DHS Technology Systems Do Not Effectively Support Migrant Tracking at the Southwest Border

Homeland Security

September 9, 2022

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

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

JOSEPH V CUFFARI

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JOSEPH V CUFFARI
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SUBJECT: *DHS Technology Systems Do Not Effectively Support Migrant Tracking at the Southwest Border*

Attached is our final report, *DHS Technology Systems Do Not Effectively Support Migrant Tracking at the Southwest Border.* We incorporated the formal comments provided by the Department.

The report contains eight recommendations to improve migrant processing and tracking along the Southwest Border. The Department concurred with all eight recommendations. Based on information provided in your response to the draft report, we consider all eight recommendations resolved and open. Once the Department has fully implemented the recommendations, please submit a formal closeout letter to us within 30 days so that we may close the recommendations. This memorandum should be accompanied by evidence of completion of agreed-upon corrective actions and 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 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 Technology Systems Do Not Effectively Support Migrant Tracking at the Southwest Border

Why We Did This Audit

U.S. Customs and Border Protection's (CBP) mission is to safeguard our Nation's borders and facilitate lawful international trade and travel. CBP encountered more than 1.6 million migrants illegally crossing the Southwest Border in fiscal year 2021. We conducted this audit to determine the effectiveness of DHS' information technology (IT) systems to track migrants from apprehension to release or transfer.

What We Recommend

We made eight recommendations to improve migrant processing and tracking along the Southwest Border.

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

DHS' IT systems did not effectively allow CBP and U.S. Immigration and Customs Enforcement (ICE) personnel to track migrants from apprehension to release or transfer. To overcome technology limitations, DHS personnel and partner agencies at the border implemented manual and ad hoc workarounds to process migrants apprehended illegally entering the United States. Technology limitations occurred because DHS components and partner agencies fund and maintain their own IT systems. However, DHS had several improvement efforts underway during the time of this audit to facilitate information sharing.

DHS personnel also faced challenges when data was not consistently documented in DHS' systems of record. For example, migrant apprehension times were not recorded in a consistent manner, and we identified missing migrant data that prevented DHS from determining family status. Also, CBP did not always document a migrant's intended U.S. address before releasing the individual into the United States using prosecutorial discretion to await immigration proceedings. According to ICE, CBP only recorded addresses 65 percent of the time between March and June 2021. We also noted that approximately 30 percent of migrants did not comply with release terms to report to ICE within 60 days between March and September 2021.

These deficiencies can delay uniting children with families and sponsors and cause migrants to remain in DHS custody beyond legal time limits. Also, without accurate data, such as family status, DHS is less likely to ensure family members remain together and at appropriate facilities. DHS should continue its efforts to improve IT capabilities to track migrants and share information. This is critical to ensure that DHS can process the high number of migrants illegally crossing the Southwest Border — which exceeded 1.6 million in FY 2021.

DHS Response

The Department concurred with all recommendations.

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Appendixes

Abbreviations

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A-file	Alien File
CAS	Case Acceptance System
CBP	U.S. Customs and Border Protection
COVID-19	coronavirus disease 2019
DOJ	U.S. Department of Justice
e3	e3 System
EARM	ENFORCE Alien Removal Module
EID	Enforcement Integrated Database
ERO	Enforcement and Removal Operations
HHS	U.S. Department of Health and Human Services
ICE	U.S. Immigration and Customs Enforcement
IT	information technology
MCC	Movement Coordination Cell
MOA	Memorandum of Agreement
ORR	Office of Refugee Resettlement
UC Portal	Unaccompanied Children Portal
UIP	Unified Immigration Portal
USBP	U.S. Border Patrol
USMS	U.S. Marshals Service

Background

Each year, hundreds of thousands of people attempt to enter the United States illegally through the southern border with Mexico. DHS has primary responsibility for securing U.S. borders from illegal activity and regulating travel and legal trade. Within DHS, U.S. Customs and Border Protection's (CBP) mission is safeguarding U.S. borders. CBP's U.S. Border Patrol (USBP) enforces U.S. laws, including those against illegal immigration. USBP apprehends migrants caught illegally crossing the border between ports of entry and is responsible for the short-term detention of migrants. Within the Southwest Border Sectors, USBP employs approximately 17,000 agents to patrol the 1,900 miles of border shared with Mexico, as pictured in Figure 1.

Figure 1. USBP Stations on the Southwest Border
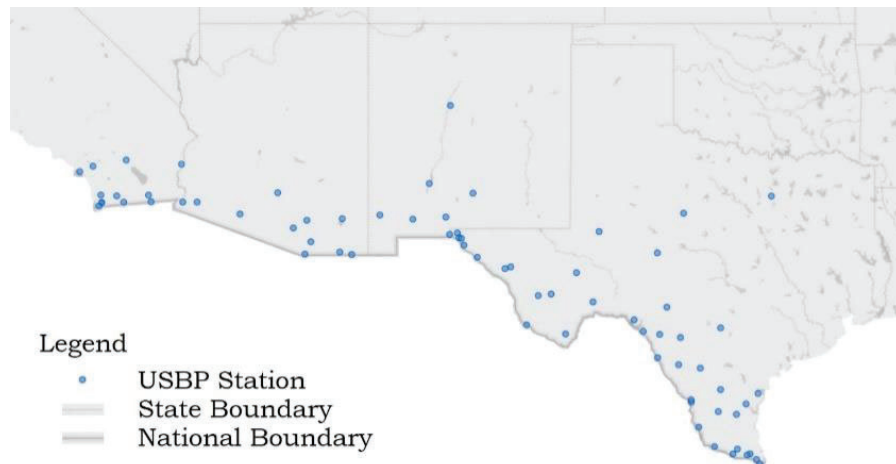
Source: DHS Office of Inspector General-created from CBP data

USBP reported it encountered more than 1.6 million migrants illegally crossing the Southwest Border with Mexico in fiscal year 2021. This represents a 314 percent increase over FY 2020. Table 1 depicts the total number of USBP Southwest Border encounters[1] during FYs 2019, 2020, and 2021.

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[1] *See* https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters.

Table 1. USBP Southwest Border Encounters,[2] FYs 2019–2021

	FY 2019	FY 2020	FY 2021
Single Adults	301,806	317,864	1,063,285
Family Units	473,682	52,230	451,087
Unaccompanied Children[3]	76,020	30,557	144,834
Total	851,508	400,651	1,659,206

Source: DHS OIG-created from CBP data[4]

U.S. Immigration and Customs Enforcement (ICE) plays a key role in supporting U.S. borders through the criminal and civil enforcement of Federal laws governing border control, customs, trade, and immigration. Within ICE, Enforcement and Removal Operations (ERO) manages the immigration enforcement process including identifying, arresting, detaining, and releasing migrants from custody who enter the United States illegally, to include alternatives to detention.[5] ERO processes and removes undocumented migrants who are subject to a final order of removal or agree to voluntary departure from the United States.

DHS Procedures for Tracking Migrants

DHS must be able to process and track each migrant from apprehension to transfer or release. It is key that USBP agents identify whether each apprehended individual is traveling as part of a family to ensure members can be linked in the system of record. Appendix C depicts the process for migrants encountered by USBP from apprehension to release or transfer. During initial processing, as shown in Figure 2, USBP agents determine each apprehended migrant's demographic, listed in the following paragraphs.

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[2] Encounters include apprehensions.

[3] 6 United States Code (U.S.C.) § 279(g)(2) defines unaccompanied children as children younger than age 18 with no lawful immigration status in the United States and who have no parent or legal guardian in the United States or who have no parent or legal guardian in the United States available to provide care and physical custody.

[4] In FY 2021, 1,040,220 migrants were expelled from the United States under Title 42 U.S.C. § 265, which states that whenever the Surgeon General determines, by reason of the existence of any communicable disease in a foreign country, there is considerable risk to the public health of the United States, the Surgeon General, in accordance with regulations approved by the President, shall have the power to prohibit the introduction of persons into the United States.

[5] Alternatives to detention include ankle bracelets, smartphones, and other tools to ensure compliance with release conditions, court hearings, and final orders of removal, while allowing migrants to remain in the United States as they proceed through the immigration process.

