

Review of U.S. Customs and Border Protection's Fiscal Year 2016 Drug Control Performance Summary Report





DHS OIG HIGHLIGHTS

Review of U.S. Customs and Border Protection's Fiscal Year 2016 Drug Control Performance Summary Report

February 1, 2017

Why We Did This Review

The Office of National Drug Control Policy's (ONDCP) Circular, *Accounting of Drug Control Funding and Performance Summary*, requires National Drug Control Program agencies to submit to the ONDCP Director, not later than February 1 of each year, a detailed accounting of all funds expended for National Drug Control Program activities during the previous fiscal year.

The Office of Inspector General (OIG) is required to conduct a review of the report and provide a conclusion about the reliability of each assertion made in the report.

For Further Information:

Contact our Office of Public Affairs at (202) 254-4100, or email us at DHS-OIG.OfficePublicAffairs@oig.dhs.gov

What We Found

KPMG LLP (KPMG), under contract with the Department of Homeland Security OIG, issued an Independent Accountants' Report on the U.S. Customs and Border Protection's (CBP) FY 2016 Drug Control Performance Summary Report. CBP's management prepared the Performance Summary Report and the related disclosures in accordance with the requirements of the ONDCP Circular, *Accounting of Drug Control Funding and Performance Summary*, dated January 18, 2013 (Circular). Based on its review, nothing came to KPMG's attention that caused it to believe that CBP's FY 2016 Performance Summary Report is not presented in conformity with the criteria in the ONDCP Circular. KPMG LLP did not make any recommendations as a result of its review.




OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

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

February 1, 2017

MEMORANDUM FOR: Sean M. Mildrew
Chief Accountability Officer
U.S. Customs and Border Protection

FROM: John V. Kelly 
Deputy Inspector General

SUBJECT: *Review of U.S. Customs and Border Protection's Fiscal Year 2016 Drug Control Performance Summary Report*

Attached for your information is our final report, *Review of U.S. Customs and Border Protection's Fiscal Year 2016 Drug Control Performance Summary Report*. U.S. Customs and Border Protection's (CBP) management prepared the Performance Summary Report and the related disclosures in accordance with the requirements of the Office of National Drug Control Policy's Circular, *Accounting of Drug Control Funding and Performance Summary*, dated January 18, 2013.

We contracted with the independent public accounting firm KPMG LLP (KPMG) to review CBP's Drug Control Performance Summary Report. KPMG is responsible for the attached Independent Accountants' Report, dated January 18, 2017, and the conclusions expressed in it. KPMG's report contains no recommendations.

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

Please call me with any questions, or your staff may contact Maureen Duddy, Deputy Assistant Inspector General for Audits, at (617) 565-8723.

Attachment



KPMG LLP
Suite 12000
1801 K Street, NW
Washington, DC 20006

Independent Accountants' Report

Deputy Inspector General
U.S. Department of Homeland Security:

We have reviewed management's assertion that the Performance Summary Report of the U.S. Department of Homeland Security's (DHS) Customs and Border Protection (CBP) for the year ended September 30, 2016 was prepared in conformity with requirements of the Office of National Drug Control Policy Circular: *Accounting of Drug Control Funding and Performance Summary*, dated January 18, 2013 (the Circular). CBP management is responsible for the assertion.

Our review was conducted in accordance with generally accepted government auditing standards, which incorporate the attestation standards established by the American Institute of Certified Public Accountants. A review is substantially less in scope than an examination, the objective of which is the expression of an opinion on management's assertion. Accordingly, we do not express such an opinion.

Based on our review, nothing came to our attention that caused us to believe that management's assertion referred to above, is not fairly stated, in all material respects, in conformity with the requirements set forth in the Circular.

KPMG LLP

January 18, 2017



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

January 18, 2017

MEMORANDUM FOR: Mr. John Kelly
Deputy Inspector General
U.S. Department of Homeland Security

FROM: Sean M. Mildrew 
Chief Accountability Officer
Office of Accountability

SUBJECT: Management's Assertions for CBP's Performance Summary
Report to ONDCP

In compliance with the Office of National Drug Control Policy (ONDCP) Circular, *Accounting of Drug Control Funding and Performance Summary*, dated January 18, 2013, U.S. Customs and Border Protection (CBP) submits its Performance Summary Report to ONDCP. The report contains the results of CBP's Fiscal Year (FY) 2016 performance in support of the *National Drug Control Strategy*.

