



August 28, 2013

The Honorable Mary Landrieu
Chairman
The Honorable Dan Coats
Ranking Member
Subcommittee on Homeland Security
Committee on Appropriations
United States Senate

The Honorable John Carter
Chairman
The Honorable David Price
Ranking Member
Subcommittee on Homeland Security
Committee on Appropriations
House of Representatives

Border Security: U.S. Customs and Border Protection Has Taken Steps to Address GAO's Recommendations Aimed at Ensuring Officers Are Fully Trained

This letter formally transmits information we provided your offices on July 24, 2013, in response to a mandate in the explanatory statement accompanying the Department of Homeland Security Appropriations Act, 2013.¹ This mandate required us to follow up on the findings from our December 2011 report on U.S. Customs and Border Protection's (CBP) officer training programs to identify progress that has been made and any remaining deficiencies.² CBP, within the Department of Homeland Security (DHS), is responsible for securing U.S. borders and facilitating legal travel and trade. Nearly 22,000 CBP officers are responsible for securing the border at U.S. ports of entry, locations at which individuals and merchandise may seek legal entry into the United States. In December 2011, we found that CBP had revised its training program for new CBP officers in accordance with training standards, but concluded that CBP could do more to identify and address incumbent officer training needs, such as evaluating the effectiveness of training and conducting a comprehensive assessment of the results of covert tests of CBP's inspection processes.³ For example,

¹ Explanatory Statement, Consolidated and Further Continuing Appropriations Act, 2013, 159 Cong. Rec. S1287, S1550 (daily ed. Mar. 11, 2013). See also H.R. Rep. No. 112-492, at 41 (2012).

² See GAO, *Border Security: Additional Steps Needed to Ensure That Officers Are Fully Trained*, [GAO-12-269](#) (Washington, D.C.: Dec. 22, 2011). This was a public version of a Sensitive Security Information (SSI) report that we issued in October 2011.

³ See [GAO-12-269](#).

CBP developed and mandated training for all CBP officers in response to covert test results (e.g., a refresher course called “Back to Basics” and subsequent follow-on training), but it had not fully evaluated the effectiveness of the training. We made four recommendations to the CBP Commissioner to help address these and other issues, and CBP concurred with these recommendations. This report addresses the actions that CBP has taken to implement the recommendations from our December 2011 report and the status of the recommendations. We modified the slides in the enclosure to include updates CBP provided in August 2013 regarding additional actions it had taken to address one of our recommendations subsequent to our July 24, 2013, meeting with your offices.

To conduct this work, we obtained and analyzed documentation and information on CBP's efforts conducted in response to the four recommendations in our December 2011 report, and we evaluated whether these actions had addressed each recommendation. We also interviewed CBP officials responsible for officer training programs and efforts conducted in response to our recommendations, including officials from the Office of Training and Development (OTD), Office of Field Operations (OFO), and Office of Internal Affairs (IA).⁴ We also reviewed our prior reports on CBP training programs for background and context. We conducted this performance audit from June 2013 to August 2013 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

In summary, CBP has taken actions to address the recommendations from our December 2011 report; three of the four recommendations are closed, and CBP has actions underway to address the remaining open recommendation (see table 1).

⁴ OTD and OFO share responsibility for ensuring that newly hired and incumbent CBP officers are sufficiently trained. IA is responsible for ensuring compliance with all CBP-wide programs and policies relating to corruption, misconduct, or mismanagement and for executing the internal security, integrity, and management inspections programs. For example, IA operates a covert test program to identify potential security vulnerabilities at ports of entry. For more information about OTD's and OFO's responsibilities for CBP officer training, see the enclosure, slide 7.

Table 1: Status of U.S. Customs and Border Protection’s (CBP) Response to the Recommendations from Our December 2011 Report on CBP Officer Training

Recommendations	CBP actions to address recommendations	Status of recommendations
1. Conduct an evaluation of the effectiveness of the “Back to Basics” and subsequent follow-on training	CBP has completed an evaluation of the “Back to Basics” course, but has not yet conducted an evaluation of the follow-on training. According to CBP officials, the Office of Training and Development plans to complete an evaluation of the follow-on training by November 2013.	Open, but actions are in progress.
2. Conduct a comprehensive assessment of its covert test results to identify the causes of and systemic issues underlying the results	CBP conducted a comprehensive assessment of the covert test results, reported on key factors contributing to the results, and implemented actions to address these factors. The report addressed our recommendation and should help CBP identify patterns or trends that indicate the extent to which CBP officer training, performance, or other systemic issues may contribute to the covert test results.	Closed as implemented
3. Establish a policy that specifies roles and responsibilities for training and related oversight, including oversight of training records	CBP developed a policy and standard operating procedures that specified training roles and responsibilities and related oversight, including oversight of training records. The policy and standard operating procedures addressed our recommendation and should help strengthen the reliability of CBP’s training records.	Closed as implemented
4. Develop a plan for conducting a training needs assessment to address any skill gaps for incumbent CBP officers and then implement that plan	CBP conducted a three-phase analysis to identify potential skill gaps and training needs for incumbent CBP officers and completed a report that includes the outcomes of this analysis and recommended action steps to address training gaps for incumbent officers.	Closed as implemented

Source: GAO analysis of CBP information.