Figure 2. USBP processing a migrant
Source: CBP

1. Single adult – migrant age 18 or older;
2. Unaccompanied child – child younger than age18 who has no parent or legal guardian in the United States (see footnote 3 for full definition);
3. Family unit – two or more migrants, consisting of a minor or minors accompanied by his/her/their adult parent(s) or legal guardian(s);[6] or
4. Family group – related migrants (e.g., brother and sister, aunt and nephew), who need to travel together, who are non-U.S. citizens and do not meet the definition of a family unit.[7]

USBP may refer apprehended migrants to the U.S. Department of Justice (DOJ) for prosecution based on criminal history, among other factors. Within DOJ, the U.S. Marshals Service (USMS) may maintain custody of adult migrants referred for criminal prosecution through case disposition. DOJ prosecutes immigration-related criminal cases brought by the Federal Government.[8]

Unaccompanied children encountered by USBP are transferred to the U.S. Department of Health and Human Services (HHS). The Office of Refugee Resettlement (ORR) is responsible for the care and custody, and placement of unaccompanied children into shelters and with qualified sponsors.[9] Table 2 depicts the results of USBP Southwest Border apprehensions during FYs 2019, 2020, and 2021.

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[6] Memorandum dated January 7, 2020, titled *U.S. Border Patrol Family Unit Separation Guidance.*
[7] Memorandum dated January 7, 2020, titled *U.S. Border Patrol Family Unit Separation Guidance.*
[8] ICE's Office of the Principal Legal Advisor represents DHS in immigration removal proceedings before the Executive Office for Immigration Review.
[9] HHS ORR's Sponsor Handbook defines a sponsor as an individual or entity to which ORR releases an unaccompanied child out of Federal custody.

**Table 2. Results of USBP Southwest Border Apprehensions,
FYs 2019–2021**

	FY 2019	FY 2020	FY 2021
Migrants Transferred to USMS for Prosecution	20,604	13,213	2,896
Single Adult and Family Unit Migrants Transferred to ICE	484,347	133,426	304,849
Unaccompanied Children Transferred to HHS ORR	66,424	24,898	125,407

Source: DHS OIG-created based on DHS' Office of Immigration Statistics data[10]

DHS Technology Used for Migrant Processing and Tracking

CBP, ICE, HHS, and DOJ rely on multiple information technology (IT) systems to track migrants and to release or transfer vast numbers of single adults and family units from USBP custody to ICE and DOJ, or in the case of unaccompanied children,[11] to HHS. Figure 3 details the systems used to process and track migrants.

- USBP agents use the e3 system (e3) to record detainee information throughout the process, from apprehension to prosecution, release, or transfer to partner agencies or components.
- ICE officers use the Enforce Alien Removal Module (EARM) to enter migrants' case information and process removal cases. e3 and EARM data are stored in ICE's Enforcement Integrated Database (EID).
- HHS ORR uses the Unaccompanied Children Portal (UC Portal) to track children.
- CBP's Unified Immigration Portal (UIP) connects relevant data from agencies across the immigration lifecycle to enable a more complete understanding of an individual's immigration journey.

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[10] The results of USBP Southwest Border apprehensions identified in Table 2 do not account for all apprehensions in FYs 2019, 2020, and 2021.
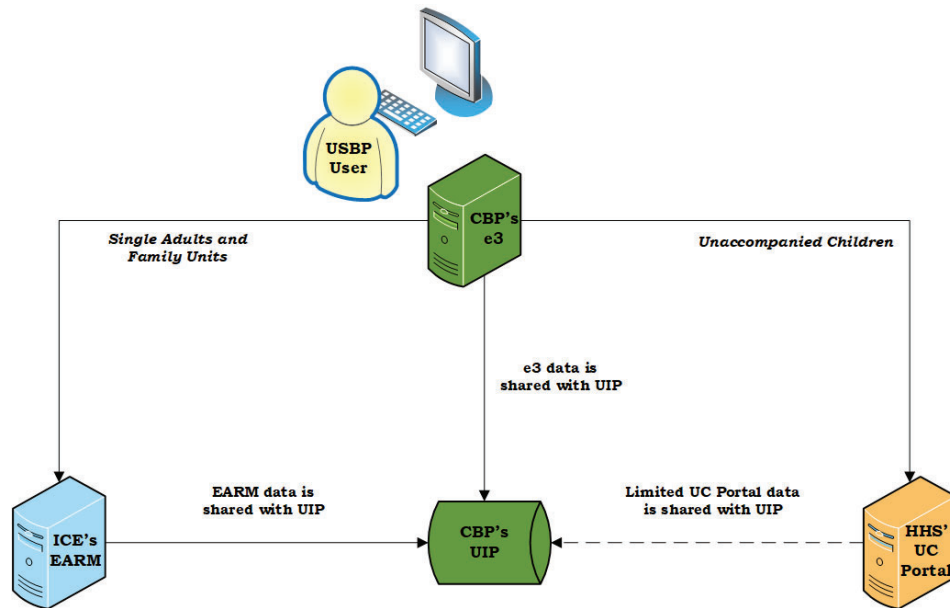[11] Although ICE does not obtain custody of unaccompanied children, it is responsible for their transfer from USBP to HHS and relies on third-party contracts for transport.

Figure 3. IT Systems for Processing and Tracking Migrants

Source: DHS OIG-generated based on DHS[12] and HHS data[13]

Prior Reporting on DHS Technology for Migrant Tracking

In November 2019, we reported[14] that the Department did not have the IT system functionality needed to track separated migrant families during the execution of the Zero Tolerance Policy in 2018. CBP's ad hoc methods to record and track family separations during this time led to widespread errors. Further, placement, travel, notes regarding family separations, and reunifications of unaccompanied children were coordinated by email instead of using a system of record to share sensitive information on actions taken. We issued five recommendations for DHS to improve its IT systems to support tracking and reunification of separated family units. At the time of this audit, three of the five recommendations were open and two were closed.

We conducted this audit to determine the effectiveness of DHS IT systems to track migrants from apprehension to release or transfer.

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[12] DOJ IT systems are not interoperable with DHS IT systems.
[13] USBP's e3 also shares unaccompanied children's data with ICE's EARM.
[14] *DHS Lacked Technology Needed to Successfully Account for Separated Migrant Families*, OIG-20-06, November 25, 2019.

Results of Audit

DHS' IT systems did not effectively allow CBP and ICE personnel to track migrants from apprehension to release or transfer. To overcome technology limitations, DHS personnel and partner agencies at the border implemented manual and ad hoc workarounds to process migrants apprehended illegally entering the United States. Technology limitations occurred because DHS components and partner agencies fund and maintain their own IT systems. However, DHS had several improvement efforts underway during the time of this audit to facilitate information sharing.

DHS personnel also faced challenges when data was not consistently documented in DHS' systems of record. For example, migrant apprehension times were not recorded in a consistent manner, and we identified missing migrant data that prevented DHS from determining family status. Also, CBP did not always document a migrant's intended U.S. address before releasing the individual into the United States using prosecutorial discretion to await immigration proceedings. According to ICE, CBP only recorded addresses 65 percent of the time between March and June 2021. We also noted that approximately 30 percent of migrants did not comply with release terms to report to ICE within 60 days between March and September 2021.

These deficiencies can delay uniting children with families and sponsors and cause migrants to remain in DHS custody beyond legal time limits. Also, without accurate data, such as family status, DHS is less likely to ensure family members remain together and at appropriate facilities. DHS should continue its efforts to improve IT capabilities to track migrants and share information. This is critical to ensure that DHS can process the high number of migrants illegally crossing the Southwest Border — which exceeded 1.6 million in FY 2021.

DHS IT Systems Did Not Effectively Support Migrant Tracking

In FY 2021, USBP encountered more than 1.6 million migrants illegally crossing the Southwest Border. However, DHS systems lacked capabilities and necessary integration to facilitate the end-to-end processes for USBP, ICE, DOJ, and HHS to track and transfer migrants. This hindered DHS' ability to manage transfer activities for migrant adults, families, and unaccompanied children. For example, USBP agents were able to log initial data from

apprehension into e3, as required,[15] but e3 did not have built-in functionality to:

- share data, such as the alien files, needed to support the transfer of migrants to HHS or USMS, or
- move the workflow forward to ICE to enable ERO officers to view all of CBP's migrant data in its EARM system.

As a result of these system limitations, USBP could not move the migrant transfer process forward without manual intervention. This also prevented DHS from having digital access to records from the point of apprehension to release or transfer. Given there are thousands of migrants transferred each day, this gap in system functionality adversely affects DHS' ability to keep pace with the high volume of apprehensions and the need to timely transfer individuals from USBP custody.

Manual Processes Needed to Support Migrant Transfer and Tracking

Absent necessary electronic capabilities, DHS personnel established laborious manual workarounds and ad hoc processes to share information and facilitate the transfer of migrants. These workarounds were time consuming. For example, ERO officers commonly relied on paper "Alien"-files, also referred to as A-files, to obtain needed migrant data. ICE officials confirmed it could take up to 11 hours, per migrant, to obtain information to make case acceptance determinations.

