they had not received responses from ICE on the status of these cases or whether ICE intended to investigate them. In the interim, CIS officials said, their office could not close the cases and instead had been granting the suspect

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<sup>15</sup>TECS was developed and maintained by the Customs Service (U.S. Department of the Treasury), and is a mainframe-based enforcement and inspection support system that prior to the transition was used by Customs, INS inspectors and intelligence analysts, and other federal agencies. The system was developed to store information about people who are of interest to law enforcement agencies so that their entry into the United States may be monitored or, if necessary, prevented.

<sup>16</sup>We previously reported in GAO, *Immigration Benefit Fraud: Focused Approach Is Needed to Address Problems*, GAO-02-66, (Washington, D.C., January 2002) that U.S. attorneys accept fraud cases under established prosecutorial priorities and resource availability and that the priority on fraud varies among the U.S. attorney's offices around the country.

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applicants temporary employment authorization or advance parole.<sup>17</sup> One CIS manager and one ICE manager in the field indicated that while dismantling large-scale smuggling rings is important, single cases of benefit fraud can have national security implications. For example, a person who is allowed to remain in the country as a result of committing marriage fraud can become a naturalized citizen in 3 years and facilitate the entry of other persons into the United States who could possibly pose security risks. CIS and ICE officials in headquarters agreed that benefit fraud was important to national security as well as the integrity of the immigration process. CIS officials in three cities told us that ICE's lack of responsiveness to some CIS referrals for benefit fraud investigations hindered their ability to meet their district and bureau goals for reducing the backlog of applications.

While challenges were reported, there have been efforts by ICE and CIS to address benefit fraud. After the transition, CIS created a Fraud Detection and National Security office devoted to deterring fraud. ICE has established Benefit Fraud Units composed of investigative assistants and intelligence analysts who were working in CIS's three regional offices and in the three of the four CIS service centers (who were working in these offices prior to the transition).<sup>18</sup> CIS has Fraud Detection Units composed of adjudications staff in its four service centers who process applications, analyze applications to identify trends in fraud, and refer potential benefit fraud cases to ICE. ICE investigative assistants and intelligence analysts, in turn, are to refer cases to the local SAC investigations offices. Two CIS offices we visited were referring potential benefit fraud cases through this new process. Alternatively, in the other four offices we visited, CIS adjudicators were directly referring benefit fraud cases to local ICE investigators, who must determine whether to reject, postpone, or pursue the cases.

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<sup>17</sup>Advance parole is a benefit that allows an alien residing in the United States (in other than lawful permanent resident status) to gain permission to travel out of and return into the United States when the conditions of the alien's stay do not otherwise allow for re-admission after departing the United States.

<sup>18</sup>ICE has Benefit Fraud Units in the Texas, Vermont, and California Service Centers. Now under CIS, the former INS's four Service Centers—California, Nebraska, Texas, and Vermont—were created in 1990 to help reduce application backlogs in the district offices. Service Centers process 35 types of applications, including petitions for permanent and temporary workers, petitions for admission of spouses, and applications for employment-based adjustment of status to permanent resident. The Service centers also share responsibility with the District offices for processing naturalization applications.

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Headquarters officials from CIS and ICE told us that the two bureaus were planning to do more to address benefit fraud. These officials told us that CIS and ICE are working on a memorandum of understanding that will document the creation of standard protocols for adjudicators to refer and investigators to accept, alleged cases of benefit fraud (including time frames for ICE in responding to CIS) and for CIS and ICE to communicate and coordinate in matters involving benefit fraud. Additionally, CIS created a new fraud position description to address single cases of fraud, and a CIS official told us that as of August 2004, the agency has hired 95 of 100 newly funded staff positions to work on benefit fraud and some of these staff have completed one training course at the Federal Law Enforcement Training Center (FLETC).<sup>19</sup> In addition, while neither official knew when the memo of understanding would be final, in the interim, CIS and ICE have established time frames for SAC offices to review fraud referrals for criminal investigation.

**CBP, CIS, and ICE Lack Formal Guidance for Addressing Overlapping Responsibilities for Parole**

CBP, CIS, and ICE have the authority to grant aliens parole—temporary admission into the United States for such reasons as humanitarian purposes, public benefit (e.g., participating in a legal proceeding for the U.S. government), or for further inspection. A CIS official told us that the authority to make decisions regarding parole, under former INS, rested with the district director, who had responsibility for all of the immigration programs. However, since the transition, CBP, CIS, and ICE had yet to make formal the roles and responsibilities for each program regarding who has authority to grant parole and when it is most appropriate for one agency rather than the other to make decisions about a parole application. Without this guidance on roles and responsibilities, CBP, CIS, and ICE officials in local areas were making determinations as to how the parole process will work. For example, in one city we visited, as a result of monthly meetings, ICE investigations, CBP inspections, and CIS coordinated a panel of representatives from their local offices to review the applications or requests for parole and, depending on the facts of each case, decided what program would make the decision for granting parole to aliens. By contrast, in another city we visited, CBP and CIS were unsure as to who had the authority to make decisions about parole. CBP officials in headquarters who are responsible for inspections told us that the current practice is that the bureau that has possession of the person

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<sup>19</sup> According to a CIS official, every district office, service center, and asylum office will receive at least one of these positions, and large district offices will receive several positions.



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makes the decision about parole, and while there are ongoing discussions among managers in the three bureaus regarding authority, there have not been final decisions. In August 2004, CBP and ICE headquarters told us that the two bureaus have now drafted protocols regarding parole and that the completion of the protocols is contingent upon a decision by DHS on the placement and funding of the Parole and Humanitarian Assistance Branch. In commenting on a draft of this report, DHS said that the issues regarding parole operations have now been resolved.

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## Some Steps Taken and Some Steps Remain to be Completed in Integrating Immigration and Customs Investigators into ICE

SAC offices have taken initial steps toward integrating the former INS and Customs investigative workforces. However, most SAC officials and investigators we spoke with said that one or more steps that are important for full integration remain to be completed. While officials in some SAC offices said they have not received enough specific guidance, such as performance measures from ICE headquarters on how to gauge their progress in merging INS and Customs investigators, many of the ones we contacted said there are some common initial steps SAC offices have completed in integrating investigators.<sup>20</sup> These include (1) assigning former INS and Customs investigators to work together in mixed investigative groups, (2) providing formal and on-the-job cross-training to investigators so that former INS investigators can perform the functions of former Customs investigators and vice versa, and (3) establishing pay parity for all former INS investigators and supervising investigators. Many SAC officials with whom we spoke also noted that several important steps to fully integrate former INS and Customs investigators remain to be taken. These include (1) co-locating former INS and Customs investigators so their offices are in the same building, (2) establishing uniform ICE policies and procedures, and (3) issuing symbols for ICE's Office of Investigations that identify all ICE investigators as being part of one agency. ICE headquarters officials told us in August 2004 that efforts are under way to address all of these steps.

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<sup>20</sup>In an interview with ICE headquarters officials in July 2004, we were told they are just starting to provide guidance to SAC offices on integration and only doing so on a case-by-case basis.

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## Mixing Investigative Groups, Classroom-Based Cross-Training, and Pay Parity Are among the Initial Steps Reported in Integrating INS and Customs Investigators

Of the 49 SACs and ASACs who responded to our question, 27 stated that investigators in their offices had been integrated to a great or moderate extent; 15 said they had been integrated to some extent, and 3 said they had been integrated to a little extent. SACs and ASACs who responded to our question indicated they had generally maintained the investigative focus that existed before the merger (e.g., groups continued focusing on money laundering, strategic investigations, and benefit fraud) but had mixed or intended to mix some of the former INS and Customs investigators into these investigative groups. An ICE official in headquarters said that the extent to which investigative groups would be integrated has been left up to individual SACs, and the characteristics of some geographic locations may make integration more difficult. Eleven SACs said they were working toward having former INS and Customs investigators work within mixed investigative groups. One SAC noted that he did not want to integrate investigators and group supervisors until they were formally cross-trained—training where former INS and Customs investigators learn the laws and regulations of each other’s discipline from experienced lawyers and trainers.<sup>21</sup>

Ten of 49 SACs and ASACs we spoke with indicated that former INS and Customs investigators in their offices were being assigned to work with one another on a case-by-case basis, and two of these said mixing of investigators in this way provided the investigators with opportunities to learn each other’s discipline through on-the-job-training. Such opportunities included having a joint duty roster where investigators from each former discipline responded to a call for an investigation together and having some investigators from former INS and Customs work in the same investigative groups.<sup>22</sup> Eleven of 49 SACs and ASACs we contacted told us their offices had a joint duty roster such that investigators from different former agencies responded to cases together and learned from one another on the job. In one of the SAC offices, we were told that investigators from the former INS and Customs respond together to calls for investigations, but former Customs investigators process immigration-related cases and customs-related cases are processed by former INS

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<sup>21</sup>Group supervisors are senior special agents responsible for overseeing an investigative group of 8 to 12 special agents in a particular investigative field, such as benefit fraud, antismuggling, or money laundering.

<sup>22</sup>Before the transfer, both INS and Customs investigations programs rotated agents on a roster to serve 24-hour shifts to respond to issues that arose, for example, at the ports of entry or after regular business hours.

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investigators so they can learn the policies and procedures of the other discipline in a real-life setting.

