

**DHS Needs to Better  
Demonstrate Its Efforts  
to Combat Illegal  
Wildlife Trafficking**





## OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

Washington, DC 20528 / [www.oig.dhs.gov](http://www.oig.dhs.gov)

October 27, 2021

MEMORANDUM FOR: The Honorable Alejandro Mayorkas  
Secretary  
Department of Homeland Security

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

Digitally signed by JOSEPH V  
CUFFARI  
Date: 2021.10.26 16:17:49  
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SUBJECT: *DHS Needs to Better Demonstrate Its Efforts to Combat  
Illegal Wildlife Trafficking*

For your action is our final report, *DHS Needs to Better Demonstrate Its Efforts to Combat Illegal Wildlife Trafficking*. We incorporated the final comments provided by your office.

The report contains one recommendation to improve the Department's efforts to combat wildlife trafficking. Your office concurred with the recommendation. Based on information provided in your response to the draft report, we consider the recommendation open and resolved. Once your office has fully implemented the recommendation, please submit a formal closeout letter to us within 30 days so that we may close the recommendation. The memorandum should be accompanied by evidence of completion of agreed-upon corrective actions. Please send your response or closure request to [OIGAuditsFollowup@oig.dhs.gov](mailto:OIGAuditsFollowup@oig.dhs.gov).

Consistent with our responsibility under the *Inspector General Act of 1978, as amended*, we will provide copies of our report to congressional committees with oversight and appropriation responsibility over the Department of Homeland Security. We will post the report on our website for public dissemination.

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

Attachment



# DHS OIG HIGHLIGHTS

## *DHS Needs to Better Demonstrate Its Efforts to Combat Illegal Wildlife Trafficking*

**October 27, 2021**

### **Why We Did This Audit**

The illegal and unlicensed importation and exportation of endangered and protected animals and plants, referred to as wildlife trafficking, is estimated to be valued at as much as \$23 billion annually. This illicit activity has become an international crisis that threatens security, undermines laws, and may lead to the spread of viruses. We conducted this audit to determine the extent to which DHS and its components combat illegal wildlife trafficking.

### **What We Recommend**

We made one recommendation to improve the Department's efforts to combat wildlife trafficking.

#### **For Further Information:**

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

### **What We Found**

Due to the Department of Homeland Security's absence of performance measures for combating wildlife trafficking, as well as limited data from U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE), we are reporting on the findings for immediate action rather than expanding our audit work. DHS could not provide performance measures and provided limited data to demonstrate the full extent or effectiveness of its efforts to enforce wildlife trafficking laws. Because CBP personnel inconsistently recorded data on wildlife encounters, we could not use the data to identify trends. ICE Homeland Security Investigations (HSI) special agents did not always completely or accurately record actions and data related to wildlife trafficking. CBP personnel did not always demonstrate that they involved HSI special agents when suspecting wildlife trafficking crimes. Finally, DHS did not establish performance goals to measure the results of its related efforts.

We attribute these issues to DHS, CBP, and ICE not providing adequate oversight, including clear and comprehensive policies and procedures, of wildlife trafficking efforts. As a result, DHS may be missing opportunities to disrupt the trafficking of wildlife and identify transnational criminal organizations that use the same networks for other illicit trafficking, such as narcotics, humans, and weapons.

### **DHS Response**

DHS concurred with the recommendation and provided a plan to improve its efforts.



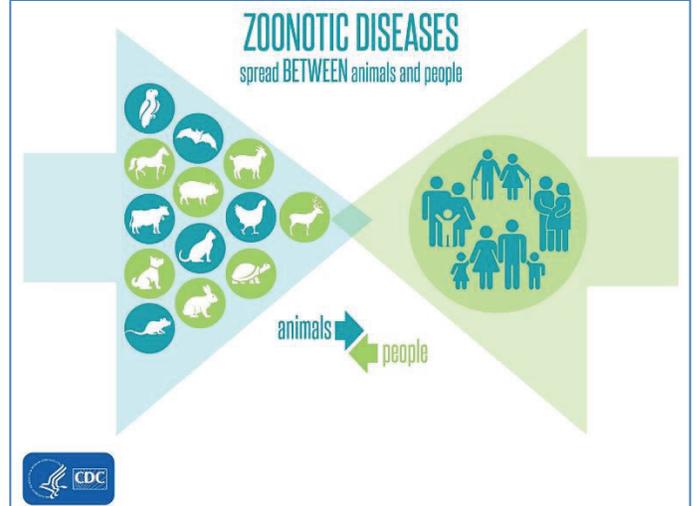
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## Background