We also noted that some Southwest Border USBP locations shared migrant files in person, which sometimes entailed literally transporting migrants with the files to obtain ICE's status determination on whether a migrant should move to detention or be released. If ICE rejected a file due to an error, USBP agents had to physically return to their station, with the migrant, to update UBSP's e3 system. Agents then traveled back to the ICE location for a second review of the migrant's paper files, which took hours and delayed transfers. At two border locations, ICE officers had to physically travel to USBP stations to extract migrant files. Based on our interviews and observations, the process of sharing migrant files varied by sector and station.

USBP personnel we interviewed at multiple Southwest Border locations created other manual and ad hoc methods to track and transfer migrants. One USBP

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[15] When USBP agents initially apprehend a migrant, they log into e3 interview notes, identifying documentation (such as birth certificates or passports), biometrics, and criminal history checks.

location we visited used a physical folder tower to organize A-files to prioritize the migrants' processing, which could not be achieved by e3 (see Figure 4).

Figure 4.   Manual tracking of priority migrants
Source: DHS OIG-obtained

Similarly, another USBP location we visited relied on a whiteboard to manually track weekly migrant transportation, including incoming and outgoing flight and bus schedules (see Figure 5).

Figure 5.   Manual tracking of migrants' transit
Source: DHS OIG-obtained

ICE also relied on ad hoc methods to track migrants. Personnel we interviewed at one ICE location tracked family units via spreadsheets, along with two makeshift email boxes. At another location, ICE personnel created a whiteboard to track the transportation of unaccompanied children. ICE used information from transportation emails to track movement locations for

unaccompanied children under their responsibility for a given week (see Figure 6). Personnel at the same ICE location we visited created local SharePoint sites to share migrant information with USBP.

Figure 6. ICE's manual tracking of transportation for unaccompanied children
Source: DHS OIG-obtained

Emails Were Relied on to Facilitate the Transfer of Unaccompanied Children

As stated previously, DHS systems were unable to automate or coordinate the transfer of unaccompanied children from USBP to HHS. Instead, USBP, ICE, and HHS ORR each coordinated the transfer and travel of unaccompanied children almost entirely by creating and sending individual email messages for each transfer action. This was a daunting task, considering more than 125,000 unaccompanied migrant children were transferred to HHS in FY 2021. Two DHS officials in the field responsible for transferring unaccompanied children stated they received upwards of 500 to 600 emails daily. Other officials noted receiving more than 50 emails per day — all to facilitate transfers.

After apprehending an unaccompanied child, USBP uses the e3 system to create an initial transfer and referral request to ORR's UC Portal. The e3 request transmits basic biographic information of each child to the UC Portal, such as name, date of birth, and gender, which is necessary for ORR to place the unaccompanied child at an appropriate facility based on individual needs. All subsequent coordination is conducted via email. For example, HHS emails USBP agents with an unaccompanied child's placement approval and facility information. ICE then facilitates the child's transportation to the facility via email, which includes the date and time the child will be picked up from USBP.

In July 2021, DHS added an automated feature in e3 to share placement locations for unaccompanied children, such as an ORR facility or care provider,

from HHS' UC Portal. However, at the time of our fieldwork, not all USBP personnel were aware of the feature and still relied on manual processes to facilitate placement. Personnel at four of five USBP sectors we interviewed continued to use emails each day to facilitate placement of unaccompanied children with HHS ORR. USBP and HHS ORR conducted all follow-up coordination, such as medication requests and coronavirus disease 2019 (COVID-19) statuses, via email or telephone.

We reported similar findings in November 2019.[16] Specifically, we noted that during fieldwork from October 2018 to March 2019, DHS personnel typically sent and received five or more emails to place just one child in ORR custody. Further, monitoring multiple emails for each child was labor intensive and emails were received at all hours of the day. We issued a recommendation for DHS to coordinate with HHS to standardize processes for collecting and sharing detainee tracking information and communicating those requirements to field personnel. As of May 2022, this recommendation was still open.

The use of manual placement requests and responses for unaccompanied children affected timeliness for 71 percent of the cases we reviewed. Per the 2018 Memorandum of Agreement (MOA)[17] and the *Joint Concept of Operations*,[18] USBP's required timeframe for requesting placement from HHS is within 48 hours.[19] To determine timeliness for placement requests, we judgmentally evaluated a sample of 100 unaccompanied children's files from October 2019 to April 2021. We determined that placement requests for 71 of 100 unaccompanied children were not made within 48 hours. For example, USBP did not make placement requests for 23 of these 71 unaccompanied children until they were in custody for 96 hours, including one child who was in custody for more than a week.

Similarly, ORR must notify USBP and ICE of the placement location as expeditiously as possible, but no later than 24 hours after receiving a placement request for the child. However, HHS ORR did not provide placement

[16] *DHS Lacked Technology Needed to Successfully Account for Separated Migrant Families,* OIG-20-06, November 2019.
[17] MOA between DHS and HHS, dated April 13, 2018.
[18] The *Joint Concept of Operations*, dated July 31, 2018, provides field guidance and standardization of interagency policies, procedures, and guidelines related to the processing of unaccompanied children encountered by DHS, whose care will be transferred to HHS.
[19] The 2018 *Joint Concept of Operations* states "Notification by the Referring Agency to ORR should be made as soon as possible, but no later than 48 hours after the unaccompanied child determination is made."

locations within 24 hours for 72 of those 100, or 72 percent, as required.[20] In one example, a 5-year-old unaccompanied child waited 3 days for USBP to request placement and 10 days for a placement location from HHS ORR and required more than 10 emails to facilitate placement. USBP was unable to provide supporting documentation to determine placement times for 6 of the 100 children files reviewed.

<u>Manual Coordination between DHS and DOJ Needed to Facilitate Migrant Transfers</u>

As of November 2021, all coordination to share migrant information between DHS and DOJ, including with U.S. Attorneys and USMS, was conducted via email, telephone, and in-person. This is because, at the time of our audit, DHS and DOJ systems were not integrated to share migrant data for individuals transferred from USBP to USMS custody. For example, CBP's systems were not integrated with DOJ systems to send migrant prosecution documents or receive notification when migrant cases were accepted or denied.

As a manual workaround, CBP emailed DOJ a spreadsheet hourly to provide USMS information about migrants who may appear in local courts. In an example obtained by the audit team, the spreadsheet contained 51 separate columns of information related to 145 migrants. Further, DOJ systems used by the U.S. Attorneys and USMS did not integrate with UIP to share migrant data. CBP only became aware that UIP does not share information with DOJ's USMS during the course of this audit.

<u>DHS Was Not Able to Consistently Administer and Track COVID Testing</u>

As noted in a 2021 OIG report,[21] DHS does not always conduct COVID-19 testing for migrants who enter CBP custody.[22] During this audit, we determined some USBP, ERO, and HHS sites did test migrants upon entry into their facilities. However, COVID-19 screening and test result locations in DHS IT systems varied by component, agency, and location. For example, USBP typically does not administer COVID-19 tests but does screen migrants for symptoms as they enter CBP custody. If a migrant exhibited COVID-19 symptoms, USBP would transport the individual to the local hospital to

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[20] The April 2018 MOA between DHS and HHS states, "As expeditiously as possible, but no later than 24 hours after receiving notification from ICE or CBP of an unaccompanied child needing placement at an ORR facility, ORR will send a notification email notifying both ICE and CBP of placement location."

[21] *DHS Needs to Enhance Its COVID-19 Response at the Southwest Border*, OIG-21-60, September 10, 2021.

[22] DHS does not require COVID testing, even prior to release into the United States.

undergo testing. ICE may also administer a COVID-19 test to migrants who enter its custody.

DHS and HHS did not consistently document or share COVID-19 test results. For example, we identified some instances in which COVID-19 test results were documented in the Form I-213[23] narratives or UIP, but not for all migrants apprehended. Also, according to HHS personnel, HHS administers a COVID-19 test for each child transferred into its custody. HHS does not share those test results with DHS.

IT Challenges Stem from Siloed System Development Practices and Inadequate Information Sharing Procedures

Migrant tracking technology was generally not effective because DHS has a siloed approach to fund and maintain IT systems within each component. For example, both CBP and ICE individually plan, fund, develop, deploy, and maintain their own separate IT systems to carry out their distinct portion of border security roles and responsibilities. This approach has prevented integration, automation, and real-time information sharing across the Department to support the entire immigration lifecycle. Rather, CBP and ICE personnel must rely on four distinct IT systems that are not fully interoperable within the Department, or with external agency partners' IT systems (DOJ and HHS).

Federal law requires the Chief Information Officer of each agency to develop and maintain a sound IT environment to ensure integration across IT capabilities supporting mission operations.[24] Therefore, IT integration across multiple components is critical to enable border security mission operations and keep pace with the thousands of individuals crossing the Southwest Border each day.