SACs and ASACs we spoke with said that in addition to on-the-job training, formal cross-training is key to eventually creating a unified workforce. ICE headquarters issued a cross-training curriculum to all SAC offices in January 2004 with a deadline for all investigators to complete cross-training by September 30, 2004. ICE headquarters officials did not set a deadline for the completion of training for group supervisors or senior managers, although these persons could choose to participate in the investigator training.

ICE officials responsible for developing the cross-training curriculum indicated that the intent of the cross-training was to ensure that all investigators from the former agencies were prepared to address all components of ICE's mission. The investigators are to participate in 8 days of classroom training, taught by investigators and attorneys, covering both legal and operational issues of the other discipline. For example, former INS investigators receive training in areas such as commercial fraud investigations, financial investigations, trade compliance, and drug smuggling, while former Customs investigators receive training in areas such as determining citizenship, benefit and document fraud, initiation of removals, and alien detention. Investigators must pass, with a score of 70 percent or higher, a series of nine written tests in order to be certified as cross-trained. As of late August 2004, ICE headquarters reported that 2,175 out of approximately 5,400 former INS and Customs investigators had taken and passed at least one of the nine exams, including 1,210 former INS and Customs investigators who had fully completed cross-training. In August 2004, ICE headquarters said that they still expected most investigators to complete the cross-training and nine examinations by the September 30, 2004, deadline.<sup>23</sup>

ICE officials cited the achievement of pay parity between former INS and Customs investigators as one of the successes of the merger. Prior to the merger and for approximately a little more than a year after the transfer, former INS investigators and their supervisors were paid at a lower grade level than their counterparts from former Customs. Specifically, most

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<sup>23</sup>There are a limited number of agents who are unable to complete cross-training as they are on detail assisting the United States Secret Service in carrying out protective duties during this election year or are assisting in training the Federal Air Marshal Service.

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former INS investigators were paid at the GS-12 pay grade and most former INS group supervisors were paid at the GS-13 grade; most former Customs investigators were paid at the GS-13 grade and most former Customs group supervisors were paid at the GS-14 grade. In our site visits and during telephone interviews, many ICE officials, including most former INS investigators, said that the lack of pay parity had affected morale, made former INS investigators feel as if they were second class, and made integrating the investigative groups more difficult as the former INS investigators were doing the same work for less pay. In April 2004, DHS approved an upgrade from GS-12 to GS-13 for the majority of former INS investigators, and in June 2004 approved an upgrade from GS-13 to GS-14 for the majority of former INS group supervisors. Investigators and group supervisors we spoke with after pay parity went into effect said they believed morale had increased since pay parity was implemented, and former INS investigators felt they are now equal to their former Customs counterparts.

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### Many Officials Stated That Important Steps to Fully Integrate Investigators Remain to Be Completed

Twenty-one SACs and ASACs we spoke with stated that other efforts important to integration — such as co-locating all ICE investigators in a given field location so they are in one building, establishing uniform operational policies and procedures, and “branding” ICE’s Office of Investigations with symbols that identify investigators as belonging to one agency — have been delayed.

### Complete Co-Location Has Not Yet Been Achieved

According to 19 of 49 SACs and ASACs we contacted, one of the obstacles to integration has been the fact that numerous investigators from former INS and Customs have continued to work in separate locations. Although INS’s and Customs’ investigations programs were merged into ICE, former INS investigators generally continued to work in former INS buildings, and former Customs investigators generally continued to work in former Customs buildings. Eight SACs and ASACs with whom we spoke noted that the lack of co-location of former INS and Customs investigators perpetuated the view among investigators that ICE is not yet integrated. For example, 3 officials said that creating a unified organization is difficult when members of a work group—8 to 12 investigators—are dispersed in different offices, sometimes miles apart. Some SAC officials reported they have moved some investigative groups, such as the benefit fraud and criminal aliens, to the same buildings in an effort to better co-mingle former INS and Customs investigators. Officials in some other locations told us this has not been possible because of lack of space. Fourteen of 20 SACs we spoke with by phone noted that their offices have been unable to co-locate former INS and Customs investigators because space in their

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current buildings was limited and building leases were signed before the transfer or because they could not secure additional funding from DHS to lease new buildings before existing leases expire. An ICE headquarters official said there are a few SAC offices that are completely co-located and there are additional SAC offices that have submitted co-location plans to ICE headquarters and requested additional space. This official also said that ICE will begin to co-locate offices that have had Occupational Safety and Health Administration violations or where leases will soon expire, and the goal is to have all SAC offices co-located in the next 5 to 7 years. ICE headquarters officials recently estimated that complete co-location immediately would cost about \$150 million.

Lack of Uniform Policies and Procedures for Some Operations Reportedly Causes Confusion and Hinders the Creation of a New Culture

Some officials told us that ICE has been slow to establish uniform operational policies and procedures, causing confusion and some delay in the creation of a new unified ICE culture. Policies and procedures on such things as the use of firearms or the steps to take when investigators are involved in car accidents while working in an official capacity vary between former INS and Customs investigators. In the absence of uniform policies and procedures, ICE headquarters officials said they directed SAC offices to continue to use former policies from both INS and Customs, applying the policy from the former agency to the agent from that agency. SAC officials from some offices said they have created new local office policies for all ICE investigators.

One SAC official said that a lack of unified operational policies and procedures has in some cases resulted in confusion or the establishment of local policies. Other SAC officials told us this can be problematic if investigators working together are relying upon different policies and procedures to carry out their investigative work. In one city, we were told that two investigators—one from the former INS and one from the former Customs—were involved in an auto accident. The former agencies had different procedures for filing paperwork on an accident, and no one knew which policy to follow. The SAC made a local decision to use the policy of the driver's former agency. In another city, the SAC decided to adopt a former Customs policy concerning making an arrest at a residence. Customs policy had called for a minimum of four investigators in making an arrest, while INS did not have a policy on the minimum number of investigators required for an arrest. The former INS investigators and supervisors said they did not understand the rationale for this policy, given the volume of arrests they typically had in a day. Officials in ICE headquarters explained the rationale to us, stating that under INS investigators often engaged in administrative arrests of individuals for administrative crimes, such as visa overstays or document fraud. Under

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Pending Name Change Caused  
Delay in Creating a Unified ICE

ICE, they said investigators are often engaging in criminal law enforcement arrests and possibly arresting more dangerous suspects. As a matter of officer safety, ICE requires that investigators work in groups of four when making an arrest. Knowing this rationale may have helped the former INS staff avoid confusion over this change. Additionally, ICE headquarters officials told us that the investigations program prioritized the establishment of uniform policies, for example, focusing on a unified policy for undercover operations. These headquarters officials also said that, in the interim, SAC offices were instructed by ICE headquarters to use the policy of the former agencies.

After more than a year as ICE, field officials said that investigators and managers were continuing to use their former agency badges and credentials, and ICE headquarters officials had spent months waiting on a request for a name change.<sup>24</sup> Some SACs we spoke with said that at the time we contacted them, ICE still did not have the public identifiers that separate it from the former agencies of which it is composed. We were told that incomplete branding of the agency with a unique logo has at times contributed to frustration and embarrassment.<sup>25</sup> Some of the former INS investigators and managers we spoke with said that the delay in branding ICE has held up the creation of a unified ICE agency.

According to officials at ICE headquarters, one element in the process of establishing ICE is to brand it with a unique identity by creating badges, raid jackets, business cards, and other identifying materials or symbols. When DHS was created, INS staff were directed to retire all emblems and paraphernalia. However, Customs was not given the same orders. In some ICE offices, we observed Customs emblems and paraphernalia on display. In another example of the divide between INS and Customs, in one city we visited, former Customs investigators had created a mock-up of the new

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<sup>24</sup>For a number of months ICE delayed issuing new badges, credentials, name signs, business cards, and other printed material because of a pending request for a name change. ICE formally requested a name change—to Investigations and Criminal Enforcement—to more accurately reflect the work of all ICE divisions, as well as to further remove the agency from the legacy immigration and customs brands. In late June 2004, the Assistant Secretary for ICE announced that it was clear the name change would not be approved in the near future and ICE would go forward with the procurement of new badges and credentials.

<sup>25</sup>DHS defines *branding* as all the things and symbols that create the recognition for an agency. Branding provides an organization with an identity and provides information to others about what that agency is.

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ICE badge that they said was for former INS investigators, which referred to the INS investigators as “Junior Officers” of the U.S. Customs Service.

During one site visit, a group of former INS investigators we spoke with questioned why headquarters had been so slow to implement branding, and one investigator said the branding should have been completed prior to the transition or shortly thereafter. In another site visit, one investigator said this lack of an identity has proven to be frustrating and embarrassing when acting in an official capacity, such as testifying in court. One ASAC we spoke with said that he tried to board a plane with his weapon and was questioned by airline officials when he showed his INS badge to verify that he was law enforcement. Airline officials said that INS had been abolished, and the ASAC had to explain that ICE did not yet have its own badges. The ASAC was eventually allowed to proceed but said he knew this problem had plagued other investigators as well. In another example, an agent in one city said that he went out and purchased his own ICE raid jacket because he did not like having his authority questioned when he wore an INS raid jacket.

Most of the decisions about branding were made at the DHS level, and there are written guidelines for the use of the DHS seal and agency signatures for such things as business cards, letterhead, and flags.<sup>26</sup> According to an official in ICE headquarters who is responsible for branding, certain branding activities that are particular to ICE are in the final stages. At the time of our interview in July 2004 and confirmed in August 2004, ICE headquarters officials acknowledged the delay and said that raid jackets were made available for purchase locally in January 2004, badges will be issued beginning in September 2004, and uniforms were in the final stages of production.