CBP makes the following assertions:

- (1) Performance reporting system is appropriate and applied – CBP uses TECS, TOMIS, e3 and BPETS to capture performance information. Data within these systems is accurately maintained and reliable, and properly applied to generate the most recent performance data available for the FY 2016 performance period;
- (2) Explanations for not meeting performance targets are reasonable - Performance targets in Fiscal Year (FY) 2016 were met for three of four measures and the explanation for not meeting one of the performance targets is reasonable;
- (3) Methodology to establish performance targets is reasonable and consistently applied - The methodology described for establishing performance measure targets is based on professional judgment of subject matter experts with many years of experience in the field. The methodology is reasonable given past performance and available resources.
- (4) Adequate performance measures exist for all significant drug control activities - CBP has established at least one performance measure for each Drug Control Decision Unit, which considers the intended purpose of the National Drug Control Program Activity. As noted in the OIG Report 17-09, *DHS Drug Interdiction Efforts Need Improvement*, the performance measures reported for CBP's Drug Control Decision Units are not adequate. Three of the four measures were determined to be process-

based rather than outcome-based, and two of the four measures were found to not be sufficiently relevant to counterdrug activities. On September 26, 2016, ONDCP published a Supply Reduction Strategic Outcomes framework to provide a comprehensive and integrated perspective on strategic level changes across the spectrum of the drug supply train and associated impacts on society. Several DHS outcome-based performance measures are included in the framework, and the Department is working with ONDCP to ensure the right measures are in place to support assessment of strategic outcomes. As a follow-on activity, CBP will work with the Department on the development of new measures for fiscal year 2018, as needed. CBP did determine that the FY2016 performance measures for all significant drug control activities did not require material modification.

If you have any questions or would like additional information, please contact me at (202) 344-3823, or a member of your staff may contact Mr. Henry Moak Director, Performance Management and Analysis Division, at (202) 344-2571.

Attachments

**U.S. Department of Homeland Security
U.S. Customs and Border Protection
Performance Summary Report
Fiscal Year 2016**

The performance measures presented below directly link to the 2016 *National Drug Control Strategy* by evaluating U.S. Customs and Border Protection's (CBP) success in disrupting domestic drug trafficking. This Performance Summary Report contains the performance measures aligned to drug control decision units as required by the Office of National Drug Control Policy (ONDCP) Circular: *Accounting of Drug Control Funding and Performance Summary*, dated January 18, 2013. The drug control decision units are as follows: (1) Salaries and Expenses, (2) Air and Marine Interdiction, Operations, Maintenance, and Procurement and (3) Border Security Fence, Infrastructure and Technology.

Drug Control Decision Unit – Salaries and Expenses

Performance Measure – Amount of currency seized on exit from the United States.

(1) Performance Measures

The performance measure “Amount of currency seized on exit from the United States” provides the total dollar amount of all currency, in millions, seized during outbound inspection of exiting passengers and vehicles, both privately-owned and commercial. The scope of this measure includes all ports of entry on both the southwest and northern borders and all modes of transportation (land, air, and sea). This measure assists in evaluating CBP's success in disrupting domestic drug trafficking at the land border ports of entry, a key outcome for the FY 2016 National Drug Control Strategy¹. This measure is tracked by CBP's Office of Field Operations (OFO).

This measure is based upon the seizure-related enforcement outcomes of CBP's Outbound Enforcement Program, which provides an indicator of the success that CBP has in disrupting domestic drug trafficking at the land borders by stemming the flow of potential narcotics-related proceeds destined to criminal or transnational groups.

