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OFFICE OF INSPECTOR GENERAL

CBP Outbound Inspections Disrupt Transnational Criminal Organization Illicit Operations (REDACTED)

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August 3, 2023
OIG-23-39



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OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

August 3, 2023

MEMORANDUM FOR: Troy Miller
Senior Official Performing the Duties of the
Commissioner
U.S. Customs and Border Protection

FROM: Joseph V. Cuffari, Ph.D. **JOSEPH V CUFFARI**
Inspector General

SUBJECT: *CBP Outbound Inspections Disrupt Transnational Criminal Organization Illicit Operations – Law Enforcement Sensitive*

Digitally signed by
JOSEPH V CUFFARI
Date: 2023.08.01
14:52:53 -07'00'

Attached for your action is our final report, *CBP Outbound Inspections Disrupt Transnational Criminal Organization Illicit Operations – Law Enforcement Sensitive*. We incorporated the formal comments provided by your office.

The report contains three recommendations aimed at improving CBP's policies and procedures for conducting outbound inspections at land ports of entry. Your office concurred with all three recommendations.

Based on information provided in your response to the draft report, we consider all three recommendations open and resolved. Once your office has fully implemented the recommendations, please submit a formal closeout letter to us within 30 days so that we may close them. The memorandum should be accompanied by evidence of completion of agreed-upon corrective actions and of the disposition of any monetary amounts.

Please send your response or closure request to
OIGAuditsFollowup@oig.dhs.gov.

Consistent with our responsibility under the *Inspector General Act*, we will provide copies of our report to congressional committees with oversight and appropriation responsibility over the Department of Homeland Security. We will post a redacted version of the report on our website for public dissemination.

Please contact me with any questions, or your staff may contact Kristen Bernard, Acting Deputy Inspector General for Audits, at (202) 981-6000.

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DHS OIG HIGHLIGHTS

CBP Outbound Inspections Disrupt Transnational Criminal Organization Illicit Operations

August 3, 2023

Why We Did This Audit

CBP is responsible for detecting, deterring, and disrupting transnational organized crime that threatens U.S. security interests at and beyond the border. We conducted this audit to determine the extent to which CBP uses outbound inspections to prevent the illegal exportation of currency, firearms, explosives, ammunition, and narcotics at land POEs.

What We Recommend

We made three recommendations to improve CBP's policies and procedures for conducting outbound inspections at land POEs.

For Further Information:

Contact our Office of Public Affairs at (202) 981-6000, or email us at DHS-OIG.OfficePublicAffairs@oig.dhs.gov.

What We Found

U.S. Customs and Border Protection's (CBP) Office of Field Operations (OFO) does not consistently conduct outbound inspections of personal vehicles and pedestrians at land border crossings on the Southwest and northern borders to prevent the illegal exportation of currency, firearms, explosives, ammunition, and narcotics. During our audit, we visited 108 of 167 land border crossings on the Southwest and northern borders. We found the frequency of outbound inspections, inspection techniques, technology, and infrastructure in outbound inspection areas varied significantly between the two borders and among land border crossings. These inconsistencies occurred because there is no structured outbound inspection program with oversight from OFO headquarters. Field office and port of entry (POE) leadership often use professional judgment and other strategies to determine the frequency of inspections because they have wide discretion regarding when and how to conduct outbound inspections. Additionally, OFO does not have performance metrics to measure the impact of outbound inspections or a comprehensive outbound inspection policy.

OFO invests in outbound inspections through ongoing operations and infrastructure upgrades. OFO's seizures of \$58 million in currency and 2,306 firearms in fiscal years 2018 through 2022 demonstrate the value of outbound inspections to CBP's mission. However, officers at many locations are not conducting any outbound inspections and not making any seizures. Therefore, OFO is missing opportunities to stop currency, firearms, explosives, ammunition, and narcotics from reaching transnational criminal organizations that perpetrate cross-border violence.

CBP Response

CBP concurred with all three recommendations, which we consider open and resolved.



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Abbreviations

CBP	U.S. Customs and Border Protection
ECD	Estimated Completion Date
LEOD	Law Enforcement Operations Division
OFO	Office of Field Operations
POE	port of entry
SOP	standard operating procedure
TCO	transnational criminal organization
TFF	Treasury Forfeiture Fund
U.S.C.	United States Code



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Background

As part of its mission, U.S. Customs and Border Protection (CBP) is responsible for detecting, deterring, and disrupting transnational organized crime that threatens U.S. national and economic security interests at and beyond the border. According to Federal law, it is illegal to export firearms, explosives, ammunition, narcotics, and undeclared currency from the United States.¹ Federal law also authorizes, but does not mandate, CBP to search and detain all persons, vehicles, merchandise, baggage, and documents upon departure from the United States.²

The Office of Field Operations (OFO) is the largest component of CBP and is responsible for border security while simultaneously facilitating lawful trade and travel at U.S. ports of entry (POE), including 167 land border crossings on the Southwest and northern borders.³ In addition to land border crossings, officers at some POEs are responsible for staffing international airports, seaports, train crossings, and livestock crossings.

There are many differences between the Southwest and northern borders that affect OFO officers' working conditions, including geography, climate, and traffic. Geographically, the Southwest border with Mexico spans approximately 1,951 miles, whereas the northern border with Canada is around 5,525 miles long. On the Southwest border, temperatures regularly exceed 100 degrees between June and August. Conversely, along the northern border, average annual snowfall amounts can range from 15 inches in Washington to 89 inches in Vermont. Most Southwest border crossings experience high volume traffic compared to many northern border crossings, which see only minimal traffic.