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### Many See Positive Aspects of the Transition

Many of those we spoke with from both the former INS and Customs noted that there have been benefits to merging the INS and Customs investigations programs. They noted that combining the expertise of former INS and Customs investigators has provided expanded authority in conducting investigations and could contribute to more thorough investigations. Other SAC officials said that expanded authority has been beneficial in investigating money laundering in alien smuggling cases and

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<sup>26</sup>All agencies, with the exception of the U.S. Coast Guard and the Secret Service, are required to use the DHS seal and the agency's name as their logos.

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going after the assets of foreign-born persons running prostitution rings as they can now prosecute someone for multiple offenses. Four SACs and ASACs said they expect the benefits to increase as cross-training is completed and investigators more fully learn the expertise of the other former agency.

Former INS investigators we spoke with also noted beneficial aspects of the merger. Many of the former INS investigators we spoke with in our site visits said they are now able to concentrate on investigative work rather than services and they have received a pay increase to bring them up to par with the former Customs investigators. In one location, former INS investigators said that prior to the merger, the District Director would task investigators to assist with naturalization exams or to fill guard duties at district offices or ports of entry. In another location, former INS investigators said they now have more employees to carry out missions.

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## Many Officials Expressed Difficulty Understanding Administrative Services

Although DHS has issued guidance via Email on how administrative support shared services would function, several CBP, CIS, and ICE field officials told us that they were confused about what constitutes shared services, the processes for receiving services from a shared service provider, and how many of the administrative staff in their offices would be transferred to other offices. One official in headquarters told us in July 2004 that decisions about shared services were not completely resolved. Additionally, officials in all three agencies cited problems with administrative computer systems for travel, budget, and payroll—administrative functions that are handled by the individual bureaus and are not a part of shared services. As a result of several problems and changes that have occurred, according to officials in CBP, CIS, and ICE, some field offices have assigned administrative duties to inspectors, adjudicators or senior adjudications managers, or investigative staff because the office needed additional administrative support.

In an attempt to provide more efficient administrative mission support services, DHS is in the process of developing and implementing systems and processes called “shared services.” DHS initiated the shared services system in December 2003, making determinations about the realignment of approximately 6,100 administrative positions. In January 2004, the Undersecretaries for Management and Border and Transportation Security and the heads of CBP, CIS, and ICE signed an agreement finalizing the interbureau governance of shared services. In commenting on a draft of this report, DHS said that the Department encountered delays in the execution of service level agreement and resource allocation.

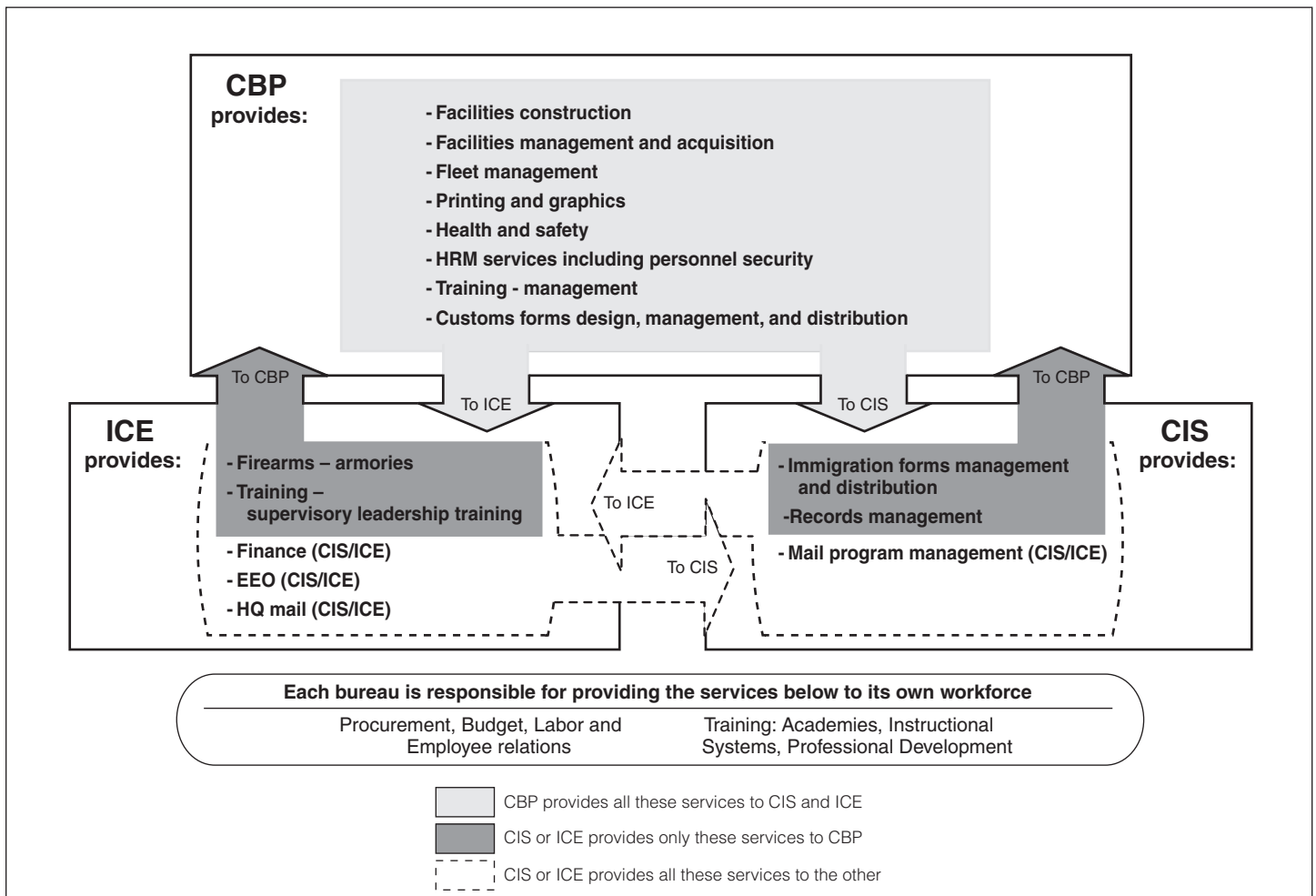


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Consequently, the implementation phase did not begin until late in the spring/summer of 2004. According a to DHS official, shared services is intended to represent a new model for government on delivering and managing administrative services.

DHS's shared services system utilizes four different approaches in providing and receiving services for CBP, CIS, and ICE staff. The shared services system's approaches are (1) each bureau provides its staff some of its own services itself, (2) one bureau provides a certain service to staff in all three bureaus, (3) one bureau provides a service to its own workforce and staff in one other agency while the third bureau provides that service for its own staff, and (4) each bureau provides selected services to its own workforce as well as to selected staff in other bureaus. For example, CBP is providing human resource management to its workforce, in addition to workforces in CIS and ICE. ICE is providing training for supervisors in ICE, CIS, and CBP but handles equal employment opportunity issues for only its own workforce, and CIS. CBP, CIS, and ICE are each providing their own workforces with procurement, budget, labor and employment relations, and professional development training, among other services. According to DHS officials, the decisions about which bureau would provide a certain service were made on the basis of an assessment of such factors as each bureau's adaptability to an increased workload, level of modernization, and historical expertise with each shared service. See figure 2 for a description of the services each bureau is to provide under shared services.

**Figure 2: Division of CBP, CIS, and ICE Roles Under DHS's Shared Services**



Source: GAO analysis of DHS data.

### Despite Communication about Recently Implemented Shared Services System, Officials Say Confusion Persists

A DHS briefing document and communication strategy indicated that through such means as the bureau's intranet, chain of command, memorandums, fact sheets, and video broadcasts, DHS would communicate the roles and responsibilities of CBP, CIS, and ICE for providing shared services. DHS provided us evidence that it has used some of these communication methods. However, a senior official at DHS told us in June 2004 (6 months after the initiation of shared services) that although a communication strategy was in place, communicating about shared services to the field is a work in progress. This official also said

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that it is the responsibility of the bureaus both receiving and providing services to communicate information about shared services to the field offices and staff. DHS officials also stated that the responsibilities of CBP, CIS, and ICE under shared services are still under development. One official who was involved in the formation of shared services told us that DHS would like to change some administrative functions that the bureaus currently handle for themselves—for example, procurement—into shared services. Further, even though CBP was designated as the provider of personnel services to CIS, the extent of that service is still in negotiation.<sup>27</sup>

Field officials told us that numerous officials in CBP, CIS, and ICE were uncertain about what constitutes shared services, the process for receiving services from a shared service provider, and which administrative staff would be re-aligned from their positions in local offices to work for providers of shared services. In our telephone interviews with SACs and ASACs, 33 of 40 said that their offices were experiencing problems with shared services to a moderate or great extent.<sup>28</sup> The 4 SACs and ASACs who said they were experiencing problems to little or no extent provided such reasons as not interacting with shared services providers or relying on the staff who assisted them prior to the initiation of shared services in December 2003.<sup>29</sup>

Our meetings with field officials in CBP, CIS, and ICE indicated that despite communication from DHS, field office officials varied in their understanding about what constitutes shared services. For example, one ASAC believed that shared services consisted of sharing resources, such as buildings and computer technology, rather than having one bureau provide a certain administrative service for the other two. Additionally, in April 2004, approximately 3 to 4 months after the initiation of shared services, four ICE officials and one CBP inspections official were not aware that this occurred.