We also noted that DHS policies and procedures did not reflect the full scope of coordination needed to share migrant information, including COVID-19 data, internally and externally. Instead of relying on formal MOAs, we found that DHS and external agencies often relied on relationship-based communication and past practices. Not all agents and officers at Southwest Border locations were aware of existing MOAs, which require meetings and coordination

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[23] Form I-213, *Record of Deportable/Inadmissible Alien*, serves as the alien record. The form's narrative section includes the alien's criminal history, apprehension information (date, time, location), family group/unit information, and sponsor information.

[24] *National Defense Authorization Act for Fiscal Year 1996*, Pub. L. No. 104–106, § 5125 (1996); Office of Management and Budget Memorandum 15-14, *Management and Oversight of Federal Information Technology,* June 10, 2015.

between components and agencies. Additionally, not all previously established interagency working groups still exist or meet as required by MOAs to improve information sharing via DHS IT systems. DHS created separate working groups outside the established MOA framework in response to emerging immigration issues. These new working groups do not have MOAs in place to formally coordinate different agency priorities.

<u>DHS Has Taken Steps to Improve Technology and Information Sharing</u>

DHS was aware of these limitations during the time of this audit and has taken steps to improve its technology and information-sharing capabilities. These efforts have improved visibility of migrants in custody and have helped coordination between CBP and ICE to transfer or place migrants in a more expedient manner.

Unified Immigration Portal

Since our prior audit, DHS has expanded CBP's UIP to provide dashboards and visualizations to improve information sharing about migrants between DHS, HHS, and other partners. In FY 2020, CBP began to address interoperability challenges by designing and implementing UIP. According to CBP headquarters officials, the portal is a critical capability to enable a more complete understanding of an individual's immigration journey. One key addition in FY 2021 included the deployment of the Unaccompanied Children Referral and Placement Service. This addition automated the placement of unaccompanied children and improved HHS' ORR's ability to track unaccompanied children and their familial relationships with other migrants.

In FY 2021, CBP received $10 million for UIP and reprogrammed $3.5 million to maintain UIP operability for the year. CBP anticipates $20 million in additional funding for UIP in FY 2022. However, according to CBP, UIP will not be fully operational until the end of FY 2023. As of November 2021, not all DHS officials and external partners (such as DOJ and HHS) at headquarters and Southwest Border locations had access to UIP. As of October 2021, UIP had 3,904 users, of which HHS had only 58 and DOJ had none. Personnel from multiple USBP, ICE, and HHS Southwest Border locations we interviewed had no local users.

Even after CBP fully implements UIP, information-sharing challenges will likely remain. For example, four senior HHS officials cited UIP data as a separate concern. Officials stated data within UIP is not accurate, real-time, and does not reconcile within their internal system. According to CBP personnel, this challenge should be addressed when HHS completes its own system upgrades

to share real-time data in UIP. HHS planned to replace its UC Portal with the Unaccompanied Children Path system in January 2021. However, HHS delayed implementation because of the recent migrant surge and system functionality concerns due to incomplete software development. As of September 2021, HHS did not have an implementation date for UC Path.

Case Acceptance System

Additionally, in April 2021 ICE piloted a new system, integrated with UIP, called the Case Acceptance System (CAS). ICE intended for this system to facilitate more efficient migrant transfers by automatically sending migrant information from USBP to ICE, providing notifications to CBP and ICE for processing, and reviewing migrant A-files. Once USBP has processed migrants and they are ready for release or transfer to ICE, CAS provides ICE with real-time notifications of USBP's completion of migrant processing.

Using CAS, ICE expects to greatly reduce the time it takes to determine if ICE will accept USBP's detained migrant transfers and improve the transfer of custody documentation, instead of relying on manual processes. We observed CAS during our fieldwork, and noted that agents could process one migrant every 10 minutes, compared with an average of more than 7 hours to manually transfer custody of a migrant from USBP to ICE. DHS anticipates that CAS will decrease the average processing time to less than an hour. As of November 2021, ICE had only piloted CAS within four of nine USBP sectors along the Southwest Border.

Interagency Group

Migrants apprehended by CBP should not be detained in USBP custody long-term. By law, DHS must make a determination within 48 hours[25] of arrest whether the migrant will continue in custody and must transfer unaccompanied children to HHS within 72 hours[26] of apprehension, absent "exceptional circumstances." According to a USBP official, nearly 5,700

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[25] According to 8 C.F.R. § 287.3 (d), "Unless voluntary departure has been granted pursuant to subpart C of 8 C.F.R. part 240, a determination will be made within 48 hours of the arrest, except in the event of an emergency or other extraordinary circumstance in which case a determination will be made within an additional reasonable period of time, whether the alien will be continued in custody or released on bond or recognizance and whether a notice to appear and warrant of arrest as prescribed in 8 C.F.R. parts 236 and 239 will be issued."
[26] *See* 8 U.S.C. § 1232(b)(3). Except in the case of exceptional circumstances, any department or agency of the Federal Government that has an unaccompanied alien child in custody shall transfer the custody of such child to the Secretary of Health and Human Services not later than 72 hours after determining such child is an unaccompanied child.

unaccompanied children were in custody prior to March 2021 with an average time in custody of 140 hours.

DHS established the Movement Coordination Cell (MCC) in March 2021 to place migrants with the most time in custody in appropriate facilities, while prioritizing unaccompanied children. The MCC is considered an interagency group that is co-located in Washington D.C., to facilitate communication between CBP, HHS, and ICE, among others. The MCC created a "Top 15" initiative that uses information from UIP to address the needs of unaccompanied children with the longest time in custody, such as to arrange bedspace at ORR facilities. As of August 2021, after the creation of the MCC and Top 15 initiative, the number of children in custody longer than 72 hours significantly decreased. The MCC also assists with placements for single adult and family unit populations.

Data Was Not Consistently Recorded in DHS Systems

DHS personnel faced additional challenges from inconsistent or missing data in DHS' systems of record. For example, we determined the time in custody calculations were not consistently captured across DHS IT systems, and we identified missing migrant data potentially preventing DHS from determining family status. Further, agents did not always document a migrant's post-release address, making it more difficult for DHS to track migrants throughout the immigration lifecycle.

Apprehension Time Not Consistently Recorded

Apprehension times were different in e3 and UIP. A migrant's apprehension time should be recorded correctly in DHS' systems of record to ensure accurate time in custody calculations.[27] Discrepancies in the way the Department documents apprehension time can hinder DHS' ability to comply with requirements for transferring migrants and accurately account for the number of migrants in custody in excess of legal time limits.[26] As part of this audit, we reviewed more than 390,000 migrant records in e3 and identified more than 46,000 migrants across more than 5,000 apprehension events[28] with different apprehension times. From this population, we judgmentally selected 24 apprehension events with the most significant variances between apprehension times. In one instance, the e3 system indicated "migrant 1" as apprehended at

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[27] Time in custody calculations are relied upon for legal purposes. See footnote 25 for legal citation.
[28] Apprehensions are grouped by event. All migrants that are apprehended at the same time share an event.

21:30 and "migrant 2" as apprehended at 10:50 the next day. However, in UIP, both migrants were listed as apprehended at 21:30. We also noted seven other apprehensions with concerning time differences that spanned greater than a 2-day period between e3 and UIP.

According to a CBP official overseeing UIP, variations in apprehension time were attributed to a system error. Specifically, the system incorrectly pulled the event apprehension time instead of the individual's subject apprehension time. One high-ranking DHS official referred to DHS' IT immigration system data as "messy" and noted data verification and reconciliation, which is necessary for reporting purposes, can take weeks.

Family Data Was Not Always Accurate

USBP agents must capture accurate and complete family information during initial processing to enable tracking and maintain appropriate family unity. A CBP memorandum dated January 2020[29] stressed the importance of documenting family member information in e3 and in migrants' Form I-213 case narratives. Agents entered family status in e3 as part of the initial migrant booking process, as well as entering additional case notes into CBP's Record of Deportable/Inadmissible Alien, Form I-213. The form contains a narrative section where agents can include details about each migrant, such as accompanying family members or the migrant's point of contact in the United States.

We identified multiple deficiencies in e3 migrant files, including data entry errors and missing family information. We assessed 384 migrant records[30] including unaccompanied children, families, and single adults, and identified numerous discrepancies in e3, listed in Table 3.

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[29] This memorandum from former USBP Chief Provost, dated January 7, 2020, titled *U.S. Border Patrol Family Unit Separation Guidance,* provided guidance to all USBP agents regarding conditions, authorities, and requirements necessary to affect a family unit separation in USBP custody.

[30] The sample comprises Title 8 USBP apprehensions at the Southwest Border between October 2019 and April 2021. We used a sample size calculator to determine the sample's size. See Appendix A for further details on our sampling methodology.