Although OFO policies do not require outbound inspections, officers at some land border crossings conduct inspections of personal vehicles and pedestrians departing the United States to prevent the illegal exportation of currency, firearms, explosives, ammunition, and narcotics. Although it is illegal to transport firearms, explosives, ammunition, and narcotics across international borders in most instances, it is not illegal to transport currency in any amount out of the United States. However, a person can be charged with a currency

¹ 18 United States Code (U.S.C.) §§ 842, 922; 21 U.S.C. § 953; 22 U.S.C. § 2778; and 31 U.S.C. § 5332.

² 19 U.S.C. §§ 482, 1581.

³ The terms port and POE incorporate the geographical area under the jurisdiction of a port director, as per 19 Code of Federal Regulations § 101.1. Some POEs may encompass multiple border crossings. Therefore, we will refer to land border crossings as the point at which a vehicle or person can legally cross the border and POE as the location of the port director (leadership).



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smuggling offense if they fail to declare⁴ or intentionally and knowingly conceal more than \$10,000 in currency or monetary instruments when departing the United States.⁵

Violent criminal activity by transnational criminal organizations (TCO) in Mexico and along the U.S.-Mexico border has generated concerns in Congress that this violence will spill over into the United States. TCOs require a steady supply of firearms and ammunition to assert control over the territory where they operate, eliminate rival criminal organizations, and resist government operations.

Further, bulk cash smuggling remains a favored means for TCOs to repatriate their illicit funds from or move funds into the United States to support their criminal operations. TCO networks on the Southwest border smuggle narcotics into the United States, while illegally exporting currency from drug proceeds and firearms into Mexico. TCO networks also use the northern border to smuggle high-potency drugs and currency both into and out of the United States. Additionally, new restrictive gun ownership laws in Canada create an opportunity for criminal organizations to exploit the increased firearm demand in Canada and create more extensive firearms trafficking networks to evade U.S.-Canada law enforcement efforts. Figure 1 shows the cycle of narcotics, currency, and firearms smuggled across the border by TCOs.

⁴ 31 U.S.C. §§ 5316, 5317.

⁵ 31 U.S.C. § 5332.



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Figure 1. TCO Cycle of Narcotics, Currency, and Firearms



Source: Department of Homeland Security Office of Inspector General analysis of CBP information

When TCOs and others attempt to illegally transport firearms, ammunition, explosives, narcotics, and currency out of the United States, Federal law authorizes CBP to seize those items.⁶ OFO records outbound seizures in SEACATS.⁷ SEACATS data shows OFO seized \$58 million in currency and 2,306 firearms from fiscal years 2018 through 2022. Table 1 shows outbound seizures of currency and firearms from personal vehicles and pedestrians, by border, from FYs 2018 through 2022.

Table 1. SEACATS Summary Seizure Statistics for Outbound Inspections at Land Border Crossings, FYs 2018–2022

SEACATS Seizure Category	Southwest Border	Northern Border	Seizure Totals
Currency	\$54,725,435	\$3,235,269	\$57,960,704
Firearms	1,532	774	2,306

Source: FYs 2018–2022 SEACATS data obtained from CBP for personal vehicles and pedestrians

⁶ 19 Code of Federal Regulations §§ 162.21, 162.22, 162.23.

⁷ SEACATS is the system of record to track and record all inbound and outbound seizures.



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Officers have made notable outbound seizures at both the Southwest and northern borders. On May 3, 2022, officers at the Hidalgo International Bridge in Texas encountered a pickup truck driving southbound into Mexico and seized 16,000 rounds of rifle and pistol ammunition. On August 25, 2022, CBP officers at the Champlain, New York land border crossing encountered a fugitive traveling north to Canada, seized \$230,000 in currency, and arrested the traveler. Figure 2 shows boxes of ammunition seized at the Hidalgo, Texas land border crossing on the left and large quantities of U.S. and foreign currency seized at the Champlain, New York land border crossing on the right.

Figure 2. Notable FY 2022 Seizures



Source: CBP newsroom press releases, May 5, 2022, and August 31, 2022

CBP deposits seized and forfeited currency in the Treasury Forfeiture Fund (TFF). The Department of the Treasury manages this fund with the mission of using forfeited assets to disrupt and dismantle criminal enterprises. Law enforcement agencies such as CBP can request money from the TFF to fund initiatives such as outbound inspections.

Historically, there has not been a specific budget allocation for outbound inspections and OFO did not identify any previous funding requests from the TFF to support outbound operations. The enacted FY 2023 budget for CBP dedicates funding to build infrastructure for outbound operations at land border crossings with the goal of identifying and seizing firearms and currency exiting the United States.

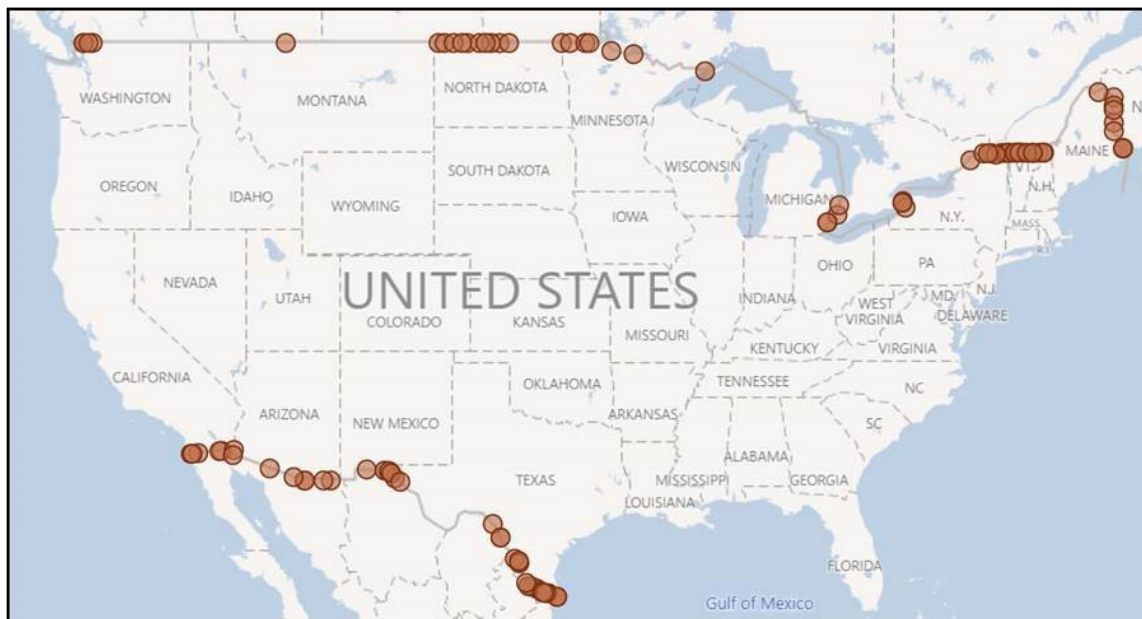
Our audit focused on personal vehicles and pedestrians exiting the country at 108 of 167 (65 percent) land border crossings that we visited along the Southwest and northern borders. During our audit, we visited 42 of 47 (89 percent) land border crossings on the Southwest border and 66 of 120 (55 percent) land border crossings on the northern border. Appendix C contains a