Officials in four of the six sites we visited were unsure about who specifically to call or the process they were to use in obtaining a shared

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<sup>27</sup>CBP stated in September 2004 that the two bureaus finalized the agreement for shared services on July 2, 2004.

<sup>28</sup>The 9 SACs and ASACs we visited face-to-face were not asked the same question.

<sup>29</sup>Three SACs and ASACs said that they were experiencing problems with shared services to “some extent.”

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service from CBP, CIS, or ICE.<sup>30</sup> For example, after the person responsible for facilities was transferred to ICE, an official in a CIS district office did not know who to call for assistance with setting up vacant office space for CIS staff who were being moved to that location. This official ultimately learned that the process was not a shared service but was instead handled within CIS. A SAC official in another office we visited said he and administrative staff did not know how to obtain an authorization to repair a vehicle that had been damaged in an accident in October 2003. The officials initiated a purchase order request in November 2003 for services to repair the vehicle and submitted it to ICE. However, under the shared services system, CBP was designated responsibility for authorizing fleet repairs for CBP, CIS, and ICE. The SAC official said that he and administrative staff spent several months contacting multiple officials at CBP offices and ICE headquarters about approval for the repair and how to pay for it. In March 2004 the car was scheduled to be sold at an auction.<sup>31</sup> In late June 2004, CBP issued an informal policy, by Email to the SAC office, for receiving approval for repairs and invited the SAC office to resubmit a request (as it had been previously denied) if it had not already sold the car. Before SAC officials were informed of this process, we were told that the office paid approximately \$1,000 for storage of the vehicle and stopped saving the funds initially set aside for the repair.

In five of the six sites we visited, officials expressed uncertainty and unmet expectations about which administrative staff in their offices would be reassigned to shared services positions and transferred to other programs or agencies. The decision about the reassignment of administrative staff for shared services was made at the headquarters level by a working group of CBP, CIS, and ICE officials and led by DHS. For example, in one SAC office that we visited, approximately 50 administrative staff from former INS had been supporting CBP and CIS in addition to ICE, and all but 1 were moved because of the realignment of staff for shared services. Because the SAC had expected to retain 3 rather than 1 of the 50 administrative staff, he assigned administrative work to several investigators as a collateral duty. Administrative staff in one CBP office for field operations that we visited had received e-mail messages from CBP headquarters notifying them that, within a few days, they would be transferred to another program or bureau. We were told that some

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<sup>30</sup>We visited two sites before the official initiation of shared services in December 2003.

<sup>31</sup>The vehicle registered approximately 4,000 miles on the odometer at the time of the accident, and the repairs were valued at approximately \$6,500.

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reassignments came as a surprise and involved moving from one office building to another, but usually they were in the same general geographic location.

ICE provided us with a written statement explaining that it, along with CBP and CIS, could not begin delivering administrative services to one another under shared services until “reimbursable agreements”—the arrangement of costs and funding for a particular administrative service—were finalized. As such, this delayed notifications to administrative staff about reassignments and affected the agencies’ ability to provide information to the field.

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### Travel, Budget, and Other Computer System Problems Seen as Significant

Many officials we contacted in CBP, CIS, and ICE said that problems with travel and budget, and computer systems have at times adversely affected office operations. For example, because of problems with travel computer systems, many officials in ICE’s SAC offices said that staff are not receiving reimbursements. Thirty-two of 49 SACs and ASACs responding to our question about shared services cited Travel Manager—ICE’s off-the-shelf computer system for processing travel requests and vouchers—and/or the Federal Financial Management System (FFMS)—the computer system ICE SAC offices use to track their budgets—as significant administrative problems. Additionally, CBP officials identified such problems as cumbersome procedures for accessing data systems and the lack of computer program updates to reflect changes on time and attendance cards. In August 2004, headquarters officials told us they were making efforts to resolve the problems by providing training, reducing funding strings for Travel Manager, and reprogramming FFMS.

Twenty-six of 49 SACs and ASACs responding to our question about shared services also discussed the problems they were having with Travel Manager. ICE headquarters officials told us that Travel Manager is a new system to the former Customs field staff in ICE’s investigations program. It was used in the former INS’s headquarters and in some field offices prior to the transfer. ICE headquarters officials told us that Travel Manager was chosen because it could interface with ICE’s accounting system and automate the process for managing travel documents. ICE investigations officials in the field and headquarters told us that with Travel Manager, the funding strings (codes that tell the system what account to charge and to what program to attribute travel) have caused problems for staff in the field and headquarters. ICE headquarters investigations officials estimated that there are approximately 80,000 separate funding strings, each approximately 48 characters long, from which field staff have to choose in

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carrying out a transaction such as completing a travel voucher. They explained that because the system is new to many staff and the funding strings are not labeled so that the user can select words rather than a string of numerical characters, some ICE staff may choose incorrect funding strings, causing their vouchers to “disappear” in the system or be routed to the wrong approving official. When this occurs, ICE headquarters officials for investigations told us, neither the traveler nor the approving official receives a notice that the voucher has failed to be processed. Additionally, because ICE’s Travel Manager interfaces with its Federal Financial Management System, if staff choose the wrong funding string, the voucher may be routed to an account that does not have the funds. If this happens, ICE officials said the system would reject the voucher. As a result, they said that some ICE investigators and managers have not received timely or accurate reimbursements for their travel.

According to some ICE field officials we contacted, when staff inadvertently select the wrong funding string, it takes from several weeks to months to process the voucher. A few officials said that when staff do not receive timely reimbursements, they sometimes use their personal funds to pay their government credit card bills. For example, one SAC said that an agent in his office used personal funds to pay \$15,000 for bills incurred from business travel. Another SAC official said that not all investigators are able to use their personal funds to pay for their business travel expenses. One SAC said that he was waiting to be reimbursed for \$11,000 in travel bills that he had accrued on his government credit card. Because he had not been reimbursed, he felt he was in danger of having his government credit card revoked. These examples are to illustrate the types of concerns reported to us. We did not verify the facts reported to us or the circumstances surrounding these specific examples, e.g., whether the problems were caused by the travel system, the individual, or both.

ICE headquarters investigations officials responsible for Travel Manager said that they have made some changes to Travel Manager to aid ICE staff. For example, they reduced the number of funding strings from the initial 800,000 to about 80,000, and added alphabetical codes to help facilitate the use of the software. They also said they have suggested to an ICE group working on finance issues that either the system or a staff member should send notification to the approving official and traveler when vouchers

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cannot be successfully processed.<sup>32</sup> Officials responsible for all of ICE's financial management told us that the office responsible for mission support for all of ICE had provided over 200 contacts in the field to assist with Travel Manager, held a training conference, and provided training opportunities in the field and in headquarters for staff regarding Travel Manager. However, they recognized that 48-character numerical funding strings are difficult to use. They also discussed additional reasons why staff in the field were having problems with Travel Manager. First, because ICE did not have a full accounting of its staff,<sup>33</sup> Travel Manager did not recognize all of the staff and was unable to route all of the vouchers. Second, many staff were unfamiliar with Travel Manager, so they did not know how to determine whether their vouchers have been approved or rejected. Third, in situations where staff did not travel for their home program office, e.g., if an investigator was traveling on behalf of the Federal Air Marshals, the travel documents could not be managed through Travel Manager.

Twenty-two of 49 SACs and ASACs also discussed problems with FFMS, but the problems were not as numerous as those with Travel Manager. FFMS is a financial accounting system that allows the tracking of budget expenditures and balances. It was previously used by INS and ICE chose to adopt it, although DHS plans to transition to a new departmentwide financial system. The problems with FFMS are new to former Customs managers and administrative staff, but not necessarily new to former INS staff who began using the software shortly before the transition. The SACs and ASACs who stated that they had problems with FFMS said that it mostly affected their ability to manage the office budgets. In response to this problem, five SACs we contacted told us that they are tracking their budgets manually, with some using Excel spreadsheets so they can know how much they are spending from each budget area. One SAC said he is using over 20 Excel spreadsheets to track the office budget, and another

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<sup>32</sup>In August 2004, ICE provided a statement that indicated that if staff chose an incorrect accounting string, the system would indicate an error before routing the document to the approving official.

<sup>33</sup>According to ICE officials responsible for finance, when the Office of Management and Budget allocated staffing and funding to the Border and Transportation Security Directorate and CIS, the funding for several programs such as general counsel and information technology went to CBP and CIS but the staff went to ICE. These ICE officials told us that because ICE was funding additional support staff, the agency did not have an accurate account of staff funded by ICE and staff in ICE whose funding was with CBP and CIS.

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bought an off-the-shelf budget software system to supplement FFMS. The officials in ICE headquarters responsible for finance told us that the limitations of FFMS were known, but FFMS was chosen after three studies were conducted by independent consultants approving its use by ICE and it was certified to meet auditing standards. Additionally, ICE officials in headquarters responsible for finance said in June 2004 that they have attempted to address field concerns by reprogramming FFMS to allow SAC offices to track their budgets in the manner they were used to doing in Customs and by providing weekly training to program officers in headquarters.