For additional information on the results of our work, please see the slides in the enclosure. We are not making any recommendations in this report.

Agency Comments

We provided a draft of this report to DHS for review and comment. DHS provided technical comments, which we incorporated as appropriate. During the comment period, DHS also provided us with additional evidence on actions CBP had taken related to the fourth recommendation to develop a plan for conducting a training needs assessment to address any skill gaps for incumbent CBP officers and to implement that plan. We evaluated this evidence, concluded the recommendation was closed as implemented, and updated the report and related enclosure to reflect CBP’s actions and our conclusion.

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We are sending copies of this report to the appropriate congressional committees and to the Secretary of Homeland Security. This report is also available at no charge on GAO's website at <http://www.gao.gov>. Should you or your staff have questions concerning this report, please contact me at (202) 512-6912 or GamblerR@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. Key contributors to this report were Kathryn Bernet (Assistant Director), David Alexander, Jennifer Bryant, and Frances Cook.

A handwritten signature in black ink that reads "Rebecca Gambler". The script is cursive and fluid, with the first name and last name clearly distinguishable.

Rebecca Gambler
Director
Homeland Security and Justice

Enclosure



**Border Security: U.S. Customs and Border
Protection Has Taken Steps to Address GAO's
Recommendations Aimed at Ensuring Officers
Are Fully Trained**

**Briefing for Staff of the Subcommittees on Homeland
Security, U.S. Senate and House Committees on
Appropriations**

Page 1



Contents

- Introduction
- Objective, Scope, and Methodology
- Summary
- Background
- Findings
- GAO Contact



Introduction

- The September 11, 2001, terrorist attacks, as well as recent incidents involving potential terrorists attempting to enter the country, highlight the need for a vigilant and well-trained workforce at the border.
- U.S. Customs and Border Protection (CBP), within the Department of Homeland Security (DHS), is the lead federal agency charged with inspecting travelers and goods for admission into the United States at ports of entry.¹
- Nearly 22,000 CBP officers play a central role in ensuring that CBP accomplishes its mission of securing the border while also facilitating the movement of millions of legitimate travelers and billions of dollars in international trade.

¹A port of entry is a location by which individuals and merchandise may seek legal entry into the United States. There are 329 air, sea, and land ports in the United States, plus 15 preclearance offices in Canada, Ireland, and the Caribbean.



Introduction (cont'd)

- In December 2011, we found that CBP had revised its training program for new CBP officers in accordance with training standards, but could do more to identify and address incumbent officer training needs, such as evaluating the effectiveness of training and conducting a comprehensive assessment of the results of covert tests of CBP's inspection processes.²
 - For example, CBP developed and mandated training for all CBP officers in response to covert test results (e.g., a refresher course called "Back to Basics," and subsequent follow-on training), but it had not fully evaluated the effectiveness of the training.
- We made four recommendations to CBP to address these and other issues, and CBP concurred with these recommendations.

²See GAO, *Border Security: Additional Steps Needed to Ensure That Officers Are Fully Trained*, GAO-12-269 (Washington, D.C.: Dec. 22, 2011). This was a public version of a Sensitive Security Information (SSI) report that GAO issued in October 2011.



Objective, Scope, and Methodology

- The explanatory statement accompanying the fiscal year 2013 DHS Appropriations Act mandated GAO to follow up on the findings from our December 2011 report to identify progress that has been made and any remaining deficiencies.³
- This briefing addresses the actions that CBP has taken to implement the recommendations from our December 2011 report to strengthen CBP officer training programs and the status of these recommendations.
- Scope and Methodology
 - We obtained and analyzed documentation and information on CBP's efforts conducted in response to our four recommendations in our December 2011 report, such as conducting an assessment of its covert test results and evaluating an officer training course, and we evaluated whether CBP's actions had addressed each recommendation.
 - We also interviewed CBP officials responsible for training programs and efforts in response to our recommendations and reviewed prior GAO reports on CBP training programs for background and context.
 - We provided a draft of these slides to DHS to confirm their technical accuracy. CBP provided technical comments, which we incorporated into the slides as appropriate.