Wildlife trafficking is the illegal and unlicensed importation and exportation of endangered and protected types of animals, plants, and their related parts and products, including tigers, sea turtles, exotic birds, iguanas, elephant ivory, rhino horn, shark fins, totoaba fish bladders, and Brazilian lumber. According to the *National Strategy for Combating Wildlife Trafficking* (February 2014),<sup>1</sup> this illicit activity has become an international crisis. Wildlife trafficking is also fueled by demand for consumption and status, which threatens security, hinders sustainable economic development, undermines laws, and leads to health risks. According to the Centers for Disease Control and Prevention (CDC), as shown in Figure 1, animals can carry germs that may spread to people and cause illnesses, known as zoonotic diseases, such as Ebola and Bird Flu. According to a March 2020 World Health Organization report, Coronavirus Disease 2019 (COVID-19) is a zoonotic disease.<sup>2</sup> Connections between wildlife traffickers and transnational criminal organizations involved in the illegal trafficking of humans, narcotics, or weapons can further harm the United States. The estimated annual value of wildlife trafficking is as much as \$23 billion.

**Figure 1. Zoonotic Disease Transmission**



Source: CDC website

Federal statutes give the Department of Homeland Security and several of its components the authority to combat wildlife trafficking. Specifically, the *Lacey Act*<sup>3</sup> authorizes DHS, including U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE), to enforce the prohibitions on the import, export, transport, sale, receipt, acquisition, or purchase of fish, wildlife, or plants taken, possessed, transported, or sold in violation of applicable law. The *Endangered Species Act of 1973*<sup>4</sup> also gives DHS authority to enforce laws prohibiting individuals taking endangered or threatened species from their habitat without a Federal permit.

<sup>1</sup> The White House issued this document to establish guiding principles and strategic priorities for U.S. efforts to stem illegal trade in wildlife.

<sup>2</sup> World Health Organization, *Origin of SARS-CoV-2*, March 26, 2020.

<sup>3</sup> *Lacey Act* Amendments of 1981, Chapter 53, *Control of Illegally Taken Fish and Wildlife*, 16 United States Code (U.S.C.) § 3371 et seq.

<sup>4</sup> *Endangered Species Act of 1973*, 16 U.S.C. § 1540, Section 11, *Penalties and Enforcement*.



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DHS' Office of Strategy, Policy, and Plans (DHS Office of Policy) leads development and coordination efforts to promote and ensure integration of the execution of all homeland security missions across the Department. The DHS Office of Policy also coordinates policies on the transport of goods across U.S. borders. In fiscal year 2020, DHS requested \$49 million from Congress for the Office of Policy. However, this request did not identify funding specifically allocated for wildlife trafficking policies.

Combating wildlife trafficking is a multi-agency effort, including DHS, U.S. Fish and Wildlife Service, and U.S. Department of Justice.

*Source: Illegal Trafficking of Wildlife and Other Natural Resources FY 2020 Report to Congress*

Three DHS components are involved in wildlife trafficking:

- CBP ensures commodities and goods, including wildlife, meet requirements for legal entry into the United States. Within CBP, the Office of Field Operations (OFO) prevents the entry of threats to American agriculture and natural resources. In fiscal year 2020, CBP requested \$4.4 billion from Congress for OFO, but the request did not specify funds related to wildlife trafficking efforts. Combating this crime is one of many roles CBP officers and agricultural specialists perform.
- ICE enforces more than 400 Federal statutes, including those related to wildlife trafficking. Within ICE, Homeland Security Investigations (HSI) Commercial Fraud Unit operates the Wildlife Trafficking Program. This program supports domestic and international HSI special agents in their investigation of wildlife trafficking crimes, such as the smuggling of illegally harvested sea cucumbers shown in Figure 2. In FY 2020, ICE requested \$1.7 billion from Congress to fund HSI operations, but the request did not specify funds to enforce wildlife trafficking laws. HSI special agents investigate wildlife trafficking as part of their duties.
- According to Transportation Security Administration (TSA) officials and our analysis of related activity, TSA does not incorporate wildlife trafficking into daily operations or policies.