The OFO conducts risk-based Outbound operations at land border ports of entry and international airports, enabling CBP to enforce U.S. laws and regulations applying to the Outbound arena, including but not limited to immigration and drug laws. The Outbound Enforcement Program is part of CBP's effort to effectively monitor and control the flow of goods and people leaving the United States. The goal of CBP's Outbound Enforcement Program is to keep the United States safe by preventing the illicit export of goods, ranging from firearms to components of weapons of mass destruction, by individuals seeking to circumvent U.S. export control laws. This goal was developed in recognition of the fact that such goods could potentially fall into the hands of terrorists or criminal elements. The program also seeks to

¹ The FY 2016 National Drug Control Strategy was developed by the Obama Administration and submitted to the Congress of the United States.

disrupt criminal elements and terrorist organizations by interdicting their proceeds and arresting members of their organizations.

A number of presidential strategies, including the President's National Export Initiative, the President's Export Control Reform Initiative, the National Drug Control Strategy, and the National Southwest Border Counter Narcotics Strategy, designate outbound enforcement as a crucial component on the war on drugs. The total currency seized upon exit from the United States in FY 2016 was \$28.9 million, which was potentially destined for criminal organizations.

(2) Prior Years Performance Targets and Results

Fiscal Year:	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target:	\$35.0M	\$30.0M	\$30.0M	\$30.0M	\$30.0M
Actual:	\$31.9M	\$36.9M	\$37.7M	\$37.6M	\$28.9M

In FY 2016, CBP did not meet the target of \$30.0M in currency seizures. Although CBP maintained its FY 2016 outbound enforcement effort at levels similar to FY 2015, there was a significant decrease in both the number of seizures, down nearly 22 percent, and the average dollar value of the amount seized per seizure, which dropped from approximately \$49,000 in FY 2015 to under \$34,000 in FY 2016. This drop was due in large part to a decrease in the number of large seizures over \$100,000, which went from 30 in FY 2015 to 19 in FY 2016. This led to CBP missing its target for FY 2016 by approximately 4 percent.

CBP conducts risk-based outbound enforcement efforts and limited special operations set up in support of collaborative enforcement efforts with the Drug Enforcement Agency (DEA) and Immigration and Customs Enforcement (ICE), as well as with other law enforcement agencies through the Border Enforcement Security Task Force.

(3) Current Year Performance Targets

Fiscal Year:	FY 2017
Target:	\$30.0M

CBP will continue to conduct risk-based Outbound enforcement operations to identify and seize currency being transported out of the country illegally and work with these law enforcement agencies and both local and international partners to identify and disrupt outbound smuggling activities.

Currently, CBP conducts limited Outbound enforcement operations based on the availability of CBP Officers and funding, examining only departing goods and travelers identified as high-risk based on CBP Officer assessment at the ports and/or automated systems alerts triggered by available data. On-going CBP efforts at risk-based outbound enforcement and conducting limited special operations will continue in FY 2017. FY 2016 was the first year CBP missed the target since FY 2012. Missing the target by 4 percent was primarily caused by the overall decrease in large seizures and possibly influenced by the erratic frequency of such seizures, which vary significantly from month to month. As the decrease in large seizures in FY 2016 is

considered to be an unusual fluctuation in seizure activity, CBP will retain the target of \$30.0M for FY 2017. CBP will consider revising the target downward in FY 2018 if the FY 2017 results more clearly establish a long-term downward trend.

(4) Quality of Performance Data

The data underlying this measure is accurate, complete and unbiased. This measure is calculated from outbound seizure-related enforcement action data entered into Treasury Enforcement Communications System (TECS), a computer-based tool used to support CBP operations, by the CBP Officer at the time the violation occurred. On a monthly basis, the detailed transaction data for each Field Office is compiled and extracted from TECS into BorderStat, the CBP system of record for capturing and reporting all enforcement and operations statistical data across its operational components. The extracted data is then summarized within the Operations Management Report module in BorderStat. The monthly summary data is reviewed by OFO's Outbound Program Manager to verify accuracy and identify anomalies.