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complete list of the names of land border crossings we visited, and the FY 2022 seizures and frequency of outbound inspections in those locations. Figure 3 shows the general location of land border crossings we visited. We conducted this audit to determine the extent to which CBP used outbound inspections to prevent the illegal exportation of currency, firearms, explosives, ammunition, and narcotics at land POEs from FYs 2018 through 2022.

Figure 3. Land Border Crossings Visited by OIG Audit Team



Source: DHS OIG depiction of land border crossings visited

Results of Audit

OFO does not consistently conduct outbound inspections of personal vehicles and pedestrians at land border crossings on the Southwest and northern borders to prevent the illegal exportation of currency, firearms, explosives, ammunition, and narcotics. During our audit, we visited 108 of 167 land border crossings on the Southwest and northern borders. We found the frequency of outbound inspections, inspection techniques, technology, and infrastructure in outbound inspection areas varied significantly between the two borders and among land border crossings.

These inconsistencies occurred because there is no structured outbound inspection program with oversight from OFO headquarters. Field office and POE leadership use professional judgment and other strategies to determine the frequency of inspections because they have wide discretion regarding when



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and how to conduct outbound inspections. Additionally, OFO does not have performance metrics to measure the impact of outbound inspections or a comprehensive outbound inspection policy.

OFO invests in outbound inspections through ongoing operations and infrastructure upgrades. OFO seizures of \$58 million in currency and 2,306 firearms in FYs 2018 through 2022 demonstrate the value of outbound inspections to CBP's mission. However, officers at many locations are not conducting any outbound inspections and not making any seizures. Therefore, OFO is missing opportunities to stop currency, firearms, explosives, ammunition, and narcotics from reaching TCOs that perpetrate cross-border violence.

OFO's Use of Outbound Inspections Varied at Land Border Crossings

OFO conducts outbound inspections of personal vehicles and pedestrians at land border crossings to prevent the illegal exportation of currency, firearms, explosives, ammunition, and narcotics. During an outbound inspection, officers positioned in exit lanes visually inspect personal vehicles, people, or baggage leaving the United States. Officers use their judgement and experience to decide which vehicles to stop for primary outbound inspections. These inspections may include a verbal interview, visual inspection, physical inspection, canine assisted inspection, and searches of personal identification and vehicle license plate in law enforcement databases. After the primary inspection, officers may decide to conduct a more detailed examination of the vehicle and occupants in a secondary inspection area. During our site visits we found many inconsistencies in outbound inspection frequency, techniques, technology, and infrastructure at land border crossings.

First, we found the frequency of outbound inspections varied significantly at the land border crossings visited. Specifically, leadership at 20 of 42 (48 percent) Southwest border land crossings said they assigned staff to conduct daily outbound inspections compared to only 10 of 66 (15 percent) on the northern border. We also identified inconsistencies at land border crossings that conducted daily outbound inspections. For example, some land border crossings conducted inspections only during peak traffic times while other land border crossings conducted "pulse and surge" inspections, which are short-term enforcement operations performed at specific land border crossings, either randomly or based on intelligence, to interdict identified threats.

During FY 2022, the number of outbound seizure cases at the 108 land border crossings we visited on the Southwest and northern borders totaled 425 and



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480, respectively.⁸ Most Southwest land border crossings conducted outbound inspections daily, whereas most northern border crossings conducted inspections less than once a month. The land border crossings that conducted daily outbound inspections accounted for 349 of 425 (82 percent) and 417 of 480 (87 percent), respectively, of the total seizure cases. In locations where officers conducted outbound inspections less than monthly or never, the number of outbound seizure cases drastically reduced to 3 percent or less. Table 2 shows the number of land border crossings by inspection frequency and corresponding number of seizure cases.

Table 2. Frequency of Personal Vehicle and Pedestrian Outbound Inspections and Seizures in FY 2022

Inspection Frequency	Southwest Border Results		Northern Border Results	
	Number of Land Border Crossings	Total Seizure Cases	Number of Land Border Crossings	Total Seizure Cases
Daily	20	349	10	417
Weekly	11	53	6	56
Monthly	5	10	13	2
Less Than Monthly	4	13	29	5
Never	2	0	8	0
Total	42	425	66	480

Source: POE leadership responses to DHS OIG email and SEACATS FY 2022 seizure data

Second, we found inconsistencies in the techniques officers used to conduct outbound inspections. Along the Southwest border, officers at the [REDACTED] land border crossing used x-ray machines to scan cars exiting the United States but did not physically search a vehicle unless officers identified an anomaly on the x-ray. In comparison, at the [REDACTED] land border crossing, officers stopped each vehicle exiting the country, interviewed the occupants, obtained both currency and firearms declarations, searched identification in law enforcement databases, and physically inspected the vehicle. On the northern border, officers at [REDACTED] stopped outbound vehicles, requested the driver's identification, and interviewed the driver. In contrast, when officers conducted outbound inspections at [REDACTED], one officer interviewed the vehicle occupants while a second officer inspected the vehicle.