**Figure 2. Sea Cucumbers**

*Source: DHS FY 2018 Agency Financial Report*

We conducted this audit to determine the extent to which DHS and its components combat illegal wildlife trafficking.



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### Results of Audit

#### **DHS Cannot Demonstrate the Full Extent or Effectiveness of Its Efforts to Combat Wildlife Trafficking**

Due to the Department's absence of performance measures for combating wildlife trafficking, CBP's limited data on wildlife trafficking violations and HSI's limited number of cases, we are reporting on the findings for immediate action rather than expanding our audit work. DHS could not provide any performance measures and provided only limited data to demonstrate the full extent or effectiveness of its efforts to enforce wildlife trafficking laws. Because CBP personnel inconsistently recorded data on wildlife encounters, we could not use the data to identify trends. Similarly, HSI special agents did not always completely or accurately record actions and data related to wildlife trafficking. CBP personnel did not always demonstrate they involved HSI special agents when suspecting wildlife trafficking crimes. Finally, although required by the *Government Performance and Results Modernization Act of 2010* to create indicators to measure or assess progress toward performance goals, DHS did not establish such goals to measure the results of its efforts to combat wildlife trafficking. We attribute these issues to DHS, CBP, and ICE not providing adequate oversight, including clear and comprehensive guidance, of wildlife trafficking activities.

#### **DHS Has No Performance Measures and Only Limited Data on Wildlife Trafficking**

Beginning in FY 2015, Congress noted increases in the illegal wildlife trade and directed DHS to outline steps to further address wildlife trafficking, including what resources it was aligning to wildlife trafficking activities and initiatives. In response to the congressional concerns, the Department provided annual reports from FY 2016 through FY 2020, highlighting some successful accomplishments. However, the reports did not provide comprehensive metrics demonstrating the results of its efforts in this area. DHS also could not provide any performance measures and provided only limited data to demonstrate the full extent of its efforts to combat wildlife trafficking. The DHS Office of Policy could not provide any department-level performance measures demonstrating its success combating wildlife trafficking. The audit team also requested CBP wildlife trafficking seizure data for the audit period of FY 2018 through February 2021. CBP personnel provided 12,367 potential wildlife trafficking seizures because the database did not have a specific wildlife trafficking identifier to allow CBP personnel to fulfill the OIG's data request. ICE HSI also provided 204 cases of wildlife trafficking investigations for the same period, but after further analysis, the audit team could not verify whether these 204 cases included all wildlife trafficking cases. The team identified areas for



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improvement based on a limited review of DHS' and its components' efforts to combat wildlife trafficking.

### **CBP and ICE Data Is Not Usable for Trend Analysis**

In addition to not knowing how many of the 12,367 seizure records represented wildlife trafficking violations, CBP personnel inconsistently recorded seizures in the designated system. HSI special agents did not adequately track declinations of wildlife trafficking referrals from CBP or properly code cases in their case management system. Therefore, we could not use the limited data from CBP and ICE to identify trends, such as types of wildlife frequently identified by CBP personnel, the number of times ICE accepted or declined a referral from CBP to investigate potential wildlife trafficking, or an accurate total number of wildlife trafficking cases.

#### Inconsistent Recording of Data on Encounters with Wildlife

CBP personnel did not consistently record wildlife encounters in the Seized Assets and Case Tracking System (SEACATS).<sup>5</sup> To document a wildlife encounter, CBP personnel selected the property type from a predefined list, recorded a description of the item seized in a free-text field, and entered the unit of measure for the item(s) seized. We reviewed 12,367 seizure records with a potential connection to wildlife trafficking recorded in many different predefined categories. We identified inconsistencies in how CBP personnel:

- selected predefined categories;
- recorded different types of wildlife;
- applied units of measure for seized quantities; and
- determined whether to record a seizure.

CBP personnel did not consistently match the predefined category and the description of the seizure in the free-text field. For example, 203 of 3,872 entries in the predefined "MEAT & ANIMAL PRODUCTS - PORK (AGR)" category did not include references to pork products in the free-text field. Instead, we identified a variety of terms such as "grapefruit" or "raw chicken wings." We also identified 102 of 338 seizures described as "live" in the free-text field, without a match in any of the seven predefined "live" categories.