CBP officials in inspections and Border Patrol in four of the six sites we visited also told us they were having problems with administrative computer systems and applications, mostly in the area of time and attendance. Inspections officials cited problems with CBP's computerized time and attendance system, Customs Overtime Scheduling System (COSS), and in some cases, inspections officials said they were not accurately paid overtime. Officials we spoke with in CBP's Border Patrol also cited problems with COSS and overtime payments and added that in some cases, staff were maintaining a manual record of actual time and attendance but inputting into COSS only the 40 hours per week recognized by COSS. CBP officials in Border Patrol headquarters acknowledged the problems with COSS when we talked with them in June 2004. However, in August 2004, CBP headquarters officials responsible for program management of COSS told us that there were initial problems with overtime payments for former INS staff that were attributed to errors in the calculation of pay after transmission from COSS to the Department of Agriculture for processing and the method the Border Patrol had used to schedule hours worked, while under former INS.<sup>34</sup> They said that all problems with COSS had been resolved by January 1, 2004. We did not verify whether or when specific problems were addressed or the actual causes of the problems reported to us by Border Patrol and inspections officials but did note a difference in the causes field officials mentioned and the reasons provided by CBP headquarters officials.

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<sup>34</sup>The National Finance Center, an office within the Department of Agriculture, handles payroll and other administrative services for some government agencies.



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## Mission Staff Sometimes Assigned Administrative Work Full-Time or as Collateral Duty

One criticism we had of the former INS was that because of staffing shortages, mission staff often had to assume administrative or other functions as a collateral duty. One effect of assigning mission staff to administrative work is that they are not spending all of their time on duties needed to accomplish the program's mission and thus are not reaching the full potential of the program position. In our site visits, we found that this continues to be a problem in some offices. Some officials we contacted in CBP, CIS, and ICE said they had to use mission staff in this way because they did not have enough administrative support to compensate for the realignment of administrative staff to shared services, the addition of mission personnel that have come as a result of mergers of some programs in the transition, and hiring freezes. As a result, inspectors, adjudicators, and investigators in some field offices were taking on administrative work full-time or as a collateral duty:

- In three of the six sites we visited, we found examples where CBP inspectors were assigned to handle various administrative functions as a collateral duty. For example, an inspector in one city was detailed to resolving problems related to time and attendance and payroll for former INS inspectors. In another city, supervisory inspectors were detailed to perform scheduling duties normally performed by administrative staff.
- In three of the six CIS district offices we visited, we found examples of adjudicators or senior managers taking on administrative functions in addition to their work as a collateral duty. In two district offices, adjudicators were taking on such functions as managing office space and monitoring the budget. In another city, the third highest manager in a district office was assigned to handle personnel, procurement, and vacancies rather than duties related specifically to managing the adjudication of applications. Because these mission staff were spending time on administrative functions, they were spending less time addressing program missions such as reducing the backlog of applications.
- In two of our six site visits and in telephone interviews, we learned that ICE investigators are also taking on administrative functions as a collateral duty. In one SAC office we visited, the SAC assigned 10 special investigators, including 1 associate special agent in charge, 1 assistant special agent in charge, 2 group supervisors, and 6 junior investigators, to administrative duties. In our telephone interviews, we found examples consistent with our site visits. For example, we were told that special investigators in a subordinate office of one SAC office were assigned all of the clerical work in addition to their normal duties when the office lost its administrative support staff. Rather than assign administrative duties to investigators, other SAC offices said they are converting unfilled agent

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positions to administrative positions. For example, an official in one office said he would have to convert unfilled agent positions to administrative positions, and an official in another office gained an administrative staff member from CBP by transferring (through a personnel action) one of its staff vacancies to CBP.

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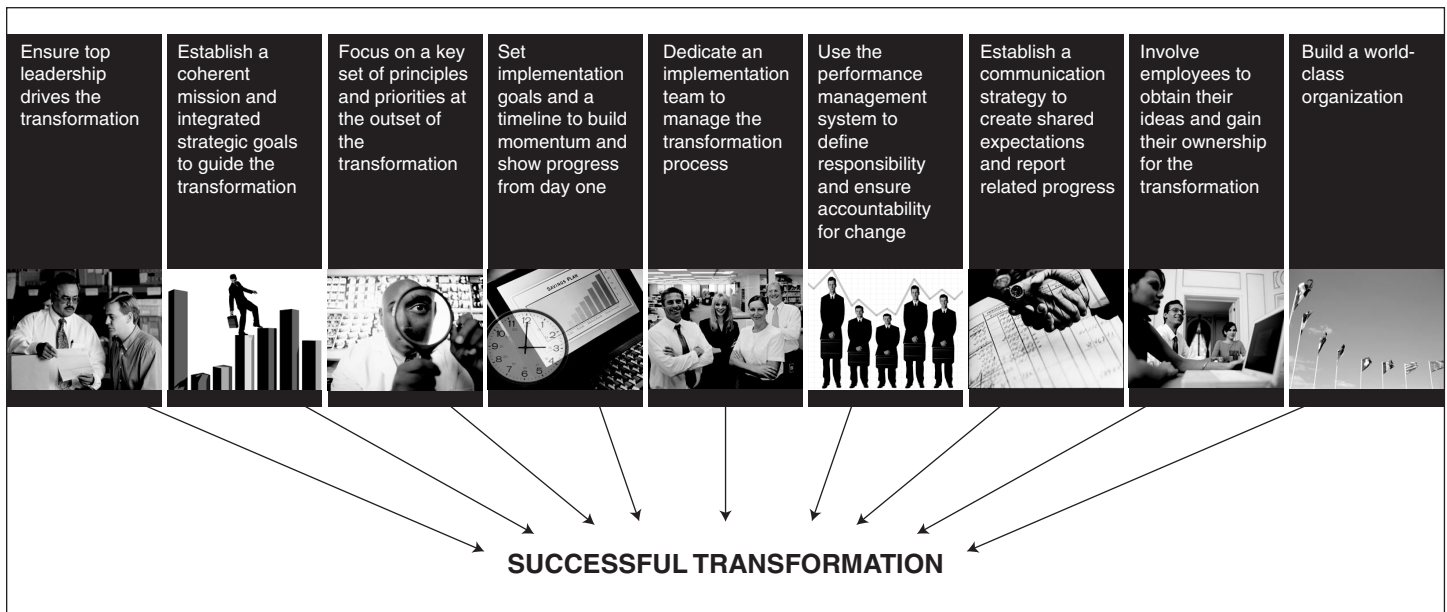
## Key Practices for Successful Mergers and Transformations

The challenges we identify in this report highlight the importance of using the transition of immigration functions into DHS as an opportunity for further addressing long-standing and new challenges through positive transformation. We realize that carrying out this transformation will be no easy or quickly realized task. In this regard, we and others have studied the experiences of other public and private organizations that have undergone successful mergers and transformations. In a July 2003 report, we identified nine key practices that have consistently been found at the center of successful mergers and transformations, as shown in figure 3.<sup>35</sup> This report was done to help federal agencies implement successful transformations of their cultures, as well as help the new DHS merge its various originating components into a unified department. Collectively, in our view, these key practices and related implementation steps discussed in our July 2003 report can help transform the sometimes diverse cultures of DHS legacy agencies into a cohesive unit that fulfills its new mission, meets current and emerging needs, maximizes performance, and ensures accountability.

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<sup>35</sup>GAO, *Results-Oriented Cultures: Implementation Steps to Assist Mergers and Organizational Transformations*, [GAO-03-669](#) (Washington, D.C.: July 2, 2003).

**Figure 3: Key Practices for Successful Mergers and Organizational Transformations**



Sources: GAO (presentation); Photos: Photo Disc, Dynamic Graphics, EyeWire, and Ingram Publishing.

We did not perform an in-depth analysis comparing these key practices with the transfer of immigration functions into DHS. Nonetheless, we believe that all nine are important for DHS in its transformation of immigration programs and noted two key practices that we think would be particularly helpful as it addresses the challenges we identified in this report. We realize that DHS has started using many of these nine practices and, while we did not assess how well each of the practices has been followed, we did identify certain parts of the two practices that we believe would further assist DHS in its transformation efforts.

**Establish a Communication Strategy to Create Shared Expectations and Report Related Progress**

Creating an effective, ongoing communication strategy is essential to implementing a merger or transformation. Communication is most effective when done early, clearly, and often, and is downward, upward, and lateral. Organizations must develop a comprehensive communication strategy that reaches out to employees, customers, and stakeholders and seeks to genuinely engage them in the merger and transformation process. Implementation steps that accompany this key practice include communicating early and often to build trust and understanding, ensuring consistency of message, encouraging two-way communication, and providing information to meet specific needs of employees.

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DHS's office responsible for shared services provided us with a communication strategy dated May 2004 and a briefing, dated February 2004, outlining communication strategies, both with the objectives of raising awareness and promoting understanding of shared services within and outside of DHS. CBP told us that the agency has developed and implemented a communications strategy and provided us with examples of communications activities. Additionally, 22 of the 36 SACs and ASACs responding to our question by telephone told us that concerning communication, they received information from headquarters regarding transition goals and milestones.<sup>36</sup> In addition, a few of the SACs and ASACs who responded that they had received transition information said that the information was received through such means as e-mail, broadcast messages, ICE's intranet, and SAC conferences. These efforts, however, do not appear to have been completely effective since, as previously discussed, about a quarter of the officials we contacted in CBP, CIS, and ICE wanted a clearer understanding of their roles and responsibilities with other immigration programs.