³Explanatory Statement, Consolidated and Further Continuing Appropriations Act, 2013, 159 Cong. Rec. S1287, S1550 (daily ed. Mar. 11, 2013). See also H.R. Rep. No. 112-492, at 41 (2012).



Summary

CBP has taken actions to address the recommendations from our December 2011 report; three of the four recommendations are closed and CBP has actions underway to address the remaining open recommendation (see Table 1):

Table 1: Status of U.S. Customs and Border Protection's (CBP) Response to the Recommendations from GAO's December 2011 Report on CBP Officer Training

Recommendations	CBP actions to address recommendations	Status of recommendations
1. Conduct an evaluation of the effectiveness of the "Back to Basics" and subsequent follow-on training	CBP has completed an evaluation of the "Back to Basics" course, but has not yet conducted an evaluation of the follow-on training.	Open, but actions are in progress.
2. Conduct a comprehensive assessment of its covert test results to identify the causes of and systemic issues underlying the results	CBP conducted a comprehensive assessment of the covert test results, reported on key factors contributing to the results, and implemented actions to address these factors.	Closed as implemented
3. Establish a policy that specifies roles and responsibilities for training and related oversight, including oversight of training records	CBP developed a policy and standard operating procedures that specified training roles and responsibilities and related oversight, including oversight of training records.	Closed as implemented
4. Develop a plan for conducting a training needs assessment to address any skill gaps for incumbent U.S. Customs and Border Protection (CBP) officers and then implement that plan	CBP conducted a three-phase analysis to identify potential skill gaps and training needs for incumbent CBP officers and completed a report that includes the outcomes of this analysis and recommended action steps to address training gaps for incumbent officers.	Closed as implemented

Source: GAO analysis of CBP information.



Background: CBP Components' Roles and Responsibilities for CBP Officer Training

- CBP's Office of Training and Development (OTD) and Office of Field Operations (OFO) share responsibility for ensuring that newly hired and incumbent CBP officers are sufficiently trained.
 - OTD designs, develops, delivers, and evaluates CBP-wide training courses and establishes training standards and policies.
 - OFO identifies CBP officer training requirements and provides subject-matter experts to assist in the development and instruction of some training courses, and reviews training that is developed.
- CBP's Office of Internal Affairs (IA) is responsible for ensuring compliance with all CBP-wide programs and policies relating to corruption, misconduct, or mismanagement and for executing the internal security, integrity, and management inspections programs. For example, IA operates a covert test program to identify potential security vulnerabilities at ports of entry.

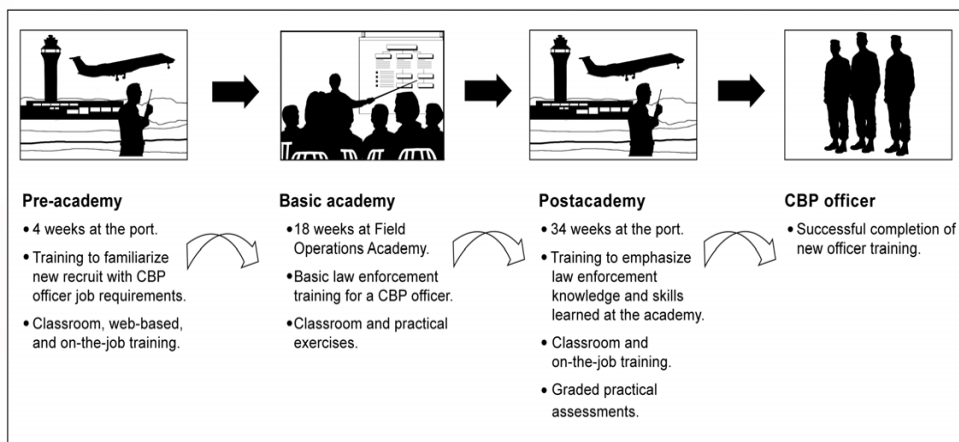
Page 7



Background: Newly Hired CBP Officer Training Requirements

- In 2009, CBP revised its training curriculum for new CBP officers to enhance an officer's ability to identify behavioral indicators displayed by terrorists and criminals and identify fraudulent documents, among other tasks. Figure 1 provides details on the revised basic training program.

Figure 1: Overview of Revised Basic Training Program for Newly Hired U.S. Customs and Border Protection (CBP) Officers



Source: GAO analysis of CBP data; images from Art Explosion.