CBP personnel inconsistently recorded the number and types of seizures per entry in SEACATS. For example, the free-text field for one seizure entry included details about seizing animal parts from two different animals — a moose and a whale. In another entry, CBP personnel included a free-text

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<sup>5</sup> SEACATS is CBP's electronic repository for seized property inventory and case processing information related to arrests and seized property.



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description of seizing both animal parts and plants. After our audit period, CBP issued a muster document (*SEACATS and Civil Penalty Updates*, April 26, 2021) reminding CBP personnel to place only one type of item per line in the item description portion of the record.

CBP personnel also recorded seized quantities and units of measure for SEACATS entries differently. For instance, CBP personnel recorded 26 separate seizures of shark fins. In six instances, CBP personnel captured the number of shark fins seized. In the remaining 20 instances, CBP personnel recorded the unit of measure as a weight of seized shark fins. In another example, CBP personnel recorded the units of measure for 12 Totoaba fish bladder seizures inconsistently, as shown in Table 1. In nine seizures, CBP personnel captured each Totoaba fish bladder, but in the remaining three instances, CBP personnel captured the weight of the fish bladders in varying units of measurement.

**Table 1. Units of Measure (UM)  
Recorded for Totoaba Fish Bladders**

Seized Quantity	UM	Property Description Text (free text field)
41	EA	TOTOABA FISH BLADDER
132	EA	132 Totoaba Fish Swim Bladders
6	EA	TOTOABA BLADDERS
3	EA	THREE TOTOABA BLADDERS
2	EA	Totoaba bladders
2	EA	Totoaba bladders
2	EA	Totoaba bladders
1	EA	Totoaba bladder
1	EA	One totoaba bladder
426.2	GR	Totoaba Fish Bladder
3.62	KG	3.62 kilos of Totoaba
12.5	OZ	12.5 OZ. TOTOABA FISH BLADDER

Source: SEACATS data provided by CBP

Finally, CBP personnel did not always record seizures of wildlife in SEACATS as required. Instead, some officers seized items, turned them over to an investigating law enforcement agency, such as U.S. Fish and Wildlife Service, and did not document the seizure in SEACATS. CBP OFO personnel acknowledged SEACATS data did not capture all wildlife encounters.

According to the U.S. Government Accountability Office’s (GAO) *Standards for Internal Control in the Federal Government*, management uses quality information to make informed decisions and evaluate the entity’s performance. The inconsistent recording of items seized means CBP does not have quality data available for decision making and performance evaluation.



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### ICE HSI Special Agents Did Not Always Completely or Accurately Record Actions and Data Related to Wildlife Trafficking

When CBP personnel encounter suspected illegal wildlife, they are required to refer the matter to HSI special agents. ICE officials explained that special agents receiving investigative case referrals from CBP can take various actions such as interviewing the suspect detained by CBP personnel or declining the referral. We determined that HSI special agents did not always document when they declined a CBP-referred potential case. According to these ICE officials, special agents are not required to document when they decline these referrals. Without data identifying declinations, ICE cannot determine how often its special agents are contacted by CBP, the types of wildlife cases they decline, or why ICE officials decline referrals. This information could help ICE identify the demands on its resources to combat wildlife trafficking.

ICE *HSI's Case Management Handbook* (July 2020)<sup>6</sup> specifies that special agents are primarily responsible for the accuracy of case data in the Investigative Case Management (ICM) system. However, special agents did not always apply a wildlife trafficking investigative designation in ICM. Specifically, we identified two high-profile cases in which ICE special agents applied a generic commercial fraud designation and not the specific wildlife trafficking designation in ICM:

- One of ICE's largest ongoing wildlife trafficking cases involving the illegal importation of Peruvian timber to the United States, which HSI program officials highlighted to us, was not coded as wildlife trafficking in ICM until after our inquiry into details surrounding this case.
- One of ICE's wildlife trafficking cases, which involved falsely labeled imported crabmeat, received national attention in an ICE report to Congress related to its FY 2020 wildlife trafficking successes. However, ICE did not assign the wildlife trafficking designation in ICM. At the time of our inquiry, the case had been closed in ICM and remained without the wildlife trafficking code.