Additionally, we found differences in the technology available at land border crossings. Outbound inspection technology may include license plate readers,

⁸ A single seizure case in SEACATS can include multiple seized items of varying types.



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computers, handheld devices to manually search identification and license plates in law enforcement databases, baggage scanning technology, or vehicle x-ray machines. Officers conducting outbound inspections may use license plate readers in conjunction with a mobile device or computer to search license plate information, which enhances officer safety by providing the vehicle's registered-owner information and any associated alerts before the vehicle enters the primary inspection area. Although most of the land border crossings on the Southwest border had license plate readers in the outbound lanes to receive vehicle information in real time, [REDACTED]

[REDACTED]. Additionally, at both the Southwest and northern borders, officers reported that significant Wi-Fi and cellular connectivity issues impact their ability to use available technology.

Finally, we found disparities in the infrastructure at outbound inspection areas. Specifically, we found that not all land border crossings had dedicated inspection areas, canopies, or traffic control devices, leaving officers to stand in the middle of roadways to conduct outbound inspections in extreme weather conditions without protective infrastructure and safety equipment. At many land border crossings, we found the outbound lanes were missing traffic control devices to keep officers safe, such as speed bumps and signage to alert and slow traffic before approaching officers inspecting outbound vehicles. We also observed that many crossings lacked signs warning the public not to carry firearms across the border and alerting the public of CBP's authority to search outbound vehicles. Figure 4 shows firearms warning signs and CBP search authority signs located in the outbound inspection area at land border crossings.



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Figure 4. Firearms Warning Sign and CBP Search Authority Sign



Source: DHS OIG photos taken in July and October 2022 at the Columbus, New Mexico and Hamlin, Maine land border crossings, respectively

On the Southwest border, 6 of 42 (14 percent) land border crossings did not have canopies covering the outbound inspection area to protect officers from extreme heat and sun. For example, Figure 5 (left) shows San Ysidro California's new 10-lane outbound facility that includes multiple lanes with computer booths, traffic signs, and a large canopy covering the primary inspection area. In contrast, Figure 5 (right) shows the Del Rio, Texas land border crossing outbound lanes with no computer booths or canopies.



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Figure 5. Outbound Inspection Infrastructure at San Ysidro, California Land Border Crossing (Left) and Del Rio, Texas Land Border Crossing (Right)



Source: San Ysidro CBP OFO and DHS OIG photo of Del Rio taken in April 2022

Similarly, on the northern border, 52 of 66 (79 percent) land border crossings did not have canopies covering the outbound inspection area to protect the officers from inclement weather such as snow. For example, Figure 6 (left) shows heated computer booths and a canopy covering the outbound primary inspection lanes at the Alexandria Bay, New York land border crossing, while Figure 6 (right) shows no infrastructure or canopies at the Blue Water Bridge, Port Huron, Michigan land border crossing.



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Figure 6. Outbound Inspection Infrastructure at Alexandria Bay, New York Land Border Crossing (Left) and Blue Water Bridge, Port Huron, Michigan Land Border Crossing (Right)



Source: DHS OIG photos taken from September through November 2022

OFO Does Not Have a Nationwide Outbound Inspection Program

The inconsistencies described previously occurred in part because OFO does not have an outbound inspection program for personal vehicles and pedestrian traffic with oversight from an OFO headquarters-level office, nor does it prioritize outbound operations. Although OFO identified the Law Enforcement Operations Division (LEOD) as responsible for the outbound inspection program, LEOD officials stated that they only track information related to one outbound operation on the Southwest border, *Operation Without a Trace*.⁹ LEOD officials said there is no direct oversight of outbound inspections conducted at land border crossings. Instead, field offices and port leadership operate independently and have wide discretion as to when and how to conduct outbound inspections at their respective land border crossings. Without prioritization of outbound inspections, POE leadership often divert resources from outbound operations to other priorities such as mandated inbound inspections.¹⁰

⁹ *Operation Without a Trace* provides a joint platform led by CBP and U.S. Immigration and Customs Enforcement's Homeland Security Investigations to collaborate with other Federal, state, local, and international agencies using focused and enhanced intelligence and analytics to identify, target, disrupt, and dismantle TCOs.

¹⁰ We found that CBP workloads from migrants and traffic entering the country outpaced CBP staffing levels in our report, *Intensifying Conditions at the Southwest Border are Negatively Impacting CBP and ICE Employees' Health and Morale*, OIG-23-24.



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Additionally, OFO headquarters does not collect or analyze essential program data such as performance metrics, inspection frequency, or associated staffing and operations costs. These are critical elements of oversight that would allow OFO to effectively manage and make informed decisions related to outbound inspections.¹¹ In fact, OFO does not know how many people or vehicles exit the country or the number of staffing hours and budget spent on outbound operations. Although leadership at land border crossings collect data on staff hours expended on outbound inspections, the inconsistent nature of collecting this data hinders OFO's ability to know the true cost or frequency of conducting outbound inspections. Without knowing how much time or money officers spend on outbound operations, OFO may miss an opportunity to request funding from the TFF or Congress for future outbound inspections. Although the Department of the Treasury does not base funding requests on an agency's past contributions to the TFF, OFO can use the amount of currency seized as support for the need to further fund outbound inspections.