Background: Incumbent CBP Officer Training Requirements

- All CBP officers are required to take individual mandatory training courses, such as fraudulent document detection and firearms qualification and proficiency, among others. CBP provides most mandatory courses on a one-time or annual basis via a web-based training application. Some courses are provided in an instructor-led classroom format.
- Also, in March 2010, OFO developed and mandated a “Back to Basics” refresher course for all CBP officers that emphasized the basic inspection duties that all CBP officers are required to perform during a primary inspection,⁴ such as comparing the travel document to the traveler and asking appropriate questions to confirm the traveler’s identity.
- From June 2011 through September 2012, CBP delivered the follow-on course to “Back to Basics,” which includes more specific instructions regarding inspection duties, to about 35 percent of CBP supervisory and non-supervisory CBP officers, among others.
- In addition, OFO has developed nonmandatory specialized courses for incumbent officers assigned to specialized teams (e.g., air or sea cargo targeting training).

⁴When travelers (U.S. persons and foreign nationals) enter the country through ports of entry, CBP officers conduct a screening procedure referred to as a primary inspection where officers take steps to ensure that the traveler is in compliance with all U.S. legal requirements.



Background: Incumbent CBP Officer Training Requirements (cont'd)

- Further, as part of the merger to create CBP in 2003, CBP cross-trained CBP officers to simultaneously perform immigration and customs inspection functions as well as identify and refer possible agricultural violations for further inspection.⁵
 - For example, CBP required all legacy customs officers to complete courses in immigration law and immigration and agriculture fundamentals and all legacy immigration officers to complete courses in customs law and customs and agriculture fundamentals.
- In June 2011, CBP officially retired the cross-training courses and replaced them with postacademy modules that contained revised content.

⁵In March 2003, inspectors from the three legacy agencies—the Department of Justice's U.S. Immigration and Naturalization Service, the Department of the Treasury's U.S. Customs Service and the Department of Agriculture's Animal and Plant Health Inspection Service—were merged to form CBP.



Background: December 2011 Report Findings

- In December 2011, we found that CBP had revised its training program for new officers in 2009 in accordance with OTD training development standards and rolled out the revised basic training in February 2011.
- We also found that CBP had taken steps to identify and address the training needs of incumbent CBP officers. However, we concluded that CBP could do more to ensure its incumbent officers were fully trained. For example:
 - CBP had conducted covert tests to assess vulnerabilities at ports of entry, but had not assessed the results to identify the causes and systemic issues that may have contributed to the results (e.g., training, performance, or other issues), consistent with IA protocols.
 - In response to the covert test results, CBP developed and mandated training for all CBP officers (e.g., “Back to Basics” and follow-on training⁶), but it had not fully evaluated the effectiveness of the training, consistent with its training development standards.

⁶CBP officials referred to the follow-on training course as “Total Inspectional Awareness.”



Background: December 2011 Report Findings (cont'd)

- In addition, CBP did not have policies or procedures to guide component offices' efforts to implement and oversee training and had unreliable training records.
 - For example, OFO officials stated that port management and field office directors were responsible for ensuring that CBP officers complete training related to their job duties, but no policy existed that assigned those responsibilities.
 - Also, according to our analysis of training records, in December 2011, we found that more than 4,000 legacy customs officers had not completed required cross-training, although they were required to do so during the cross-training program, which ended in June 2011. According to OFO officials, the training records were incomplete, and it was unlikely that these officers had not completed required training.
 - However, we concluded that without reliable training records, CBP cannot provide reasonable assurance that CBP officers have completed required or recommended training in accordance with federal internal control standards.



Background: December 2011 Report Findings (cont'd)

- Further, CBP had not conducted a comprehensive training needs assessment to address any skills gaps or training needs for incumbent officers.
 - CBP had taken steps to identify training needs among incumbent CBP officers. For example, in 2011, CBP completed a curriculum gap analysis, which compared the revised basic training program for new CBP officers with the previous basic training to identify new skills or material that incumbent CBP officers may not have learned in their basic training.
 - However, CBP had not conducted a comprehensive training needs assessment to identify and address potential gaps in incumbent officers' current skills and competencies.
 - Under executive order and federal regulations, agencies are to review programs to identify training needs, establish priorities for training, and allocate resources in accordance with those priorities.⁷ Further, OTD training development standards state that a training needs assessment is needed to identify knowledge or skill gaps and suggest material for new or follow-on training.

⁷Exec. Order No. 11,348, § 303, 32 Fed. Reg. 6335, 6335 (Apr. 20, 1967); 5 C.F.R. § 410.201(c)-(d).