As a result of these data quality issues, the 204 wildlife trafficking cases ICE provided from ICM did not include these two cases. Further, the erroneous coding of ICM cases prevents ICE officials from reporting an accurate number of wildlife trafficking cases worked by HSI special agents. This impacts ICE's ability to precisely report performance results and the level of resources used for enforcing wildlife trafficking laws.

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<sup>6</sup> HSI's *Case Management Handbook* superseded ICE's *Office of Investigations Handbook* 08-02, *Case Management Handbook*, dated February 1, 2008.



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### CBP Did Not Always Leverage ICE HSI Special Agents for Investigations

CBP's *Seized Asset Management and Enforcement Procedures Handbook*<sup>7</sup> requires OFO seizing personnel to refer such incidents to ICE. According to the ICE HSI *Commercial Fraud Unit Overview*, CBP and ICE must work together to successfully conduct wildlife trafficking investigations. However, CBP did not always involve HSI special agents when encountering suspected wildlife trafficking. We reviewed several wildlife trafficking seizures in which CBP personnel did not leverage HSI special agents' investigative expertise. Specifically, from a universe of 12,367 wildlife seizures recorded between FY 2018 and February 2021 in SEACATS, we judgmentally selected three seizures based on the significant number of pieces or weight of each seizure. Each seizure resulted in a wildlife trafficking violation:

- 37,799 pieces of ivory;
- 4,059 mako shark teeth necklaces; and
- 52,029 pounds of lumber, shown in Figure 3.

According to CBP personnel and documentation, CBP personnel did not contact HSI special agents about the ivory and shark teeth necklace seizures. For the lumber, CBP personnel communicated with HSI special agents solely to obtain approval to post the seizure on social media. ICE's investigative assistance, including its broad legal authorities, could have been beneficial to the seizures' outcomes.



**Figure 3. Lumber Seizure**

Source: CBP Files

By not consistently using the investigative authorities and expertise of HSI special agents when encountering suspected wildlife trafficking, DHS may be missing opportunities to prevent crime and identify whether traffickers have ties to transnational criminal organizations.

### DHS Did Not Establish Goals to Measure the Results of Its Efforts

The *Government Performance and Results Modernization Act of 2010* requires Federal agencies to create indicators to measure or assess progress toward performance goals, including efficiency, output, and outcome indicators. Additionally, under Strategic Objective 1.2, *Detect and Disrupt Threats*, in *The DHS Strategic Plan, Fiscal Years 2020–2024*, DHS identifies transnational criminal organizations, including those that engage in wildlife trafficking, as a

<sup>7</sup> *Seized Asset Management and Enforcement Procedures Handbook* (July 2011), Section 2.8: *Seizing Officer Responsibilities*.



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serious threat to the Nation. However, DHS did not establish specific goals to measure the results of its efforts to combat wildlife trafficking. Specifically, the DHS Office of Policy did not provide department-level performance measures to demonstrate how well the Department is performing and achieving the strategic objective related to wildlife trafficking. An official explained he was not aware of any deficiencies in how the components (or the Department as a whole) were performing in this area, but he could not provide documentation corroborating this statement. Although CBP performance measures in the annual congressional budget justifications from FY 2018 through FY 2021 evaluate success ensuring land and air passengers comply with all Federal regulations, CBP personnel could not provide specific and comprehensive measures related to wildlife trafficking. ICE performance measures in the annual congressional budget justifications from FY 2018 through FY 2021 evaluate success disrupting or dismantling transnational criminal organizations for non-drug related cases. However, ICE personnel could not provide specific and comprehensive measures relevant to wildlife trafficking, such as all wildlife trafficking cases.