Table 3. Migrant Files with Identified Deficiencies

Category	e3 is Potentially Missing Family Unit or Group Number	I-213 Does Not Identify Accompanying Family	Sample Size
Unaccompanied Children	16	2	**63**
Family Units and Groups	-	32	**135**
Total	**16**	**34**	**198**[31]

Source: DHS OIG-generated based on DHS data

The following is an overview of the discrepancies identified in our review of 63 unaccompanied children's files:

- Missing family unit or group numbers: We identified 16 children who were recorded on Form I-213 as apprehended with family members. These same 16 children were not given a family unit or group number in the e3 system.

  - 14 of these 16 children's I-213 narratives listed accompanying family. For example, a 17-year-old mother and her 9-month-old son were apprehended together and their I-213s listed each other as accompanying family, but they were not recorded as being part of a family group in e3.
  - 2 of these 16 children's I-213 narratives did not identify accompanying family members. However, these two children were listed as accompanying family members on their relatives' I-213s. In one instance, the I-213 of a 16-year-old mother did not identify her 11-month-old accompanying daughter, both of whom were not recorded as being part of a family group in e3.

- Potential missing family member information: We identified 16 additional potentially missed family relationships by linking children and other migrants apprehended together who shared common last

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[31] The total sample size for unaccompanied children, family units and groups, and single adults is 384. Table 3 does not include the single adult sample of 186.

names, based on Latin American[32] naming conventions, and were associated with the same home country. These children's narratives did not identify accompanying family, and they were not given a family unit or group number in the e3 system. For example, an 8-year-old and a 35-year-old woman, both from Mexico with the same last name, were apprehended together. We were unable to confirm if these 16 children were traveling with a family member based on the information in DHS systems.

The following is an overview of the discrepancies identified in our review of 135 family unit and group files:

- Inconsistent family unit and group numbers: We identified 127 family unit and group numbers that did not reconcile across each DHS IT system. For example, family unit and group numbers contain 13 characters — 3 letters and 10 digits, but we found family unit or group numbers missing one, two, or three digits to reconcile between all DHS IT systems. In one DHS system, 127 family unit and group numbers only contained 7, 8, or 9 digits and were totally unreconcilable. Additionally, we identified 32 family unit and group I-213 narratives that did not contain accompanying family member names.

Inaccurate data has a significant downstream impact on DHS' partner agencies. External partners use family records to process migrants and render the appropriate decisions for placement and transfers. This information is also essential for HHS to locate potential sponsors for unaccompanied children and to keep family members together when placed by ORR. As such, the *2018 Joint Concept of Operations* manual[33] requires DHS to provide HHS with biographical data about unaccompanied children, including potential sponsor information and travel companions. HHS officials we interviewed stated DHS did not always provide complete information such as the names of family members the migrant was traveling with or the contact information of sponsors.

USBP officials we met with attributed the data inaccuracies to an increase in migrants illegally crossing the border during this past fiscal year. According to these officials, USBP agents had difficulty fulfilling their primary role of securing the border as well as migrant tracking operations, leading to increased human error in data entry. Further, one ICE official noted that the

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[32] Within our sample, 62 of the 63 children, or 98 percent, were from Latin American countries. Therefore, the audit team used traditional Latin American naming conventions to determine "common last names" among apprehensions, such as the father's surname followed by the mother's maiden surname.

[33] *Joint Concept of Operations*, dated July 31, 2018.

increase in migrant flow led USBP personnel to focus on speed rather than quality when entering migrant data.

Data inaccuracies were also attributed to the varying data entry practices across each USBP location. Although USBP had provided training on completing e3 processing, including the I-213, policy guidance was unclear. USBP policy[34] states family groups should be recorded for relatives who need to travel together. However, the same policy also states children traveling with a family member should be recorded as a family group, even when being transferred to HHS and not traveling with their relative. Additionally, each agent completes the narrative section differently. For example, some agents copy and paste information from previous I-213s. ICE personnel noted that I-213 information copied and pasted could lead to mistakes, such as incomplete family information and undocumented medical issues, including physical injuries, pregnancy status, and health conditions, that require special accommodations.

Migrant's Post-Release Address Was Not Always Recorded

USBP agents did not always document an address to record where the migrant would stay once released from DHS custody into the United States. In March 2021, USBP notified CBP[35] prosecutorial discretion may be exercised to release migrants, excluding unaccompanied children, directly into the United States.[36] It is essential that USBP document the United States address where the migrant plans to stay after release from DHS custody. ICE uses this address to determine which field office a migrant will check into while awaiting immigration proceedings. However, according to one ICE report,[37] USBP only recorded an address about 65 percent of the time between March and June of 2021. The same report indicates 29 percent (32,092 out of 111,990) of migrants released on prosecutorial discretion did not report to ICE within 60 days, as required by their release terms,[38] for the period between March and September 2021.

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[34] Memorandum dated January 7, 2020, titled *U.S. Border Patrol Family Unit Separation Guidance.*
[35] Memorandum dated March 19, 2021, titled *Prosecutorial Discretion.* This memorandum from USBP Chief, Rodney Scott, authorizes USBP to exercise prosecutorial discretion authority to release persons illegally in the United States without placing them in removal proceedings.
[36] The March 19, 2021 memorandum was issued to reduce the burden of detaining migrants in USBP facilities due to the challenges presented by COVID-19, an increase in unaccompanied children encounters, capacity limitations, and finite resources.
[37] *Prosecutorial Discretion Releases Dashboard* report, ICE, September 2021.
[38] USBP provided migrants released under prosecutorial discretion DHS Form I-385. The form's continuation page states "Notice: report to the ICE Office near your final destination within 60 days or face removal from the United States."

DHS needed to improve its coordination to ensure migrant addresses were recorded. In May 2021, ICE began requiring USBP to record the U.S. address where a migrant would be located pending his or her immigration status determination. According to ICE, as of December 2021,[39] this resulted in addresses being recorded 99 percent of the time.

At the conclusion of our audit fieldwork, we attempted to further analyze the addresses recorded by USBP for accuracy. But, given that DHS only began recording these addresses in trackable fields in May 2021, we were not able to conduct a full assessment. However, we identified several errors, such as incomplete or duplicate addresses being used by different migrants. We plan to conduct follow-up work to perform additional analysis of addresses listed by migrants as their intended location.

Conclusion

The limited interoperability between IT systems, along with the use of manual processes, can have significant consequences. For example, the time spent on labor-intensive workarounds may cause notable delays uniting children with their families and sponsors and can delay migrant transfers out of custody within legal time limits. As recently as November 2021, 221 out of 1,065, or 21 percent, of unaccompanied children were in custody longer than 72 hours. Time in custody was longer during surges in July 2021, with 680 of 1,740, or 39 percent, of unaccompanied children remaining in USBP custody beyond 72 hours.

When USBP records inaccurate migrant information, it can lead to unaccompanied children's placement at facilities that are not suited for their unique circumstances. We identified cases of children who were pregnant or without limbs but were transferred to HHS facilities that were not prepared to support these conditions. Further, without accurate migrant data, such as family status, it is more difficult for DHS and HHS to ensure family members remain together. We identified one case in which USBP classified a 10-month-old child as "unaccompanied" in the e3 system and failed to document family member information in the accompanying I-213, although the child crossed the border with two family members.

DHS should continue its efforts to implement new IT systems and capabilities to better track migrants and share information with border enforcement and immigration partners. This is critical to ensure that DHS can continue to

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[39] *Prosecutorial Discretion Releases Dashboard* report, ICE, December 2021.

process the large number of migrants apprehended illegally crossing the Southwest Border.

Recommendations

Recommendation 1: We recommend the Chief Information Officer for DHS continue to evaluate the use of manual processes employed at the Southwest Border to identify, develop, and implement IT system efficiencies.

Recommendation 2: We recommend the Assistant Commissioner, Office of Information and Technology and U.S. Customs and Border Protection Commissioner continue to analyze and prioritize funding needs to make integration improvements to DHS IT systems ensuring timely and accurate information sharing internally within DHS and externally with the Departments of Justice and Health and Human Services.

Recommendation 3: We recommend the Assistant Commissioner, Office of Information and Technology further promote the Unified Immigration Portal to more DHS and external users.

Recommendation 4: We recommend the Chief Information Officer for Immigration and Customs Enforcement implement solutions to reduce information-sharing barriers, such as the Case Acceptance System, to additional Southwest Border Sectors and locations.

Recommendation 5: We recommend the Commissioner of U.S. Customs and Border Protection evaluate adherence to current immigration policies and memorandums of agreement for internal and external collaboration and working groups and update them as needed.

Recommendation 6: We recommend the Director of U.S. Immigration and Customs Enforcement evaluate adherence to current immigration policies and memorandums of agreement for internal and external collaboration and working groups and update them as needed.