Furthermore, the absence of oversight affects the amount of specialized training for officers conducting outbound inspections, specifically training related to establishing intent to leave the country and traveler declarations related to the possession of currency or firearms. OFO does not have standardized training related to outbound inspections of personal vehicles or pedestrians except formal training for members of its Anti-Terrorism and Contraband Enforcement Team. Although some field offices and port leadership provide discretionary outbound training, most officers working outbound inspections who are not part of the Anti-Terrorism and Contraband Enforcement Team use on-the-job training as the primary means for learning the different details and safety risks of the outbound environment.

Finally, OFO does not have a comprehensive policy for outbound inspections to establish uniform guidelines and procedures while allowing field offices and POEs to make necessary adjustments to meet their operational requirements. OFO identified 10 directives that mention different aspects of outbound inspections, but OFO has not updated 8 of these directives in more than 10 years. Table 3 contains a list of the 10 directives OFO provided and the number of years since last review, with the 8 directives exceeding 10 years since review indicated in red with an asterisk.

¹¹ DHS published limited performance metrics for CBP outbound inspections related to seizures of currency and firearms in the *DHS Annual Performance Report* for FYs 2013–2019 and in the Congressional Budget Justification in subsequent years.



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Table 3. Directives Relevant to Outbound Inspections

Directive Number	Directive Title	Issue Date	Number of Years Since Last Review
3290-016A	Outbound Enforcement Teams	09/01/1999	23*
3300-03A	Currency and Other Monetary Instruments Interdiction Handbook	11/2000	22*
5290-007A	Land Border Inspectional Safety Policy	06/21/2001	21*
3340-023A	Secondary Examination Systems	04/27/2002	21*
3290-015A	Canine Enforcement Program	08/23/2002	20*
3340-030B	Secure Detention, Transport and Escort Procedures at Ports of Entry	08/08/2008	14*
4510-026B	Controlled Tire Deflation Device Directive	12/09/2009	13*
3290-013D	Consolidated National Anti-Terrorism Contraband Enforcement Team Inspectional Policy	02/03/2012	11*
4500-002A/B	CBP Use of Force Policy and Administrative Guidelines and Procedures Handbook	01/2021	2
3300-04C	Personal Search Handbook	04/2021	2

Source: DHS OIG analysis of inspection directives provided by OFO

* Directives exceeding 10 years since last review

To their credit, many land border crossings we visited had their own internal standard operating procedures (SOP) for conducting outbound inspections. These decentralized SOPs allow for a wide array of different requirements, some of which contradict each other. One difference is that some of the SOPs direct a minimum of two officers to safely conduct outbound inspections, whereas others require a minimum of three officers. This is just one example of the inconsistencies that flow from a lack of comprehensive policies and oversight for outbound inspections.

As a result, OFO is missing opportunities to stop currency, firearms, ammunition, and narcotics from reaching TCOs that perpetrate cross-border violence. Without better oversight, OFO cannot make informed decisions about appropriate staffing, resources, or budget needed to conduct outbound inspections. Additionally, OFO cannot perform comparative analysis across land border crossings to justify whether each crossing is operating outbound inspections in the most efficient and cost-effective manner or whether it should request additional funding from the TFF or Congress.



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Conclusion

OFO invests in outbound inspections through numerous ongoing outbound operations and infrastructure upgrades. Seizures of \$58 million in currency and 2,306 firearms in FYs 2018 through 2022 demonstrate the value of outbound inspections to CBP's mission. When used consistently, outbound inspections are an effective tool to deter criminal activity by depriving TCOs of resources they need to continue illegal operations. As shown in Table 2, increased frequency of outbound inspections directly correlates to increased seizures. Similarly, a lack of outbound inspections directly correlates to a lack of seizures. Interdiction of narcotics, currency, and weapons disrupts and degrades the ability of TCOs to deliver illicit drugs and profit from them.

Recommendations

Recommendation 1: We recommend the Executive Assistant Commissioner of CBP's Office of Field Operations conduct an analysis of the costs and benefits of outbound inspections and issue a report on the findings to assist the Office of Field Operations in determining whether it should:

- establish an office responsible for outbound inspections, including budget and staffing needs, training, and program metrics;
- establish a minimum frequency of outbound inspections at land border crossings; and
- request more funding for outbound inspections.

Recommendation 2: We recommend the Executive Assistant Commissioner of CBP's Office of Field Operations develop and institute a comprehensive policy for outbound inspections.

Recommendation 3: We recommend the Executive Assistant Commissioner of CBP's Office of Field Operations assess infrastructure, internet connectivity, and technology at each land border crossing and ensure that officers have the necessary resources to conduct outbound inspections and can operate in a safe working environment.

CBP Comments and OIG Analysis

CBP concurred with all three recommendations. In its management response, CBP was pleased that our report acknowledged that outbound inspections are an effective tool to deter criminal activity by depriving TCOs of needed resources. However, CBP expressed concern that we mischaracterized the data delays identified in the report. The delay obtaining the data necessary for this



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audit was calculated based on the time it took to obtain the requested data, which began on March 23, 2022, when initially requested, to August 15, 2022, when the data was transferred. A copy of CBP's response is in Appendix B. CBP also provided technical comments, and we revised the report as appropriate.

As we noted during the audit, the team appreciates CBP's staff at the POEs and within the LEOD providing vital insight about how outbound inspections affect the TCOs. The cooperation was integral in ensuring the audit team made implementable recommendations.

CBP Response to Recommendation 1: Concur. In early FY 2023, OFO established its Outbound Enforcement Strategy Workgroup, which has already established goals addressing this recommendation and proposed the findings to the Executive Assistant Commissioner of OFO. OFO will establish a dedicated office with outbound oversight focusing on creating a robust outbound posture, dedicated outbound funding string, training unique to each modality, and reportable metrics. Estimated Completion Date (ECD): April 30, 2024.