### **DHS, CBP, and ICE Do Not Provide Adequate Oversight of Efforts to Combat Wildlife Trafficking**

DHS, CBP, and ICE do not provide adequate oversight, including clear and comprehensive policies and procedures, of wildlife trafficking activities. DHS does not comprehensively oversee its efforts to combat wildlife trafficking, including recording of data on seizures and investigative cases, coordination and collaboration between CBP and ICE when investigating potential wildlife trafficking, and the establishment of goals to measure the Department's success in this area. Specifically:

- CBP does not adequately oversee SEACATS seizure data to ensure existing policies and procedures are followed.
- ICE does not adequately oversee ICM investigative case data to ensure it is accurate and complete.
- CBP policies do not provide guidance or requirements to consistently record seizure information in SEACATS, such as how many seizures should be recorded per entry or which unit of measure to use for each type of seizure.
- ICE *HSI's Case Management Handbook* does not provide specific guidance on how agents should record wildlife trafficking case declinations to ensure consistency.
- ICE HSI only distributed its *Commercial Fraud Overview* to special agents on an as-needed basis. The guidance is not posted on a centralized location for all special agents to use during investigations.

Without DHS, CBP, and ICE providing adequate oversight and guidance for efforts to combat wildlife trafficking, the Department and its components could



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not provide sufficient data for us to audit the full extent or effectiveness of its efforts in this area. The Department may also be missing opportunities to curtail the spread of zoonotic viruses and disrupt transnational criminal organizations involved in wildlife trafficking and other illicit trafficking, such as narcotics, humans, and weapons. The continued illegal trade in wildlife may potentially increase the financial value of this multi-billion-dollar industry, which may also lead to the spread of viruses.

### Recommendation

We recommend the Secretary of Homeland Security designate an office or official to establish adequate controls for overseeing the Department's efforts to combat wildlife trafficking. The designated office or official should:

- a) work with the Commissioner of CBP and the Director of ICE to jointly develop and implement clear and comprehensive policies and procedures to oversee wildlife trafficking efforts and ensure consistency for CBP and ICE; and
- b) ensure the Commissioner of CBP and the Director of ICE collect, analyze, and report complete and accurate data to demonstrate performance and results.

### Management Comments and OIG Analysis

DHS appreciated our work planning and conducting this review. The Department concurred with the recommendation and provided a corrective action plan to address the identified shortfalls. The recommendation is resolved and open. We incorporated the Department's response in its entirety as Appendix A. DHS provided technical comments under separate cover. When appropriate, we made changes to the report. The following is a summary of the Department's response to the recommendation and our analysis.

**DHS Response to Recommendation:** Concur. DHS responded that its Office of Strategy, Policy and Plans Counterterrorism and Threat Prevention, Combating Transnational Organized Crime Office will serve as the DHS office of primary responsibility for overseeing the Department's efforts to combat wildlife trafficking. As such, this office will work with CBP OFO and ICE HSI to develop and implement a standardized process through which CBP consistently refers wildlife trafficking encounters to ICE, and the two components will work cooperatively on wildlife trafficking investigations.

The DHS Office of Policy will also work with OFO and HSI to establish relevant and defined goals for counter-wildlife trafficking efforts, with clear performance



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measures. As part of these efforts, the DHS Office of Policy will work with OFO and HSI to jointly develop and implement clear and comprehensive policies and procedures to oversee counter-wildlife trafficking efforts and ensure consistency for CBP and ICE. The Office of Policy will also ensure OFO and HSI collect, analyze, and report complete and accurate data to demonstrate performance and results. DHS provided an estimated completion date of October 31, 2022.

**OIG Analysis:** DHS' response and corrective action plan to lead the effort and coordination for wildlife trafficking meets the intent of the recommendation, which is resolved and open. We will close the recommendation once the Department provides documented evidence showing defined goals for counter-wildlife trafficking efforts; clear and comprehensive policies and procedures; and the collection, analysis, and reporting of complete and accurate data.

### Objective, Scope, and Methodology

The Department of Homeland Security Office of Inspector General was established by the *Homeland Security Act of 2002* (Pub. L. No. 107-296) by amendment to the *Inspector General Act of 1978*.

We conducted this audit to determine the extent to which DHS and its components combat illegally trafficked wildlife. Our audit scope was FY 2018 through February 2021. To answer our objective, including the assessment of internal controls, we reviewed related legislation, goals and priorities, strategic and employee performance plans, policies, procedures, and handbooks. We also reviewed prior OIG and GAO reports, media articles, congressional testimony, and ICE ICM and CBP SEACATS wildlife trafficking case and seizure data.