Drug Control Decision Unit – Air and Marine Interdiction, Operations, Maintenance, and Procurement

Performance Measure – Percentage of Joint Interagency Task Force-South (JIATF-S) annual mission hour objective achieved.²

(1) Performance Measures

This performance metric is specific to CBP’s Air and Marine Operations, and the metric is part of the Air and Marine Interdiction, Operations, Maintenance, and Procurement budget decision unit. Air and Marine Operations (AMO) conducts extended border operations as part of CBP’s layered approach to homeland security. AMO deploys assets in the source and transit zones through coordinated liaison with other U.S. agencies and international partners. The National Interdiction Command and Control Plan (NICCP) sets the overarching operational architecture for organizations involved in interdicting illicit drugs in keeping with the goals and objectives of the National Drug Control Strategy. AMO coordinates with the larger law enforcement and interdiction community through its partnership with JIATF-S. JIATF-S is the tasking coordinator and controller for counter-drug missions within the transit³ and source⁴ zones. JIATF-S submits its resource allocation requirements through the NICCP. The Department of Homeland Security (DHS) responds to the requirements in a Statement of Intent. AMO typically supports JIATF-S requests with P-3 Airborne Early Warning and P-3 Long-Range Tracker aircraft, but has also supported JIATF-S with other aircraft, including its DHC-8 and C-12M fixed-wing aircraft, Black Hawk rotary-wing aircraft, and unmanned aircraft systems (UAS).

As a result of the 2003 Presidential Determination Regarding U.S. Assistance to the Government of Colombia Airbridge Denial Program, AMO began receiving funding in FY 2005 to support JIATF-S as part of its base budget.

The performance measure “Percentage of JIATF-S Annual Mission Hour Objective Achieved” identifies the degree to which AMO meets its intended flight hours for JIATF-S in support of the National Drug Control Strategy, which is reported to DHS, ONDCP, and JIATF-S.

(2) Prior Years Performance Targets and Results

The Percentage of JIATF-S Annual Mission Hour Objective Achieved was initially introduced as a measure in FY 2011.

Fiscal Year:	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target:	100.0%	100.0%	100.0%	100.0%	100.0%
Actual:	100.0%	100.0%	100.0%	100.0%	100.0%

² Actual results are presented on a binary basis, where 0 percent represents that the target was not met and 100 percent represents that the target was either met or exceeded.

³ The transit zone encompasses Central America, Mexico, the Caribbean Sea, the Gulf of Mexico, and the eastern Pacific Ocean.

⁴ The source zone includes the principal drug producing countries of Bolivia, Columbia, and Peru.

In its annual Statement of Intent, DHS responds to the requirements in the NICCP. The FY 2016 DHS Statement of Intent included CBP's objective to provide 6,000 flight hours for detection and monitoring activities with aircraft in support of JIATF-S operations. AMO exceeded the goal of 6,000 hours for FY 2016, flying a total of 6,547.3 hours of which the primary driver was the P-3 (6,172.8 hours), other aircraft included the: UAS, the King Air B-350, DHC-8, UH60, and the AS350 (374.50 hours).

(3) Current Year Performance Targets

Fiscal Year: FY 2017

Target: Provide 100 percent of the 5,730 hours of JIATF-S support budgeted for the transit zone.

AMO submitted its input for the FY 2017 DHS Statement of Intent to the DHS Office of Policy, via the Tasking process. This input was based on current anticipated budgets, flight crew availability, and planning estimates involving maritime patrol aircraft flight hours in the transit zone.

The FY 2017 DHS Statement of Intent included CBP's objective to provide 5,730 flight hours in the transit zone with its P-3 and UAS.

(4) Quality of Performance Data

The data underlying this measure is accurate, complete and unbiased. AMO flight data is recorded using the Tasking, Operations, and Management Information System, which underwent a DHS verification and validation during FY 2016. The data from this system can be queried through any CBP computer with appropriate access. AMO ensures the data is complete and accurate through a quality assurance process, which includes annual reconciliation of data, and data entry error mitigation techniques established from the verification and validation assessment.

Drug Control Decision Unit – Air and Marine Interdiction, Operations, Maintenance, and Procurement

Performance Measure – Percent of time TECS is available to end users.