OIG Analysis of CBP Comments: These actions are responsive to the recommendation, which we consider open and resolved. We will close this recommendation when OFO provides us with a copy of the report provided to the Executive Assistant Commissioner of OFO that details the findings of its analysis of outbound inspections.

CBP Response to Recommendation 2: Concur. OFO's Outbound Enforcement Strategy Workgroup will enhance and unify the outbound policy by updating and consolidating outdated outbound policies and procedures, as appropriate, to produce a comprehensive updated policy. ECD: April 30, 2024.

OIG Analysis of CBP Comments: These actions are responsive to the recommendation, which we consider open and resolved. We will close this recommendation when OFO provides us with a copy of the issued comprehensive outbound inspection policy.

CBP Response to Recommendation 3: Concur. OFO's Outbound Enforcement Strategy Workgroup will complete POE surveys that assess requirements and needs related to infrastructure, internet connectivity, and technology. OFO facilities will also examine current facilities and future facilities and determine efforts needed, as appropriate, to ensure a safe operating environment. ECD: April 30, 2024.



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OIG Analysis of CBP Comments: These actions are responsive to the recommendation, which we consider open and resolved. We will close this recommendation when OFO provides evidence of assessments completed to evaluate infrastructure and resources available for officers to conduct outbound inspections at land border crossings. OFO should also provide evidence of actions taken to ensure officers have necessary resources to conduct outbound inspections and can operate in a safe working environment.



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Appendix A

Objective, Scope, and Methodology

The Department of Homeland Security Office of Inspector General was established by the *Homeland Security Act of 2002* (Public Law 107-296) by amendment to the *Inspector General Act of 1978*.

The objective of this audit was to determine the extent to which CBP uses outbound inspections to prevent the illegal exportation of currency, firearms, explosives, ammunition, and narcotics at land POEs. We originally conducted this audit under two separate projects with objectives specific to the Southwest border and the northern border.¹² However, we determined the findings were the same and it was a better use of resources to combine the projects and issue one audit report under the above detailed objective. We focused our audit on personal vehicles and pedestrians. The scope of our audit was FYs 2018 through 2022, allowing us to review pre-pandemic and pandemic conditions.

To answer our objective, we reviewed applicable Federal laws and regulations as well as CBP policies, procedures, and budget information related to the outbound inspection program. In addition, we reviewed DHS OIG and U.S. Government Accountability Office reports, media articles, and congressional testimony.

To learn about CBP's outbound inspection related roles and responsibilities, we obtained relevant documents and interviewed CBP officials from the:

- Facilities Management and Engineering Office
- Field Operations Academy
- Field Operations Facilities Project Management Office
- Land Border Integration Division
- OFO Activity Based Costing and Reimbursable Programs Division
- OFO Fines, Penalties, and Forfeitures Division
- OFO Law Enforcement Operations Division
- OFO Non-Intrusive Inspection Division
- OFO Office of Budget Execution
- OFO Planning, Program Analysis, and Evaluation
- Office of Facilities and Asset Management
- Office of Finance, Budget Directorate
- Office of Professional Responsibility

¹² OIG project numbers 22-034-AUD-CBP, *CBP Searches of Outbound Vehicles at Land Ports of Entry* and 22-059-AUD-CBP, *CBP Outbound Inspections at Land Ports of Entry on the Northern Border*.



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- Policy Directorate, Office of the Commissioner

Further, we contacted CBP officials at eight field offices with oversight of land border crossings we visited. We observed infrastructure and technology at 42 of 47 land border crossings along the Southwest border and 66 of 120 land border crossings on the northern border. We judgmentally selected our sample of site visits based on traffic volume, type of traffic (commercial vs. personal), proximity to other land border crossings, and weather. We interviewed senior POE officials for each of these land border crossings. We also observed outbound inspections at land border crossings that conducted inspections during our visit.

We interviewed officials from the DHS Office of the Chief Financial Officer, Program Analysis and Evaluation Division to obtain an overview of CBP OFO's performance measures related to outbound inspections at the POEs. We also interviewed officials from the General Services Administration to obtain information on its role and involvement with land POEs' operations and infrastructure. Additionally, we met with the Department of the Treasury to learn about CBP's ability to use the TFF.

As part of the audit, we requested data extracts from the TECS system. This system contains temporary and permanent enforcement, inspection, and operational records relevant to the antiterrorism and law enforcement mission of CBP and numerous other Federal agencies it supports. We aggregated data on personal vehicle and pedestrian encounters at POEs on both the Southwest and northern borders. However, due to system limitations we were unable to extract only personal vehicle and pedestrian encounters as needed for our audit because the data provided did not distinguish between commercial and non-commercial (i.e., personally owned) vehicles. Because commercial vehicles were not included in our audit scope, we used alternate means to answer our audit objective.

We received direct access to SEACATS, which contains data on seizures, including currency, firearms, ammunition, explosives, and narcotics seizures at land border crossings along the Southwest and northern borders. We obtained and analyzed SEACATS data for FYs 2018 through 2022, specific to personal vehicles and pedestrians. We reviewed the data and performed limited testing for validity, completeness, and accuracy. Overall, we determined that the data was sufficiently reliable to support our audit conclusions.



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In planning and performing our audit, we identified the internal control components and underlying internal control principles that were significant to the audit objective. Specifically, we reviewed CBP's control environment, risk assessments, control activities, information and communication methods, and monitoring controls. We identified internal control deficiencies that could adversely affect CBP and its ability to ensure it uses outbound inspections to prevent the illegal exportation of currency, firearms, explosives, ammunition, and narcotics at land POEs. We discussed these identified deficiencies in the body of our report. Because we limited our review to these internal control components and underlying principles our work may not have disclosed all internal control deficiencies that may have existed at the time of our audit.