We interviewed personnel from DHS Office of Policy, TSA's Security Operations, TSA's Transportation Security Operations Center, TSA's Office of General Counsel, ICE HSI Commercial Fraud Unit, ICE HSI field offices, CBP Office of Trade and OFO, CBP field offices, and U.S. Fish and Wildlife Service.

We determined only .0029 percent of TSA's transportation security incidents reported during our audit period related to wildlife trafficking. We corroborated TSA's limited involvement in wildlife trafficking through interviews with TSA personnel. As a result of TSA's limited involvement in this area, we scoped TSA out of additional audit work.

To identify whether CBP and ICE took appropriate action involving wildlife trafficking, we judgmentally selected four live animal and three non-live animal seizures from a universe of 12,367 SEACATS records between FY 2018 and



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February 2021. Additionally, we judgmentally selected three HSI ICM cases for review from a universe of 204 wildlife trafficking investigations between FY 2018 and February 2021. We also selected the two cases ICE reported to Congress in its FY 2020 annual report for further review. We evaluated source documentation and conducted applicable interviews to reach our conclusions.

We assessed DHS Office of Policy's, CBP's, and ICE's internal controls necessary to satisfy the audit objective. Within DHS Office of Policy, we assessed one internal control component — Information and Communication — and two underlying principles — Communicate Internally and Communicate Externally. Within ICE, we assessed three internal control components — Control Environment, Information and Communication, and Monitoring — and six underlying principles — Exercise Oversight Responsibility; Establish Structure, Responsibility, and Authority; Use Quality Information; Communicate Internally; Communicate Externally; and Perform Monitoring Activities. Within CBP, we assessed three internal control components — Control Environment, Information and Communication, and Monitoring — and four underlying principles — Establish Structure, Responsibility, and Authority; Communicate Externally; Use Quality Information; and Perform Monitoring Activities. Because our review was limited to these internal control components and underlying principles, it may not have disclosed all internal control deficiencies that may have existed at the time of this audit.

We assessed the reliability of CBP's SEACATS wildlife seizure data. Specifically, we observed CBP personnel pull a data set of wildlife seizures from SEACATS during our audit period. Through this process, we confirmed the parameters of our data request matched the parameters CBP personnel used to extract the data. However, during our audit, we determined CBP personnel inconsistently entered wildlife encounters or did not always record wildlife trafficking seizures in SEACATS, resulting in an incomplete data set.

We also assessed the reliability of ICE's ICM universe of open, pending, or closed wildlife trafficking cases within our audit period. We determined the specific data for wildlife trafficking cases received was reliable, by verifying the parameters to select wildlife trafficking related cases and date parameters and by validating record totals.

As a result of the limited CBP seizure and ICE investigations data related to wildlife trafficking available to audit, and to prevent unnecessary costs, we decided to report on the findings for immediate action rather than continue with audit fieldwork.

We conducted this performance audit between February 2021 and August 2021 pursuant to the *Inspector General Act of 1978, as amended*, and according to generally accepted government auditing standards. Those



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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 upon our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based upon our audit objectives.

The Office of Audits major contributors to this report are Patrick O'Malley, Director; Stephanie Brand, Audit Manager; Christine Meehan, Auditor-In-Charge; Kristine Odiña, Auditor-In-Charge; Junior Correa, Program Analyst; Andrew Herman, Auditor; Ebenezer Jackson, Program Analyst; Kevin Dolloson, Communications Analyst; and Adam Buro, Independent Referencer.



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**Appendix A**  
**DHS Comments to the Draft Report**

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



**Homeland  
Security**

October 15, 2021

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

FROM: Jim H. Crumacker, CIA, CFE JIM H  
Director CRUMPACKER  
Departmental GAO-OIG Liaison Office

Digitally signed by JIM H  
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Date: 2021.10.15 15:40:35  
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SUBJECT: Management Response to Draft Report: “DHS Needs to Better  
Demonstrate Its Efforts to Combat Illegal Wildlife Trafficking”  
(Project No. 21-018-AUD-DHS)

Thank you for the opportunity to comment on this draft report. The U.S. Department of Homeland Security (DHS or the Department) appreciates the work of the Office of Inspector General (OIG) in planning and conducting its review and issuing this report.