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### Involve Employees to Obtain Their Ideas and Gain Their Ownership for the Transformation

A successful merger and transformation must involve employees and their representatives from the beginning to gain their ownership of the changes that are occurring in the organization. Employee involvement strengthens the transformation process by including frontline perspectives and experiences. Further, employee involvement helps to create the opportunity to establish new networks and break down existing organizational silos, increase employees' understanding and acceptance of organizational goals and objectives, and gain ownership of new policies and procedures. Implementation steps that accompany this key practice include using employee teams, involving employees in planning and sharing performance information, incorporating employee feedback into new policies and procedures, and delegating authority to appropriate organizational levels.

In conducting our field work and in meetings with headquarters officials, we did not identify any indication that the bureaus responsible for immigration programs had formal mechanisms for obtaining periodic feedback from field staff (other than the top manager in the office) about how well the transition was occurring or their concerns or ideas for improvement. In addition, several headquarters officials seemed

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<sup>36</sup>Four of the 40 we contacted did not respond to our question.

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somewhat surprised by the concerns reported to us by field officials when we discussed them in August 2004. On the other hand, while we did not conduct an exhaustive search of employee involvement by all field staff, our work did identify examples of such involvement. For example, we found two instances where field officials had participated in working groups held at headquarters regarding issues related to roles and responsibilities. That is, the working group to outline roles and responsibilities between the Border Patrol and ICE investigations involved field managers, two of whom we interviewed. Additionally, we were told that a meeting held in July 2004 involved CIS and ICE headquarters managers, field staff, investigators, and adjudicators in discussions about benefit fraud. Without a formal mechanism for obtaining employee feedback, however, the bureaus run the risk of missing opportunities for improvement and of allowing field-related problems to arise and continue without adequate responses.

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## Conclusions

With its critical roles in helping protect national security and enforcing immigration laws, it is very important that INS's integration into DHS and its related transformation successfully address longstanding and new management challenges. To accomplish this, DHS's three immigration bureaus are tasked with establishing clear communication and coordination among one another and with the efficient and effective integration of the roles and responsibilities of the former immigration and customs investigative workforces, all while implementing a new system for providing administrative services. In managing this transformation, DHS is faced with not only the previous management challenges that beset INS for years, but with new challenges that come with creating a new department and managing diverse agencies. Notwithstanding this daunting endeavor, the transformation provides DHS with a unique opportunity to successfully address these inherited and new challenges and thus better accomplish its important mission.

While DHS has started addressing many of the challenges and has experienced some successes in its communication and coordination and other efforts, the challenges and uncertainties reported by field officials and discussed in this report show that these efforts have not been sufficient to fully realize the potential benefits of this transformation. The sentiment among the field officials within CBP, CIS, and ICE we contacted demonstrates the importance of them having additional explanation and guidance from DHS and the headquarters management of each of the respective bureaus that delineates the (1) specific roles and responsibilities for conducting uniform immigration program operations,

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such as benefit fraud investigations, parole decisions, and controlled deliveries and (2) processes and procedures for making the shared services system work more efficiently. Without clear guidance, conflicts that the programs have had prior to and after the transition will likely persist and staff in the field will lack a complete road map for addressing cross-cutting issues that may arise in the future, as well as the necessary information to efficiently utilize the administrative services they need to accomplish their mission.

Collectively, the nine key practices and related implementation steps that we identified in our 2003 report can help DHS transform the diverse cultures of former agencies into a cohesive unit that fulfills its new mission, meets current and emerging needs, maximizes performance, and ensures accountability. Specifically, while DHS efforts to incorporate the key practices and implementation steps we discuss in this report into its transformation plans should help address the challenges, in our view, a communication strategy that obtains and considers employee feedback to create shared expectations and gains their ownership in changes would improve the likelihood of success in addressing the integration challenges. We realize that carrying out a successful transformation is no easy or quickly realized task and believe that this makes having a strategy that fully incorporates these key practices all the more important.

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## Recommendations

To assist DHS in successfully transforming its immigration related programs and address the challenges discussed in this report, we recommend that the Secretary of Homeland Security direct the heads of CBP, CIS, and ICE, as appropriate, in consultation with the Undersecretary for Border and Transportation Security, to take the following three actions.

- First, the bureaus should create a mechanism for periodically obtaining employee feedback on their ideas and concerns and consider this feedback in its future transformation and communications strategies, including assessing the challenges reported to us.
- Second, the bureaus should provide additional specific guidance to field managers and staff that establishes uniform policies and procedures on all cross-cutting integration issues that affect operational effectiveness, including specific descriptions of the roles and responsibilities of each bureau and its staff in investigative techniques such as benefit fraud investigations, parole decisions, and controlled deliveries.

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- Finally, the bureaus should provide additional detailed written guidance to field managers and staff on the processes and procedures to follow for the provision of shared administrative services.

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## Agency Comments

DHS provided written comments on a draft of this report, and these comments are reprinted in appendix II. DHS said that, while there are instances where contextual clarification is needed, it generally agreed with our overall findings and recommendations and that our analysis would be beneficial to the department.

DHS agreed with our recommendation that the bureaus—CBP, CIS, and ICE—should create a mechanism for periodically obtaining employee feedback. DHS commented that there have been accomplishments in this area and provided examples for each of the three bureaus. The examples include both existing and new efforts started since our field work, including a contract by CBP in September 2004 for a professional services firm to take periodic surveys of randomly sampled employees to measure the effectiveness of communications. If effectively implemented, the new efforts should provide the bureaus with additional employee ideas and concerns to consider in its transformation and communication efforts.

Concerning our recommendation that the bureaus provide additional specific guidance to the field on cross-cutting issues, DHS said that it has provided clear and thorough guidance and uniform policies and procedures in critical cross-cutting integration issues. It also said that the transition challenges it faced were compounded because the overarching priority was to accomplish all of the department's missions. DHS said there has been progress related to the consistency and delivery of guidance on cross-cutting issues that should be acknowledged in the final report. While we have not assessed the results of some of these examples of progress, we considered them and added them to the report where needed to add context. Further, we note that many of the examples DHS provided of its progress were ongoing during our fieldwork and staff still raised the concerns we report and said that more guidance on cross-cutting immigration issues is needed. Although these recent efforts, if properly implemented could address some of the deficiencies we identified, we believe that this feedback from field officials shows that more attention is needed in this area to address uncertainties and confusion about cross-cutting issues.

DHS agreed with our recommendation that the bureaus provide additional guidance on the processes and procedures in providing shared services

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but noted its concern about our discussion of communication problems during the transition to shared services. DHS said that it used best practices to develop a communication strategy and plan to realign various administrative or support services into a shared services environment. It said that it experienced delays in rolling out the shared services initiative, so it is understandable that field managers lacked familiarity with certain issues at the time of our interviews. However, DHS did not believe the field managers views expressed in this report accurately portray the initiative or the level of comprehension of the initiative. We commend DHS for developing a communication strategy and plan for this initiative but believe that the views expressed in this report do portray the level of comprehension of the initiative by those officials at the time of our interviews. The concerns they raised, along with additional feedback DHS obtains in future employee surveys, should assist DHS in accomplishing the goals of this initiative.

DHS also offered technical comments, which we considered and incorporated where appropriate.

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We plan to provide copies of this report to other appropriate committees, the Secretary of DHS, and other interested parties. We will also make copies available to others upon request. In addition, this report will be available at no charge on the GAO Web site at <http://www.gao.gov>. If you or your staff have any questions, please call me at (202) 512-8777. Key contributors to this report are listed in appendix II.



Richard M. Stana  
Director, Homeland Security and Justice



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*List of Congressional Committees*

The Honorable Orrin G. Hatch  
Chairman  
The Honorable Patrick J. Leahy  
Ranking Minority Member  
Committee on the Judiciary  
United States Senate

The Honorable Thad Cochran  
Chairman  
The Honorable Robert C. Byrd  
Ranking Minority Member  
Subcommittee on Homeland Security  
Committee on Appropriations  
United States Senate

The Honorable James Sensenbrenner, Jr.  
Chairman  
The Honorable John Conyers, Jr.  
Ranking Minority Member  
Committee on the Judiciary  
House of Representatives

The Honorable Harold Rodgers  
Chairman  
The Honorable Martin Olav Sabo  
Ranking Minority Member  
Subcommittee on Homeland Security  
Committee on Appropriations  
House of Representatives

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# Appendix I: Objectives, Scope, and Methodology

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The Homeland Security Act —(P.L. 107-296, Sec. 477(d)(1)—mandated us to review the transfer of functions from the Immigration and Naturalization Service (INS) to the Department of Homeland Security (DHS) and identify issues associated with the transition. Our overall objectives were to assess the status of (1) communication and coordination among immigration programs in DHS field offices, (2) integration of immigration and customs investigators in U.S. Immigration and Customs Enforcement (ICE) field offices, and (3) administrative services and systems used by DHS’s immigration agencies’ field offices. We did not assess program performance or DHS’s overall response to long-standing problems in this review. Additionally, our analysis was based on a snapshot in time, primarily during fiscal year 2004, and it is possible our results would have been different if our interviews had been conducted today.