We conducted this performance audit between March 2022 and May 2023 pursuant to the *Inspector General Act of 1978*, 5 U.S.C. §§ 401-424, and according to generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

DHS OIG's Access to DHS Information

As part of our audit, we requested complete data extracts from CBP; this took approximately 4 months to acquire. These data extracts included a sampling and full extract on outbound vehicle and pedestrian crossings from TECS for FYs 2018 through 2022. The data provided by CBP was validated through alternate methods, as noted above.



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Appendix B
CBP Comments to the Draft Report

1300 Pennsylvania Avenue, NW
Washington, DC 20229



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

June 29, 2023

MEMORANDUM FOR: Joseph V. Cuffari, Ph.D.
Inspector General

FROM: Henry A. Moak, Jr.
Senior Component Accountable Official
U.S. Customs and Border Protection

SUBJECT: Management Response to Draft Report: "CBP Outbound
Inspections Disrupt Transnational Criminal Organization
Illicit Operations" (Project No. 22-059-AUD-CBP)

Thank you for the opportunity to comment on this draft report. U.S. Customs and Border Protection (CBP) appreciates the work of the Office of Inspector General (OIG) in planning and conducting its review and issuing this report.

Senior CBP leadership is pleased with OIG's acknowledgement that outbound inspections by CBP's Office of Field Operations (OFO) are an effective tool to deter criminal activity by depriving transnational criminal organizations of resources they need to continue illegal operations. OIG also noted that from fiscal year (FY) 2018 through FY 2022, OFO seized \$58 million in currency and 4,940 firearms. CBP remains committed to protecting the American people and safeguarding our borders, while enhancing the Nation's economic prosperity, to include ensuring the safety and admissibility of goods and people entering the United States.

CBP leadership disagrees, however, with the OIG's misleading characterization of a 117-day delay in receiving data extracts from the TECS system. Due to the huge quantity of data requested pertaining to encounters at both the southwest and northern borders, a considerable amount of time was required to extract the data OIG sought. At no time did CBP intentionally delay providing relevant information or impede the progress of this audit. On the contrary, throughout the audit CBP program officials and subject matter experts worked with the OIG staff to provide all information needed for the audit.

Examples include:

1. While attempting to be responsive to OIG's various requests for information, CBP originally provided a 30-day subset of OIG's larger 5-year request, the receipt of which the OIG had agreed would address its needs; however, the OIG subsequently changed its request for data from FYs 2017-2021 to 2018-2022, further exacerbating the alleged delay in OIG receiving requested information;
2. CBP made available untold numbers of privacy and law enforcement sensitive



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- records, and worked diligently with the OIG to provide broad access to other information, and minimize any delays in accommodating OIG's requests, while adhering to CBP's legal obligations, such as protecting personally identifiable information (PII) associated with vulnerable populations;
3. CBP provided OIG access to one of the largest data extracts CBP has ever produced in response to an audit, which included the data transfer of approximately 269 million records and 62 gigabytes of data; and
 4. CBP provided significant assistance in terms of personnel and time, responding to ongoing, multiple requests for clarification from the OIG audit and data analytics teams regarding the interpretation of the data that CBP made available.

CBP is also concerned with OIG's confusing statements:

“We aggregated data on personal vehicle and pedestrian encounters at POEs [ports of entry] on both the Southwest and northern borders. However, we were unable to extract only personal vehicle and pedestrian encounters, as needed for our audit. As a result, we used alternate means to answer our audit objective.”

These statements unjustly seem to indicate that at some level CBP was at fault for something, but do not specifically say what that might have been. The statements do not provide any operational or system context and, in short, create more questions than answers for “cold readers” of OIG report, thus doing a disservice to all involved with this audit.

Lastly, leadership is concerned that, while the draft report notes OIG reported this “access denial” in its Fall 2022 Semiannual Report to Congress,¹ it does not mention the Secretary of Homeland Security's disagreement with this allegation as documented in the Secretary's letter transmitting this report to Congress. It thus withholds additional important context from “cold readers” of OIG's report.

The draft report contained three recommendations, with which CBP concurs. Enclosed find our detailed response to each recommendation. CBP previously submitted technical comments under separate cover for OIG's consideration.

Again, thank you for the opportunity to review and comment on this draft report. Please feel free to contact me if you have any questions.

Enclosure

¹ DHS OIG Semiannual Report to Congress for the Period April 1, 2022 – September 30, 2022, <https://www.oig.dhs.gov/sites/default/files/assets/SAR/2022/oig-sar-apr22-sept22.pdf>



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**Enclosure: Management Response to Recommendations
Contained in Project No. 22-059-AUD-CBP**

OIG recommended that the Executive Assistant Commissioner (EAC) of CBP OFO:

Recommendation 1: Conduct a cost-benefit analysis of outbound inspections and issue a report on the findings to assist OFO in determining whether it should:

- a. establish an office responsible for outbound inspections, including budget and staffing needs, training, and program metrics;
- b. establish a minimum frequency of outbound inspections at land border crossings; and
- c. request more funding for outbound inspections.

Response: Concur. In early FY 2023, the EAC of CBP's OFO established an outbound enforcement strategy workgroup, which will lay out an outbound enforcement strategy that encompasses all modalities, to include Air, Sea, General Aviation, Cargo Express Consignment and Passenger for the Southern and Northern borders. The working group already established goals (both long and short-term) addressing this recommendation and proposed the findings to the EAC OFO. OFO will establish a dedicated office with outbound oversight focusing on creating a robust outbound posture, dedicated outbound funding string, training unique to each modality, and reportable metrics. Estimated Completion Date (ECD): April 30, 2024.

Recommendation 2: Develop and institute a comprehensive policy for outbound inspections.