Recommendation 7: We recommend the Chief Information Officer for DHS establish a policy or agreement to ensure ongoing collaboration and standardized information sharing, especially during surges, among:
- DHS components;
- DHS and external partner agencies; and
- IT professionals and system operators.

Recommendation 8: We recommend the Assistant Commissioner, Office of Information and Technology coordinate with U.S. Border Patrol to evaluate, develop, and implement strategies to address Form I-213 errors.

Management Comments and OIG Analysis

The Department provided written comments in response to a draft of this report. We reviewed the Department's comments, as well as technical comments received under separate cover, and made changes to the report as appropriate. DHS concurred with all recommendations. We have included a copy of the comments in their entirety in Appendix B. A summary of DHS' responses and our analysis follows.

DHS Response to Recommendation 1: Concur. DHS' Southwest Border Technology Integration Program is working to create a fully automated and interoperable platform to facilitate efficient and timely intake of noncitizens and has authorized funding to support this initiative. The estimated completion date (ECD) is March 29, 2024.

OIG Analysis: DHS provided a corrective action plan and an ECD that satisfy the intent of the recommendation. We consider this recommendation resolved and open until DHS completes and documents, and we review, planned corrective actions.

DHS Response to Recommendation 2: Concur. CBP leadership and Office of Information and Technology will continue to prioritize funding for Unified Immigration Portal (UIP) to deliver mission critical capabilities, such as integration improvements and information sharing, and to work towards sustainment of UIP. In June 2022, UIP received additional funding through the Technology Modernization Fund to improve capabilities, including automated sharing of unaccompanied children placement details and enabling CBP and ICE to send and receive A-files. The ECD is March 31, 2023.

OIG Analysis: DHS provided a corrective action plan and an ECD that satisfy the intent of the recommendation. We consider this recommendation resolved and open until UIP's platform sustainment is achieved and the portal supports timely and accurate information sharing both within DHS and with DOJ and HHS.

DHS Response to Recommendation 3: Concur. CBP officials will continue to promote UIP to more users and continues to add new users to the platform weekly. CBP is also working with DOJ to establish a connection for data sharing between DHS and DOJ. The ECD is March 31, 2023.

OIG Analysis: DHS provided a corrective action plan and an ECD that satisfy the intent of the recommendation. We consider this recommendation resolved and open until DHS completes its corrective actions and expands UIP access.

DHS Response to Recommendation 4: Concur. CBP and ICE expanded the Case Acceptance System (CAS) deployments to all nine Southwest Border Sectors as of February 2022.

OIG Analysis: DHS' deployment of CAS to improve information sharing between CBP and ICE meets the intent of this recommendation. We consider this recommendation resolved and open until we receive documentation demonstrating the deployment and use of CAS at each Southwest Border Sector and station.

DHS Response to Recommendation 5: Concur. CBP agrees to evaluate information-sharing efforts and memorandums of agreement and will update any collaboration efforts, as appropriate. The ECD is May 31, 2023.

OIG Analysis: DHS provided a corrective action plan and an ECD that satisfy the intent of the recommendation. We also recommend that CBP evaluate all working groups meeting in relation to Southwest Border immigration efforts to determine if Memorandums of Agreement (MOA) are needed. We consider this recommendation resolved and open until CBP evaluates and updates information sharing efforts.

DHS Response to Recommendation 6: Concur. ICE agrees information sharing agreements and MOAs should be updated to reflect interagency coordination presently occurring. ICE will also review any other agreements in place to determine if changes are needed as part of a continuous process improvement effort. The ECD is April 28, 2023.

OIG Analysis: DHS provided a corrective action plan and an ECD that satisfy the intent of the recommendation. We consider this recommendation resolved and open until ICE evaluates and updates information sharing efforts and MOAs.

DHS Response to Recommendation 7: Concur. DHS Chief Information Officer will work with ICE and CBP component heads to establish a policy for standardized information sharing. The ECD is July 31, 2023.

OIG Analysis: DHS provided a corrective action plan and an ECD that satisfy the intent of the recommendation. We consider this recommendation resolved

and open until DHS evaluates and updates information sharing efforts and MOAs.

DHS Response to Recommendation 8: Concur. CBP will determine the root cause of errors on Form I-213 and will continue to address the errors through evaluation, development, and implementation of operation and technical business rules/strategies, including a root cause analysis. The ECD is June 30, 2023.

OIG Analysis: DHS provided a corrective action plan and an ECD that satisfy the intent of the recommendation. We consider this recommendation resolved and open until CBP identifies and addresses I-213 error causes.

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*.

We conducted this audit to determine the effectiveness of DHS IT systems to track migrants from apprehension to release or transfer. Our audit scope included USBP border apprehensions from October 2019 through October 2021.

During this audit, we researched and reviewed Federal laws; executive orders; Department and component data; agency guidance; congressional testimonies; policies; and procedures; as well as media articles related to the apprehension, processing, and transfer of migrants at the Southwest Border. We also reviewed published DHS OIG, HHS OIG, and U.S. Government Accountability Office reports to identify prior findings and recommendations. We analyzed DHS operations and IT systems to determine whether the Department could achieve desired results, manage migrant influxes, and adhere to DHS guidelines to process and track migrants. We assessed DHS' collaboration with HHS, including memorandums of agreement and requirements for sharing information. Further, we reviewed DHS' coordination efforts with DOJ for migrants transferred for prosecution. We used this information to establish a data collection approach that consisted of interviews with relevant stakeholders, documentation analysis, and targeted site visits to accomplish our audit objective.

We used documentary, physical, and testimonial evidence to evaluate whether DHS IT systems effectively track migrants. We obtained and analyzed more than 250 departmental and component documents, including documents obtained from HHS related to the IT systems used to process and track migrants at the Southwest Border. The audit team also analyzed more than 460 documents and records related to data testing, to include I-213s, placement location emails, and supporting data. Additionally, we assessed CBP, USBP, ERO, DOJ, and HHS IT systems and processes used to share information and track the transfer of single adults, family units and groups, and unaccompanied children. Specifically, we reviewed e3 and UIP, ICE's EARM and EID, as well as HHS' UC Portal. We also assessed DHS' efforts to improve information sharing between internal components and external partners, HHS and DOJ, and the effectiveness, challenges, timeliness, data accuracy, and reliability of UIP.

We conducted more than 60 interviews and received demonstrations of multiple IT systems, virtually and in person, with DHS personnel at headquarters and with components along the Southwest Border. We met with CBP and USBP personnel, including the Office of Information Technology, as well as members of DHS working groups. Specifically, we met with the MCC in Washington D.C., which included representatives from CBP, ICE, and HHS. Similarly, we interviewed members of the Southwest Border Taskforce and Unified Coordination Group to determine the groups' roles in relation to our audit objective. Further, we conducted 18 interviews with USBP agents in various stations across five sectors along the Southwest Border, including El Paso, Rio Grande Valley, San Diego, Tucson, and Yuma. In October 2021, we visited USBP and ICE facilities in the San Diego, California sector to observe the IT systems and processes used for data entry, information sharing, and tracking migrants.

We interviewed DHS officials from the Office of the Chief Information Officer and the Office of Immigration Statistics within the Office of Strategy, Policy, and Plans. Within ICE, we met with subject matter experts from the Office of the Chief Information Officer, the Law Enforcement Systems and Analysis Division, as well as the Juvenile and Family Residential Management Unit. We conducted 16 interviews with ERO officers in four field office locations along the Southwest Border, including El Paso, Harlingen, Phoenix, and San Diego.

In addition, we interviewed HHS and DOJ officials to obtain an overview of initiatives and strategic planning related to DHS IT systems and processes used to share information and track migrants apprehended at the Southwest Border. Within HHS, we interviewed officials in the Office of Refugee Resettlement and two HHS facilities in Baltimore, Maryland; and El Paso, Texas. We met with HHS to gain a better understanding of what information HHS receives via DHS IT systems to assist with transferring unaccompanied children from USBP facilities and whether the information is sufficient to do so. Finally, we interviewed DOJ personnel from the Executive Office for United States Attorneys and USMS to determine how DOJ obtains data from DHS to track migrants transferred for prosecution.

We leveraged the OIG Data Analytics team to conduct testing, map data fields and sources, and evaluate the data processing workflows, accuracy, and reliability in CBP and ICE systems used to track migrants. The Data Analytics team obtained migrant data from FY 2020 through April 2021 of Southwest Border migrant crossings from the USBP Enterprise Reporting Tool operational data stores, which maintains copies of tables from EID as well as tables produced by CBP and ICE. CBP also provided us direct access to UIP. We

were able to review real-time data throughout the audit. We also crosschecked migrant data in EID and UIP to confirm data reliability and completeness.