To obtain information on our objectives, we reviewed laws; U.S. Citizenship and Immigration Services (CIS) and ICE transition documents; DHS, CIS, U.S. Customs and Border Protection (CBP), and ICE memos on communicating and coordinating; DHS shared services implementation plans; our past reports; and other relevant documents. We also spoke with immigration experts in the public and private sectors, and with representatives of pro- and anti-immigration advocacy groups in the Washington, D.C., area. These included the American Immigration Lawyers’ Association, the Arab-American Antidiscrimination Committee, the Center for Immigration Studies, Electronic Data Systems Corporation Inc., the Institute for the Study of International Migration, the Migration Policy Institute, the National Immigration Forum, and the National Council of La Raza.

We interviewed officials at DHS headquarters who were responsible for managing ICE’s detention and removal, intelligence, and investigations programs; CIS’s adjudications program; and CBP’s inspections and the Border Patrol. We also interviewed ICE, CIS, and CBP officials responsible for developing plans for the transition and officials in the former INS Office of Statistics and Office for Policy and Planning.

We conducted structured interviews with officials in ICE’s special agent in charge (SAC) offices, CIS’s district offices, and CBP’s offices for field operations in 6 of the 27 cities that have SAC offices and with U.S. Border Patrol sector headquarter offices in 3 of those 6 cities. The 6 cities we visited were Arlington, Virginia; Baltimore, Maryland; New York, New York; Miami, Florida; Detroit, Michigan; and San Diego, California. Our visits to Arlington and Baltimore were used as preliminary site visits to

design our interview questions. We selected these locations because of their geographic dispersion; their proximity to ports of entry; and the relative proximity of ICE, CBP, and CIS offices to one another.

- In site visits to CBP's Offices for field operations, we met with directors for field operations, assistant directors for field operations, and, in some cases, inspectors. In these interviews, we collected information and documentation on (1) communication and coordination with ICE investigations and other DHS components, (2) the role of ICE investigators at the ports of entry, and (3) administrative services.
- In site visits to CBP Border Patrol offices, we met with Border Patrol sector chiefs, directors for administration, and administrative officers. In these interviews, we collected information and documentation on (1) communication and coordination with ICE investigations and other immigration components, (2) the Border Patrol's work on antismuggling, and (3) administrative services.
- In site visits to CIS offices, we met with district directors, assistant district directors, as well as section chiefs. In these interviews, we collected information and documentation on (1) communication and coordination with ICE investigations and other immigration components, (2) benefit fraud, and (3) administrative services.
- In site visits to four ICE field offices, we used a structured interview instrument to obtain information from the SAC and associate special agents in charge (ASAC). In one location, we spoke with the two ASACs. In all four visits, we also met with assistant special agents in charge and administrative staff. In some locations, SACs and ASACs were in interim positions until ICE made permanent appointments. In New York, Miami, Detroit, and San Diego, we also conducted individual and group interviews with investigators and supervising investigators from the former INS. In these interviews, we collected information and documentation on (1) ICE's investigative mission and performance measures for the program, (2), communication and coordination with other immigration components in DHS, (3) communication and coordination with other federal agencies, (4) integrating immigration and customs investigators, and (5) administrative services.

We used our structured interview instrument to obtain information from ICE's SAC offices with telephone interviews with the two most senior managers in the 21 ICE field offices we did not visit—20 SACs and 20 ASACs. We conducted these interviews between March and April of 2004 and made some follow-up calls in June 2004. In our telephone interviews

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we asked about (1) ICE's mission and performance measures; (2) communication and coordination with CBP, CIS, and other ICE programs; (3) communication and coordination with other federal agencies; (4) integrating immigration and customs investigators; and (5) administrative services. We did not speak with one SAC because he was new to the position and did not believe he could provide us with useful information. We had previously interviewed him as the ASAC in another city. We did not speak with one ASAC because he, too, was new to the position. In total, we spoke with 49 SACs and ASACs in person and by telephone.

# Appendix II: Comments from the Department of Homeland Security

U.S. Department of Homeland Security  
Washington, DC 20528



**Homeland  
Security**

October 7, 2004

Richard Stana  
Director, Homeland Security and Justice  
U.S. Government Accountability Office  
441 G Street, NW  
Washington, DC 20548

RE: Homeland Security: Better Strategic Framework Needed to Transform Immigration Programs, GAO-04-1067 (Job Code 440233)

Dear Mr. Stana:

The Department of Homeland Security (DHS) appreciates this opportunity to submit agency comments on the above referenced draft report. The information gathered from your analysis and interviews with DHS field personnel will prove beneficial as we continue to strengthen and realign personnel and operations in the Department. While we generally concur in the overall findings and recommendations, there are instances that require contextual clarification; and, accordingly, we offer the following comments.

**Recommendation: The bureaus should create a mechanism for periodically obtaining employee feedback on their ideas and concerns and consider this feedback in its future transformation and communications strategies, including assessing the challenges reported to us.**

The Department wholeheartedly agrees with your recommendation, and we ask that this report list at least a few of our accomplishments.

#### **Immigration and Customs Enforcement (ICE)**

- ICE's Office of Investigations (OI) has implemented a direct communication mechanism to open two-way communications between the Special Agent in Charge (SAC) field office personnel and OI Headquarters management. To foster this two-way communication, senior level managers have been appointed as the OI Ombudsman. During their term as the OI Ombudsman, each senior level manager is physically detailed to OI/HQ for a 30-day period, during which time he or she serves as a liaison to the field. To ensure a spirit of inclusion, each of the 27 SAC offices will participate in this program by having an employee detailed into this rotating position. To further underscore the importance of this initiative, the SAC is the individual who occupies the Ombudsman position. By appointing the SAC, an individual who has the authority to propose and make final decisions, the initiative has increased and enhanced the field's ability to forward specific issues requiring a HQ remedy. It also provides a direct forum to the Director of OI for issues requiring immediate attention.

[www.dhs.gov](http://www.dhs.gov)

The results and feedback that have been gleaned from this initiative have been positive, and OI plans to continue the program.

- In contrast to the new initiative discussed above, the OI SAC Conferences is a decades-long established process. Two have been held thus far this calendar year (i.e., March and June). The conferences are attended by the SACs and the Attaches from the 35 foreign offices. Prior to each conference there is a formal submission to OI/HQ of areas of concern by each field office. The conference is designed so that HQ subject matter experts or program oversight staff can address specific issues, operations, and/or investigative concerns. Because the SAC Conferences pull information up from the field so that HQ staff can tailor guidance back to the field, it is a classic example of two-way interaction and teamwork. Consequently, it is understandable that there is extensive participation and interaction at these conferences. Therefore, OI intends to continue its regular schedule of bi-annual SAC Conferences throughout FY 2005.

#### **Customs and Border Protection (CBP)**

CBP employee feedback forums were established as early as July 2003. A sample of the opportunities that employees had to provide feedback to the agency includes, but is not limited to, the following:

- In July 2003, CBP contracted with a professional services firm to conduct a series of focus groups with CBP employees around the country to assess the effectiveness of internal communications in the newly created agency. Representatives from the Office of Field Operations, the Office of Border Patrol, and other mission support employees participated in these sessions conducted by a third party contractor. Results of the focus groups were presented to senior CBP leadership for action.
- In September 2003, senior CBP officials conducted more than 30 town hall meetings with CBP employees around the country to announce the "One Face at the Border" initiative. These town hall meetings were intended as opportunities for CBP leadership to share new information and receive feedback from employees.
- In March 2004, senior CBP officials conducted dozens of town hall meetings with employees around the country to commemorate the one-year anniversary of the creation of DHS. These town hall meetings provided CBP employees a forum for asking questions directly to the senior leadership.
- In July and August 2004, senior CBP officials conducted dozens of ceremonies around the country in which CBP frontline employees received the first DHS law enforcement badges. These ceremonies were accompanied by supervisory roundtable discussions with senior CBP officials and local managers/supervisors. These sessions provided CBP employees a forum for asking questions directly to senior leadership. Similar sessions were conducted with

regional CBP leaders, at the Director of Field Operations and Port Director level, with additional field personnel.

- In September 2004 CBP contracted with another professional services firm to take frequent “pulse surveys” to measure the effectiveness of communications. CBP employees will be randomly sampled on a periodic basis and asked for their opinion of the effectiveness of communications at CBP. The contractor will analyze the data and provide specific recommendations for ways in which CBP can improve its employee communications.

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

USCIS has worked diligently since it was formed to enhance communication throughout the organization.

- USCIS sends out daily email broadcasts to USCIS staff providing them with news on developing issues in the organization.
- The USCIS Director has visited with over two-thirds of the USCIS workforce to get the staff's thoughts and ideas.
- USCIS launched Project Ingenuity in May 2004. Through Project Ingenuity, the Director has asked employees, supervisors and managers at every level to bring forth their good ideas on how USCIS can achieve its top three goals (i.e., backlog reduction, national security enhancement, and customer service improvement).
  - Project Ingenuity provides a forum for suggestions ranging from changes in processes, procedures, and policy to regulations and law. As of August USCIS had received more than 170 suggestions.
  - USCIS keeps its staff informed on the initiatives undertaken by Project Ingenuity suggestions.
- USCIS created, as a component of Public Affairs, its INTERCOM office. This office is responsible for improving the internal communications of USCIS. For example, the office has a key role with the following by:
  - Working on branding issues, employee surveys, and leading USCIS communications efforts with respect to shared services;
  - Updating the Intranet web-site and publishing alerts for employees; and
  - Arranging quarterly electronic town hall meetings between top management and employees. These meetings allow employees to address questions and suggestions to top management directly.