Response: Concur. CBP's OFO Outbound Enforcement Strategy Workgroup will enhance and unify the outbound policy by updating and consolidating outdated outbound policies and procedures, as appropriate, to produce a comprehensive updated policy. ECD: April 30, 2024.

Recommendation 3: Assess infrastructure, internet connectivity, and technology at each land border crossing and ensure that officers have the necessary resources to conduct outbound inspections and can operate in a safe working environment.

Response: Concur. CBP's OFO Outbound Enforcement Strategy Workgroup will complete port of entry surveys that assess requirements and needs related to infrastructure, internet connectivity, and technology. OFO facilities will also examine current facilities and future facilities and determine efforts needed, as appropriate, to ensure a safe operating environment. ECD: April 30, 2024.



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Appendix C
Site Visits, FY 2022 Seizures, and Inspection Frequency

Border	State	Border Crossing	FY 2022 Seizure Cases	Inspection Frequency
SWB	TX	Amistad Dam		
SWB	CA	Andrade		
SWB	TX	Anzalduas (McAllen)		
SWB	TX	Bridge of the Americas (El Paso)		
SWB	TX	Brownsville and Matamoros Bridge (Brownsville)		
SWB	CA	Calexico East		
SWB	CA	Calexico West		
SWB	TX	Colombia Solidarity Bridge (Laredo)		
SWB	NM	Columbus		
SWB	AZ	DeConcini and Morley Gate (Nogales)		
SWB	TX	Del Rio		
SWB	TX	Donna		
SWB	AZ	Douglas		
SWB	TX	Eagle Pass Bridge I		
SWB	TX	Eagle Pass Bridge II		
SWB	TX	Falcon Dam		
SWB	TX	Fort Hancock		
SWB	TX	Gateway to the Americas (Laredo)		
SWB	TX	Gateway International Bridge (Brownsville)		
SWB	TX	Hidalgo		
SWB	TX	Lincoln Juarez Bridge (Laredo)		
SWB	TX	Los Ebanos Ferry		
SWB	TX	Los Indios Free Trade Bridge		
SWB	AZ	Lukeville		
SWB	AZ	Mariposa (Nogales)		
SWB	AZ	Naco		
SWB	CA	Otay Mesa		
SWB	TX	Paso Del Norte Bridge (El Paso)		
SWB	TX	Pharr		
SWB	TX	Presidio		
SWB	TX	Progreso		



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Border	State	Border Crossing	FY 2022 Seizure Cases	Inspection Frequency
SWB	TX	Rio Grande City		
SWB	TX	Roma		
SWB	AZ	San Luis I		
SWB	CA	San Ysidro		
SWB	NM	Santa Teresa		
SWB	TX	Stanton Street Bridge (El Paso)		
SWB	CA	Tecate		
SWB	TX	Tornillo		
SWB	TX	Veterans International Bridge (Brownsville)		
SWB	TX	World Trade Bridge (Laredo)		
SWB	TX	Ysleta		
NB	NY	Alexandria Bay		
NB	MI	Algonac Ferry (Port Huron)		
NB	MI	Ambassador Bridge (Detroit)		
NB	ND	Ambrose		
NB	ND	Antler		
NB	MN	Baudette		
NB	VT	Beebe Plain Station		
NB	VT	Beecher Falls		
NB	MI	Blue Water Bridge (Port Huron)		
NB	ME	Calais		
NB	VT	Canaan Station		
NB	NY	Cannons Corners		
NB	ND	Carbury		
NB	NY	Champlain		
NB	NY	Chateaugay		
NB	VT	Derby Line - I-91		
NB	VT	Derby Line - Route 5		
NB	MI	Detroit - Windsor Tunnel		
NB	ND	Dunseith		
NB	VT	East Richford Station		
NB	ME	Easton Station		
NB	ME	Ferry Point (Calais)		
NB	NY	Fort Covington		
NB	ME	Fort Fairfield		
NB	ME	Fort Kent		



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Border	State	Border Crossing	FY 2022 Seizure Cases	Inspection Frequency
NB	ND	Fortuna		
NB	MN	Grand Portage		
NB	ME	Hamlin Station		
NB	VT	Highgate Springs		
NB	ME	Houlton		
NB	MN	International Falls		
NB	WA	Kenneth G. Ward Port of Entry Lynden		
NB	MN	Lancaster		
NB	NY	Lewiston Bridge (Buffalo)		
NB	ME	Limestone		
NB	NY	Massena		
NB	ME	Milltown (Calais)		
NB	NY	Mooers		
NB	VT	Morses Line Station		
NB	ND	Noonan		
NB	ND	Northgate		
NB	VT	Norton		
NB	NY	Ogdensburg		
NB	ME	Orient Station		
NB	NY	Overtons Corners		
NB	WA	Pacific Highway (Blaine)		
NB	WA	Peace Arch (Blaine)		
NB	NY	Peace Bridge (Buffalo)		
NB	ND	Pembina		
NB	MN	Pinecreek		
NB	VT	Pinnacle Road Station		
NB	ND	Portal		
NB	NY	Rainbow Bridge (Niagara Falls)		
NB	VT	Richford		
NB	MN	Roseau		
NB	NY	Rouses Point		
NB	MI	Sault Sainte Marie		
NB	ND	Sherwood		
NB	WA	Sumas		
NB	MT	Sweetgrass		
NB	NY	Trout River		



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Border	State	Border Crossing	FY 2022 Seizure Cases	Inspection Frequency
NB	ME	Van Buren		
NB	MN	Warroad		
NB	VT	West Berkshire Station		
NB	ND	Westhope		
NB	NY	Whirlpool Bridge (Buffalo)		

Source: POE leadership responses to DHS OIG email and SEACATS FY 2022 seizure data



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Appendix D

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