To ensure CBP's IT systems effectively share data with ICE and HHS systems, we conducted a statistically valid stratified sample of 384 records out of a total population of 391,337 Title 8 apprehension records to include 186 single adults, 135 family unit or group members, and 63 unaccompanied children. We stratified the sample to ensure the ratio of unaccompanied children, family unit and group, and single adult records sampled were equivalent to their ratios in the universe. The sample population included both random and judgmentally selected records. For those 384 sampled items, we conducted testing on migrants' I-213 forms to evaluate accuracy of EID and UIP data. We also tested placement request and location times to migrant data in EID, UIP, and associated emails obtained from 6 Southwest Border sectors for 100 randomly and judgmentally selected unaccompanied children from FY 2020 through April 2021.

To test the accuracy of DHS' time in custody calculations, we compared apprehension times in CBP IT systems for 24 of 5,476 judgmentally sampled events from October 2019 to April 2021. Due to the variation of our test results, we were unable to verify if USBP data accurately transfers apprehension time and time in custody calculations, family unit and group numbering in USBP Enterprise Reporting Tool, and I-213 narrative data into UIP. Based on our testing, except for data items we noted in our audit findings, the data obtained and included within this report was sufficient and reliable for our testing and to support our conclusions.

We assessed the reliability of data by (1) interviewing agency officials knowledgeable about the data, (2) reviewing existing information about the data and the systems that produced it, (3) performing electronic testing of data used for our analysis, and (4) observing data in UIP, as well as data entry in CBP, including USBP, and ICE systems such as EID, e3, and EARM during site visits and screenshares.

We conducted this performance audit between April 2021 and February 2022 pursuant to the *Inspector General Act of 1978, as amended*, 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 upon our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based upon our audit objectives.

Appendix B
DHS Comments to the Draft Report

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

**Homeland
Security**

August 24, 2022

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

FROM: Jim H. Crumpacker, CIA, CFE   JIM H CRUMPACKER   Digitally signed by JIM H CRUMPACKER
                   Director   Date: 2022.08.24
                   Departmental GAO-OIG Liaison Office   10:53:17 -04'00'

SUBJECT: Management Response to Draft Report: "DHS Technology
                   Systems Do Not Effectively Support Migrant Tracking at the
                   Southwest Border" (Project No. 21-033-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 leadership is pleased to note the OIG's recognition of improvements in DHS's
technology underway to facilitate information sharing, such as the U.S. Customs and
Border Protection's (CBP) Unified Immigration Portal (UIP), U.S. Immigration and
Customs Enforcement's (ICE) Case Acceptance System (CAS), and the creation of the
Movement Coordination Cell. OIG noted that these efforts have improved visibility of
migrants in custody, and have helped coordination between CBP and ICE to transfer, or
place, migrants in a more expedient manner. DHS remains committed to improving the
effectiveness of information technology systems used to track migrants from
apprehension, to release or transfer.

The draft report contained eight recommendations with which the Department concurs.
Enclosed find our detailed response to each 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.

Enclosure

**Enclosure: Management Response to Recommendations
Contained in 21-033-AUD-DHS**

Recommendation 1: We recommend the Chief Information Officer (CIO) for DHS continue to evaluate the use of manual processes employed at the Southwest Border to identify, develop, and implement IT system efficiencies.

Response: Concur. The DHS Office of the Chief Information Officer (OCIO) already conducts the recommended action in its normal course of business. Specifically, the Southwest Border Technology Integration Program (SWB TIP) is intended to connect disparate systems and improve collaboration among DHS Components and partner agencies to provide standardized and secure data sharing across the federal enterprise and throughout the immigration lifecycle. As such, SWB TIP addresses the challenges related to noncitizen processing, such as coordinating with multiple independent data systems, as well as instances in which "handoffs" are documented with paper files. By connecting these systems and processes, the DHS CIO in collaboration with Component CIOs, is able to use data and technology to process noncitizens encountered at the SWB more efficiently, effectively, and humanely. The SWB TIP activities are detailed in the fiscal year (FY) 2022 report to Congress, "Southwest Border Technology Integration Program," (FY 2022 SWB TIP report) dated May 6, 2022.[1]

As reported in the FY 2022 SWB TIP report, OCIO previously identified challenges involved with managing the entry of migrants at the Southwest Border, to include enforcement processing capacity, strain on DHS facilities and resources, and the overall use of data and technology through independent data systems and paper file handoffs. Accordingly, DHS OCIO has collaborated with U.S. Citizenship and Immigration Services (USCIS), CBP, and ICE OCIOs to replace any remaining outdated manual data processes associated with border enforcement. DHS believes that the SWB TIP will create a fully automated and interoperable platform to facilitate efficient and timely intake of noncitizens, protection of unaccompanied children, and reunification of families.

On September 30, 2021, the Technology Modernization Fund (TMF), authorized by the "Modernizing Government Technology Act of 2017," awarded DHS $50 million in funding to support this initiative, which DHS OCIO is utilizing to provide enterprise, standardized, secure data-sharing throughout the immigration lifecycle to improve border flow and capacity management, to enhance transparency, and to expedite processing through automation and technical efficiencies.

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[1] https://www.dhs.gov/publication/2022-dhs-congressional-appropriations-reports

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Specifically, the TMF funding will help DHS meet the following objectives and complete targeted integration and modernization of the following systems:

- Increase platform capacity and capability for the UIP;
- Provide end-to-end digital immigration processing (DIP); and
- Improve the technology supporting the Alternatives to Detention program (ATD).

UIP shall:
- Provide advanced analytics and predictive modeling capabilities;
- Integrate datasets from such systems as the Department of Health and Human Services'(HHS) facility management, USCIS' credible fear determinations, ICE's ATD program and custody, and Department of Justice's (DOJ) Executive Office for Immigration Review court dates and rulings; and
- Provide integrated digital processing capabilities to support the end-to-end electronic review and approval throughout the immigration lifecycle.

DIP shall:
- Digitize the exchange of signed and in-progress immigration forms, such as the electronic A-file and the notice to appear, allowing DHS to process individuals more rapidly by eliminating manually printed, signed, and exchanged forms;
- Provide real-time transparent reporting and exchange of information across DIP systems using interfaces from UIP;
- Enhance the operational capability of DIP systems to provide immediate access to more accurate data;
- Integrate ICE and USCIS systems used to validate and provide relevant person-centric information; and
- Provide "end-to-end" electronic document management for the A-file.

ATD shall:
- Automate enrollment of noncitizens to ATD; and
- Implement system-to-system integration of ATD enrollees between CBP and ICE to reduce enrollment time and to provide near real-time status updates.

Estimated Completion Date (ECD): March 29, 2024.

Recommendation 2: We recommend the Assistant Commissioner, Office of Information and Technology [OIT] and [CBP] Commissioner continue to analyze and prioritize funding needs to make integration improvements to DHS IT systems ensuring timely and accurate information sharing internally within DHS and externally with the [DOJ] and [HHS].

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Response: Concur. CBP leadership and the CBP OIT (OIT) will continue to prioritize funding for the UIP so that the program has the resources required to continue delivering mission critical capabilities, such as integration improvements to DHS IT systems and information sharing to users within DHS, DOJ, and HHS. For example, the UIP Team briefs stakeholder groups, including the U.S. House Committee on Appropriations, the U.S Senate Committee on Appropriations, and the Office of Management and Budget, regarding funding needs when requested and as needed. In June 2022, UIP received its first increment of TMF funding to support the development of "Phase 4" activities. Phase 4 will focus on completing the UIP Platform, which includes data mesh backend, to enable all partners to quickly publish and receive accurate real-time data. The first increment of TMF funding will focus specifically on enabling CBP and ICE to send and receive A-Files, automating sharing of UC placement details, automating data governance enforcement policies, and more. UIP will continue this engagement to maintain buy-in and support for development in Phase 4 and sustainment after the program reaches Full Operating Capacity. ECD: March 31, 2023.

Recommendation 3: We recommend the Assistant Commissioner, [OIT] and [CBP] Chief Information Officer further promote the [UIP] to more DHS and external users.

Response: Concur. The CBP CIO, Assistant Commissioner OIT will continue to promote the UIP to more users within DHS, including CBP, ICE, USCIS and DHS "Headquarters" Offices and lines of business, as well as external users from DOJ and HHS. To date, the UIP userbase includes over 5,000 users and continues to add new users to the platform on a weekly basis. The team also developed a new user role for HHS users in March 2022 and held user training sessions for over 500 CBP and ICE users in May 2022.

UIP is also planning user training sessions for new users from the ICE National Criminal Analysis and Targeting Center and will continue to expand access to new user groups in completing the UIP platform for Phase 4 as previously noted, including from DOJ. UIP is currently working with the DOJ OIT Executive Office for Immigration Review to establish a connection for data sharing between DHS and DOJ, and once a Memorandum of Agreement is signed, UIP can provide DOJ users with access to the platform. ECD: March 31, 2023.