**Recommendation: The bureaus should provide additional specific guidance to field managers and staff that establish uniform policies and procedures on all cross-cutting**

**integration issues that affect operational effectiveness, including specific descriptions of the roles and responsibilities of each bureau and its staff in investigative techniques such as benefit fraud investigations, paroled decisions, and controlled deliveries.**

Due to safety and the criticality of the DHS law enforcement mission, the Department has provided clear and thorough guidance, even if this precludes an immediate response. Additionally, DHS has articulated uniform policies and procedures in critical crosscutting integration issues, and achieved significant law enforcement accomplishments that could not have been undertaken prior to the DHS integration. The transition of immigration functions, performed by legacy Immigration and Naturalization Service (INS), to the DHS was part of the most significant reorganization the Government has undertaken in 50 years. The report acknowledges that such a transition will take years to implement fully and the GAO team's discussions with field and headquarters staff within the first 17 months of the transition demonstrates the challenges faced by all. Moreover, the challenges were compounded because the reorganization was done in an environment where the overarching priority was ensuring that no mission would fail.

We also offer the following for your consideration.

**Adjudicator's Field Manual**

The report suggests there was confusion concerning which organization has authority to grant aliens parole. We do not believe the situation has been as confusing as stated. USCIS has authority for advance parole, which is documented in its Adjudicator's Field Manual, Chapter 54. ICE has authority over parole of individuals outside of the U.S., except for those appearing at a port-of-entry. Individuals appearing at a port-of-entry come under the jurisdiction of CBP. We agree that international operations, including humanitarian parole, are one of the areas that took a long time to resolve. However, we also believe that the report should reflect the fact that those issues have been resolved. Moreover, USCIS and appropriate Organizational Elements (OEs) within DHS formally work together on a number of operational issues at the Headquarters level. For example, USCIS participates with BTS officials and its OEs on a number of crosscutting projects and programs. These include, shared services, U.S. Visit, biometrics, background checks, anti-fraud investigations, secure document development, intelligence, etc.

The GAO also recommends that each OE should provide additional guidance and establish uniform policies and procedures on all crosscutting integration issues that affect operational effectiveness, to include benefit fraud and parole decision. Given the progress that we have already made in this area, we request that the final report acknowledges some of the initiatives that have been implemented to improve consistency and the delivery of guidance. For example, USCIS has developed the Adjudicator's Field Manual that replaced the legacy INS Operating Instruction and placed it on the Intranet web site so that it is available to all employees. Similarly, policy memos (i.e., reporting and analysis of fraud indicators within the benefit process) are posted on the Intranet to ensure there is consistent and complete delivery of policy at all levels.



#### **The Arizona Border Control (ABC)**

The ABC Initiative was established in March 2004 as a vehicle to control the threat of illegal traffic across the southwest border. It is an outstanding example of a crosscutting DHS law enforcement operation. The USCIS and the BTS Directorate recognized the importance of integration and the definition of roles and responsibilities for the field officers and provided an innovative method to jump-start that integration. The ABC Initiative provided for an Integrator and Deputy Integrator, appointed by the Under Secretary for the BTS Directorate. The Integrators were top members of the BTS field management leadership within Arizona. The ABC Initiative Planning Cell was comprised of field managers who met regularly and developed operational plans for the “boots on the ground” day-to-day operations and coordination of resources.

This ABC Initiative combined assets of DHS OEs such as USCIS, CBP, ICE, and TSA along with various other Federal agencies. All of the BTS OEs worked at both the leadership and field levels to address the threat, and to provide support for controlling the flow of illegal activity along the Arizona Mexico border. Weekly reporting, intelligence analysis, and conference calls with DHS HQ provided direct communications to address the needs of both the initiative and the operational plans.

Since DHS kicked off the ABC initiative on March 16, 2004, agents have made more than 351,700 illegal immigrant apprehensions at the Arizona border -- evidence of substantial progress at securing the border against illegal incursions. Prosecutions of human smuggling organizations, another key indicator, have increased by 68 percent. Migrant desert rescues have more than doubled, potentially saving 697 lives. In addition, narcotics seizures have risen from 165,057 lbs. in 2003 to 359,604 lbs. during the same period in 2004.

#### **Asset Forfeiture**

Since the creation of ICE, the INS, and Customs Asset Forfeiture Programs have merged completely and are being funded by one asset forfeiture fund—the Treasury Forfeiture Fund. While originally a Customs concept, the Asset Identification and Removal Group (AIRG) concept has been expanded and enhanced to support the broadened authorities. The INS Vermont Asset Forfeiture Support Group has been integrated into the AIRG structure and continues to support a cross section of ICE investigations. Since the realignment, AIRGs provide investigative support to the entire area of responsibility covered by the SAC Office. The AIRG groups open second or collateral investigations in support of the substantive investigations being worked by other groups within the SAC. The support provided by the AIRG allows investigators conducting the substantive investigations to focus attention and resources on the principal violations, while the AIRG investigators are responsible for asset identification and removal.

**Recommendation: The bureaus should provide additional detailed written guidance to field managers and staff on the processes and procedures to follow for the provision of shared administrative services.**

The Department concurs and has addressed this issue, and we are particularly concerned regarding the report's frequent references to a failure of communications at particular stages during the transition. Shortly after the March 2003 formation of DHS, senior leadership recognized opportunities where we could realign various administrative or mission support services; and thereby leverage personnel and resources while at the same providing services more efficiently in a shared services environment. To accomplish this challenge, the Tri-Bureaus (e.g., CBP, ICE, and USCIS) established a shared services internal communications team to develop and implement a Communication Strategy and Plan. The purpose of our efforts is to:

- generate a flow of timely, accessible, accurate, and consistent messages about the realignment/reorganization;
- manage stakeholder expectations, address concerns, ease anxiety, and reduce misconceptions; and
- promote and facilitate stakeholders input into the decision-making process.

The Communications Plan defines the specific communication vehicles and sequence of the development and implementation of the communications. A separate Communication Strategy establishes a structured approach to communicating with Tri-Bureau stakeholders throughout the mission support/administrative realignment/reorganization. The strategy serves as a guide for developing future communications by targeting audiences and crafting messages to achieve specific goals within a given timeframe. Both documents establish the framework for implementing our shared services communications with stakeholders.

The internal communications team identified audiences and their particular concerns/issues. Core messages have been identified for each audience. Depending on the target audience, our primary goals are to:

- raise awareness of the Tri-Bureau's mission support/administrative realignment/reorganization efforts and the proposed changes taking place;
- promote a clear understanding of the Tri-Bureau's mission support/administrative realignment/reorganization decisions; and
- build commitment to the Tri-Bureau's mission support/administrative realignment/reorganization among stakeholders, leading to buy-in on the decisions and the new organization.

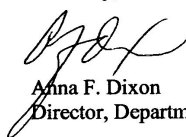
Communication on shared services is ongoing in a coordinated manner both at the Departmental and OE levels. For example, upon establishment of USCIS, its Human Capital Management Office produced and disseminated brochures entitled Services at a Glance for all human resource functions, including issues dealing with workers compensation and safety and health. In the area of health and

safety, USCIS also has worked collaboratively with CBP, the service provider, in conducting training sessions for field personnel with collateral duties. USCIS and other DHS OEs regularly use established internal communications vehicles such as the Leadership Alert and USCIS Daily News to provide current information to the workforce. Additionally, DHS and its OEs have established a Department-wide web site to disseminate and receive employee feedback on the new HR system. To foster this dialogue, we have posted and catalogued employees' questions and responses. In addition, there has been a plethora of televised HR Town Hall meetings, video teleconferencing, and presentations to Regional Directors and Service Center Directors providing service updates.

This is a long-term and complex process ranging from the identification and adoption of best practices to the complex execution of prerequisite service level agreements (to assure compliance with Federal accountability laws, and organizational/personnel issues). The draft report incorrectly states that this initiative was implemented in December 2003 when all that was approved at that time was the policy decision. There is a sharp distinction between the approval of a policy decision and the implementation or execution phase of that policy. Regrettably, the Department encountered delays in accomplishing the execution of service level agreements and resource allocation. In fact, the execution phase did not begin until late in the spring/summer timeframe of 2004. Consequently, we consider timing as a significant factor when reviewing the comments in this report, because the draft report cites field managers' lack of familiarity with such issues. This initiative was rolled out in the spring/summer of 2004, and it is entirely understandable that the field managers lacked familiarity with the issue because the draft report's fieldwork is based largely on information gained during the February/March 2004 timeframe. Even though the statements are understandable given the timing of events, it does not accurately portray the initiative or the level of comprehension of the initiative.

Again, we appreciate your analysis and thank you for providing us with the opportunity to comment. We consider your review thorough and the fieldwork findings have been helpful to us. We will continue to reevaluate our processes in light of this report, and we ask that you review the report in light of our comments.

Sincerely,



Anna F. Dixon  
Director, Departmental GAO/OIG Liaison

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# Appendix III: GAO Contacts and Staff Acknowledgments

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## GAO Contacts

Evi Rezmovic (202) 512-2580 or rezmovice@gao.gov

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## Staff Acknowledgments

David Alexander, Gabrielle Anderson, Leo Barbour, Carole Cimitile, Randall Cole, Patricia Dalton, Katherine Davis, Nancy Finley, Larry Harrell, Tahra Nichols, Rachel Seid, and Sarah Veale made key contributions to this report.

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