(1) Performance Measures

This performance metric is for Automation Modernization, part of the Air and Marine Interdiction, Operations, Maintenance, and Procurement budget decision unit. The metric is managed and measured by CBP's Office of Information Technology (OIT). The measure, "Percent of time TECS is available to end users," quantifies the availability of the TECS service to all end-users based on a service level of 24/7 service. TECS is a CBP mission-critical law enforcement application system designed to identify individuals and businesses suspected of or involved in violation of Federal law. TECS is also a communications system permitting message transmittal between the DHS law enforcement offices and other National, state, and local law enforcement agencies, access to the Federal Bureau of Investigation's National Crime Information Center and the National Law Enforcement Telecommunication Systems (NLETS). NLETS provides direct access to state motor vehicle departments. This measure assists in evaluating CBP's success in improving information systems for Analysis, Assessment, and Local Management, a key outcome for the National Drug Control Strategy.

TECS availability is a collection of key performance indicators (KPI) gathered from off-the-shelf and custom monitoring tools. The tools monitor all components and sub-systems of three mission critical applications: Western Hemisphere Travel Initiative, Traveler Primary Air Client, and U.S. Arrival.

Synthetic transactions are performed on all three applications to simulate a user. The results of these transactions are measured against defined performance standards. Breaches of the performance standards are transmitted as alerts to the Technology Operations Center and the application development team for review and resolution.

TECS is deemed unavailable when all three applications are in a critical or unresponsive state simultaneously. Outages for systems maintenance are considered down time and affect TECS availability.

(2) Prior Years Performance Targets and Results

Fiscal Year:	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target:	99.0%	99.0%	99.0%	99.0%	99.0%
Actual:	99.9%	99.9%	99.9%	99.9%	99.9%

TECS surpassed its goal this year with an availability of 99.9 percent.

(3) Current Year Performance Targets

Fiscal Year: FY 2017

Target: 99.0%

The target is established based on the KPIs for the three applications that comprise the TECS Availability metric. Current trends and funding expectations point to a likelihood of achieving the FY 2017 target of 99.0 percent with no anticipated challenges to TECS system availability. This target is established via a negotiated contract with the TECS service provider.

(4) Quality of Performance Data

The data is accurate, complete, and unbiased. All data logged is reviewed for accuracy and comments are added by Computer Operations staff for the purpose of identifying discrepancies. Each business day, OIT Subject Matter Experts meet at the Significant Outages and Incidents meeting to review the Chief Information Officer Outage Report which is generated for the OIT Assistant Commissioner and other senior CBP management staff. The Subject Matter Experts review incidents and validate the information reported. The OIT Assistant Commissioner and senior CBP management review the report.

Drug Control Decision Unit – Border Security Fencing, Infrastructure and Technology

Performance Measure – Rate of Interdiction Effectiveness along the Southwest Border between the ports of entry.

(1) Performance Measures

Since FY 2014, the United States Border Patrol (USBP) has focused on and measured improvement in its Interdiction Effectiveness Rate (IER) on the Southwest border. The IER is the percent of detected illegal entrants who were apprehended or turned back after illegally entering the U.S. between the Southwest Border ports of entry. The IER focuses on positive outcomes (apprehensions or turnbacks) of recent entrants made in the immediate border area. This measure assists in evaluating CBP's success in disrupting domestic drug trafficking between the land border ports of entry, a key outcome for the National Drug Control Strategy.

Border Patrol agents (BPAs) detect and intercept any combination of threats that present themselves along the borders including: terrorists, weapons of terrorism, smuggling of narcotics and other contraband, and people who illegally enter the United States. The interdiction of people frequently coincides with the interdiction of drugs in the border environment; therefore, the IER can be associated with effectiveness in resolving all cross-border entries, including those involving persons transporting narcotics. Since introducing this measure in FY 2014, USBP has increased the IER from 76 percent at the end of FY 2013 to 82.7 percent at the end of FY 2016.

The enforcement advantage gained from fencing, other infrastructure, and technology, such as sensors and cameras, allows agents to more effectively and efficiently detect, identify, and intercept threats. CBP's enforcement posture over the past several years since 9/11 has benefitted from a build-up in resources and capabilities, including manpower. This improved enforcement posture has coincided with an overall decrease in apprehensions since 2005 and an improvement in the IER since it was tracked in FY 2013. During FY 2016, the USBP seized 1,294,052 pounds of marijuana along the Southwest border, an increase of 85,389 pounds seized in 2005 along the Southwest border.