Recommendation 4: We recommend the [CIO] for [ICE] implement solutions to reduce information sharing barriers, such as the [CAS], to additional Southwest Border Sectors and locations.

Response: Concur. In an effort to narrow the gap between CBP and ICE with automating processes, including viewing electronic A-Files and providing case acceptance and rejection responses back to CBP, the CAS was deployed to the following sectors:

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ICE Area of Responsibility	Border Patrol Sector	Deployment Date
El Paso	El Paso, Big Bend	April 5, 2021
San Antonio	Del Rio	June 28, 2021
Harlingen	Rio Grande Valley & Laredo	September 13, 2021
Phoenix	Tucson & Yuma	December 13, 2021
Los Angeles & San Diego	El Centro & San Diego	February 7, 2022

This deployment enables CBP to: (1) transmit the case request for approval and receive a response from the ICE Enforcement and Removal Operations (ERO); (2) track the status of subjects in CBP custody awaiting acceptance by ERO; and (3) facilitate review of A-file documentation.

Additionally, ICE ERO developed a CAS quick reference guide and screenshots to provide CBP users with information on how to submit requests for case/subject transfer of jurisdiction to the ICE ERO.

ICE provided the OIG with documentation corroborating these efforts under a separate cover on July 27, 2022. We request that the OIG consider this recommendation resolved and closed, as implemented.

Recommendation 5: We recommend the Commissioner of [CBP] evaluate adherence to current immigration policies and memorandums of agreement for internal and external collaboration and working groups and update them as needed

Response: Concur. CBP agrees that evaluation of current immigration policies, as they relate to the information sharing efforts included in memorandums of agreement between DHS and HHS regarding unaccompanied children, is appropriate. Specifically, CBP's Policy Directorate will update any collaboration efforts described in memorandums of agreement to address the sharing of migrant information internally and externally, as appropriate. This will include:

1) "Memorandum of Agreement between the Department of Homeland Security and the Department of Health and Human Services Regarding Unaccompanied Alien Children," dated 2016;
2) "Memorandum of Agreement Among The Office of Refugee Resettlement of the U.S. Department of Health and Human Services and U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection of the U.S Department of Homeland Security Regarding Consultation and Information Sharing In Unaccompanied Alien Children Matters," dated April 13, 2018; and

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3) "Memorandum of Agreement (MOA) Among the Office of Refugee Resettlement of the U.S. Department of Health and Human Services and U.S. Immigration and Customs Enforcement And U.S. Customs and Border Protection Of The U.S. Department of Homeland Security Regarding Consultation and Information Sharing In Matters Relating To Unaccompanied Children," dated March 11, 2021.

ECD: May 31, 2023.

Recommendation 6: We recommend the Director of U.S. Immigration and Customs Enforcement evaluate adherence to current immigration policies and memorandums of agreement for internal and external collaboration and working groups and update them as needed.

Response: Concur. ICE Enforcement and Removal Operations (ERO) agrees that MOAs between ICE, CBP, and HHS regarding consultation and information sharing in matters relating to unaccompanied children should be updated to reflect the interagency coordination presently occurring through the Southern Border Communities Coalition (SBCC). Specifically, the SBCC includes participation from ICE, CBP, and HHS stakeholders, who currently meet on a regular basis to discuss policies, challenges and potential solutions affecting the southwest border. Accordingly, ERO will work with CBP and HHS counterparts to update the MOA, and will also review any other agreements in place to determine whether changes are needed as part of its continuous process improvement efforts. ECD: April 28, 2023.

Recommendation 7: We recommend the Chief Information Officer for DHS establish a policy or agreement to ensure ongoing collaboration and standardized information sharing, especially during surges, among:
- DHS components;
- DHS and external partner agencies; and
- IT professionals and system operators.

Response: Concur. The DHS OCIO Chief Technology Officer and DHS OCIO Chief Data Officer will work with the ICE and CBP Component heads to establish a policy for standardized information sharing. Specifically, this will include information sharing within (1) the Components (2) any related external partner agencies; and (3) any IT professionals and system operators, as appropriate. ECD: July 31, 2023.

Recommendation 8: We recommend the Assistant Commissioner, [OIT] and [CBP] Chief Information Officer coordinate with U.S. Border Patrol and evaluate, develop, and implement strategies to address Form I-213 errors.

Response: Concur. CBP OIT and the U.S. Border Patrol will determine the root cause of errors in Form I-213, "Record of Deportable/Inadmissible Alien," and will continue to

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work together to evaluate, develop, and implement operational and technical business rules/strategies to address the errors, and will provide the OIG with updates to the remediation progress. This will include CBP OIT and U.S. Border Patrol conducting a root cause analysis of specific form I-213 errors identified by the OIG. ECD: June 30, 2023.
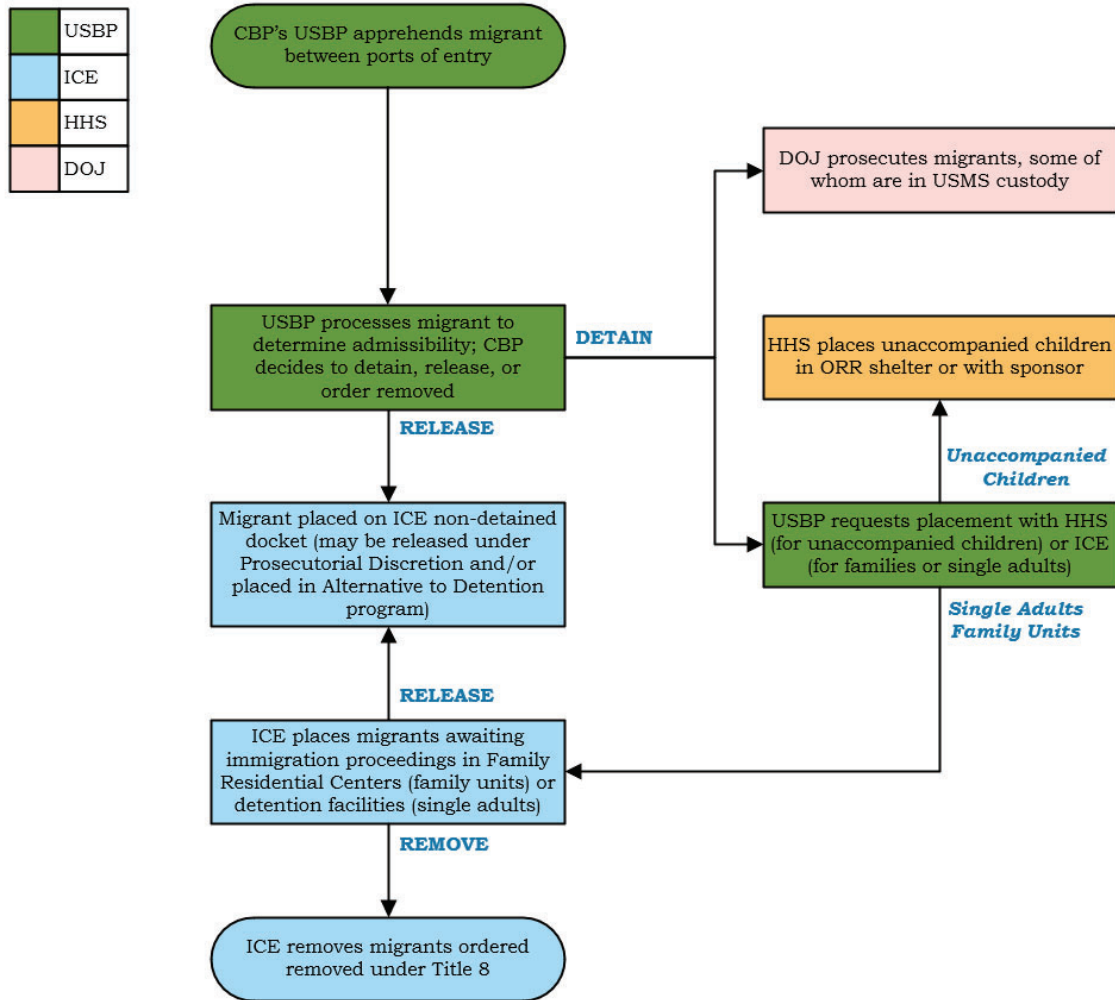
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Appendix C
Overview of Immigration Process after Apprehension

Source: DHS OIG-created based on CBP, ICE, HHS, and DOJ data[40]

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[40] Appendix C does not represent formal removal proceedings under the *Immigration Nationality Act* §240.

Appendix D
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Appendix E
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