DHS is pleased to note OIG’s acknowledgement that two Department components combat illegal wildlife trafficking in daily operations: (1) U.S. Customs and Border Protection (CBP) Office of Field Operations (OFO), which prevents the entry of threats to American agriculture and natural resources; and (2) U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI), which enforces more than 400 Federal statutes related to wildlife trafficking.

With more than 7,000 special agents in the United States and around the globe, including agents assigned to 84 attaché offices in over 50 countries, ICE HSI leads the Department’s investigative efforts to combat illegal trafficking of wildlife and other natural resources. One of ICE HSI’s top priorities is preventing the exploitation of the world’s natural resources and the smuggling of trafficked wildlife and products into United States’ commerce. ICE HSI is committed to continuing its work coordinating efforts and sharing information with CBP, the U.S. Fish and Wildlife Service (FWS), and overseas counterparts to successfully investigate and prosecute transnational criminal organizations and individuals who violate wildlife trafficking and/or environmental laws. Examples include:

- Between July and September 2020, ICE HSI personnel in Pretoria, South Africa, collaborated with the South African Police Service and a non-governmental



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organization, African Pangolin Working Group (APWG), to establish a task force to address wildlife trafficking of pangolins which are a protected species of mammal under the U.S. Endangered Species Act of 1973. During this timeframe, this task force rescued six live pangolins, seized four sets of pangolin skins, and arrested 24 wildlife traffickers. The rescued pangolins were turned over to the APWG for rehabilitation and eventual release back into the wild. The task force remains active, and future arrests and seizures are anticipated.

- On September 3, 2020, a multi-agency law enforcement operation shut down an international criminal organization that profited from drug trafficking and the illegal wildlife trade and conspired to hide the illegal nature of the proceeds. The operation brought together ICE HSI in Miami, Florida, FWS, U.S. Drug Enforcement Administration, U.S. Postal Inspection Service, and the U.S. Marshals Service under the umbrella of the Organized Crime Drug Enforcement Task Forces to target two businesses and a dozen individual defendants whose activities included international wildlife trafficking, trafficking in marijuana, and a money laundering conspiracy designed to disguise the proceeds of unlawful activities spanning at least 10 years. During the arrests of the 12 defendants and execution of 22 search warrants from coast to coast, agents seized, among other things, more than \$3.9 million in multiple bank accounts, multiple firearms, and 18 totoaba fish bladders harvested illegally from an endangered species. Agents also documented the illegal harvest of more than six tons of shark fins.

The draft report contained one recommendation with which the Department concurs. Attached find our detailed response to the recommendation. DHS previously submitted technical comments addressing several accuracy, contextual, and other issues under a 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. We look forward to working with you again in the future.

Attachment



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### Attachment: Management Response to Recommendations Contained in 21-018-AUD-DHS

OIG recommended that the Secretary of Homeland Security:

**Recommendation 1:** Designate an office or official to establish adequate controls for overseeing the Department's efforts to combat wildlife trafficking. The designated office or official should:

- a) work with the Commissioner of CBP and the Director of ICE to jointly develop and implement clear and comprehensive policies and procedures to oversee wildlife trafficking efforts and ensure consistency for CBP and ICE; and
- b) ensure the Commissioner of CBP and the Director of ICE collect, analyze, and report complete and accurate data to demonstrate performance and results.

**Response:** Concur. The DHS Office of Strategy, Policy and Plans Counterterrorism and Threat Prevention, Combating Transnational Organized Crime Office (PLCY CTTT-CTOC) will serve as the DHS office of primary responsibility for overseeing the Department's efforts to combat wildlife trafficking. In this capacity, PLCY CTTT-CTOC will work with CBP OFO and ICE HSI to develop and implement a standardized process through which CBP consistently refers wildlife trafficking encounters to ICE, and the two components work cooperatively on wildlife trafficking investigations. PLCY CTTT-CTOC will also work with CBP OFO and ICE HSI to establish relevant and defined goals for counter-wildlife trafficking efforts, with clear performance measures. As part of these efforts, PLCY CTTT-CTOC will work with CBP OFO and ICE HSI to jointly develop and implement clear and comprehensive policies and procedures to oversee counter-wildlife trafficking efforts and ensure consistency for CBP and ICE; and will ensure CBP OFO and ICE HSI collect, analyze and report complete and accurate data to demonstrate performance and results. Estimated Completion Date: October 31, 2022.



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