Targets and results for the "Rate of interdiction effectiveness along the Southwest Border between ports of entry" measure is based on data collected on apprehensions, turnbacks and gotaways, which together constitute entries. The formula used to calculate the IER is $(\text{Apprehensions} + \text{Turnbacks}) / (\text{Entries})$. The scope includes all areas of the Southwest border that are generally at or below the northern most checkpoint within a given area of responsibility.

Apprehensions are defined as: a deportable subject who, after making an illegal entry, is taken into custody and receives a consequence. Gotaways are defined as: a subject who, after making an illegal entry, is not turned back or apprehended and is no longer being actively pursued by BPAs. Turnbacks are defined as: a subject who, after making an illegal entry into the US, returns to the country from which he/she entered, not resulting in an apprehension or gotaway.

(2) Prior Years Performance Targets and Results

Fiscal Year:	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Target:	None	None	77%	80%	81%
Actual:	None	76%	79.3%	81.0%	82.7%

This performance measure was initially introduced as a DHS strategic measure in FY 2014. USBP met the IER target for FY 2016 with 82.7 percent, which is roughly a 1.7 percent increase from Fiscal Year 2015 IER of 81.0 percent. The baseline data collection during FY 2013 coincided with an effort on part of the USBP to standardize the methods across Southwest border sectors to record apprehensions, gotaways, and turnbacks, the three key factors in the formula for calculating the IER.

(3) Current Year Performance Targets

Fiscal Year: FY 2017
Target: 81%

A combination of efforts under a risk-based strategy can influence an improvement in the IER. Better intelligence and risk-based deployment of surveillance capabilities enhances situational awareness and aids in identifying potential or emerging threats. This allows for better informed and more agile responses at tactical and strategic levels. At the tactical level, field commanders can direct personnel and mobile technologies to respond to higher threat areas. At the strategic level, USBP can place increased focus on positioning assets according to changing threat levels. The target was established based upon a review of historical data and anticipated trends. Risk along the Southwest Border is compounded as Border Patrol agents who, rather than patrolling the field are spending time processing apprehended aliens who self-surrender. Since resources are deployed to those areas deemed to be the highest risk and undocumented aliens are turning themselves in, the IER is able to reflect a higher capability to respond than our resources might otherwise allow.

(4) Quality of Performance Data

Apprehension, gotaway, and turnback data is captured by BPAs at the station level and entered into the following systems:

- Apprehensions are entered into the e3 Processing (e3) system. All data entered via e3 resides in the Enforcement Integrated Database (EID), the official system of record for this data, which is under the purview of the USBP Headquarters Statistics and Data Integrity (SDI) Unit. The physical database is owned and maintained by ICE.
- Gotaways and turnbacks are entered into the CBP Enforcement Tracking System 1 (BPETS), which resides with the USBP. BPETS is under the purview of and is owned by the USBP Headquarters SDI Unit.

Apprehension data is entered into e3 by BPAs at the station level as part of the standardized processing procedure. BPAs use standard definitions for determining when to report a subject as

a getaway or turnback. Some subjects can be observed directly as evading apprehension or turning back; others are acknowledged as gotaways or turnbacks after agents report evidence that indicate entries have occurred, such as foot sign, sensor activations, and interviews with apprehended subjects, camera views, communication between stations and sectors, and other information. Data input into the BPETS system occurs at the station level, and normally by a supervisor. The e3 Processing application and BPETS are used to document apprehension, getaway, and turnback data.

Patrol Agents in Charge ensure all agents are aware of and utilize proper definitions for apprehensions, gotaways, and turnbacks at their respective stations and ensure accurate documentation of subjects. In addition to station level safeguards, the USBP Headquarters SDI Unit validates data integrity by utilizing various data quality reports. Data issues are corrected at the headquarters level or forwarded to the original inputting station for correction. All statistical information requested is routed through the USBP Headquarters SDI Unit to ensure accurate data analysis and output.



OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

Appendix A **Report Distribution**

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