Status of Recommendation 1: Open; Actions in Progress

Recommendation 1: Conduct an evaluation of the effectiveness of “Back to Basics” and subsequent follow-on training

- CBP has completed an evaluation of the “Back to Basics” course, but has not yet conducted a formal evaluation of the follow-on training.
 - In January 2012, OTD completed an evaluation of the “Back to Basics” course that identified strengths and areas for improvement in the training.
 - In November 2012, CBP officials obtained the results of covert tests conducted before, and since, implementation of the follow-on training to determine whether there were any differences in officer performance and to identify any additional requirements for training.



Status of Recommendation 1: Open; Actions in Progress (cont'd)

- In June 2013, CBP officials reported they did not consider this analysis of the covert tests to be an evaluation of the effectiveness of the follow-on training, given the covert tests are designed to provide a snapshot of a port's operation on a particular day and therefore represent a limited sample size and challenges related to proving a causal relationship between the follow-on training and the test results.
- CBP reported that OTD plans to work with OFO to determine if the follow-on training delivered to OFO managers and officers at select ports of entry has had an overall effect on performance by conducting a formal training evaluation. According to CBP officials, OTD plans to complete the formal evaluation of the follow-on training by November 2013.



Status of Recommendation 2: Closed as Implemented

Recommendation 2: Conduct a comprehensive assessment of the covert test results to identify the causes of and systemic issues underlying the results.

- CBP conducted a comprehensive assessment of the document fraud covert test results, reported on key factors contributing to the results, and implemented actions to address these factors.
 - In December 2011, IA completed its comprehensive analysis of the document fraud covert test results from fiscal years 2009 through 2011 and sent a report documenting its findings to the OFO Acting Assistant Commissioner.⁸
 - In the report, IA identified several factors that contributed to the potential vulnerabilities identified by the covert tests, and made seven recommendations to OFO to help address these factors.
 - In May 2012, OFO reported to IA the actions OFO was taking to implement the recommendations. As of March 2013, IA determined OFO had implemented five of the seven recommendations.
 - IA's report addressed our recommendation and should help CBP identify patterns or trends that indicate the extent to which CBP officer training, performance, or other systemic issues may contribute to the covert test results.

⁸The GAO report issued in December 2011 was a public version of an SSI report issued in October 2011 and therefore was based on work conducted prior to the December 2011 analysis of the covert test results.



Status of Recommendation 3: Closed as Implemented

Recommendation 3: Establish a policy that specifies roles and responsibilities for training and related oversight, including oversight of training records.

- CBP developed a National Policy and Standard Operating Procedures (SOP) document that specified roles and responsibilities for training and related oversight, including the oversight of training records.
 - In November 2011, OFO completed development of the national policy and SOP that assigned training and related oversight roles and responsibilities to OFO headquarters, field office, and port officials and transmitted it to field office directors.⁹
 - Among other things, the new policy and SOP assign to certain designated CBP personnel, or registrars, responsibility for:
 - accurate and timely entry of all field-delivered training records, and
 - regular reporting to CBP management on the status of mandatory training completions.
 - Further, the new policy and SOP assign to the port director and field training supervisor responsibility for overseeing training data entry.
 - The policy and SOP addressed our recommendation and should help strengthen the reliability of CBP's training records.

⁹The GAO report issued in December 2011 was a public version of an SSI report issued in October 2011 and therefore was based on work conducted prior to the November 2011 national policy and SOP.



Status of Recommendation 4: Closed as Implemented

Recommendation 4: Develop a plan for conducting a training needs assessment to address any skill gaps for incumbent CBP officers and then implement that plan.

- CBP conducted a three-phase analysis to identify potential skill gaps and training needs for incumbent CBP officers and completed a report that includes the outcomes of this analysis and recommended action steps to address training gaps for incumbent officers.
 - In March 2012, OFO and OTD evaluated the current training to identify any existing gaps based on a CBP officer job task analysis.
 - In September 2012, OFO and OTD distributed a survey to incumbent CBP officers to seek feedback on possible gaps in training.
 - In April 2013, CBP officials told us that, given the low response rate to the incumbent officer survey, they plan to start over and conduct a three-phase Training Analysis, including (1) Training Gap Analysis, (2) Skills Gap Analysis, and (3) Training Needs Assessment.
 - In April 2013, CBP officials also told us they had been delayed in starting the analysis because of several personnel and budget issues, including retirements, attrition, loss of contract support, sequestration, and continuing resolutions.



Status of Recommendation 4: Closed as Implemented (cont'd)

- In August 2013, CBP officials stated that OTD had completed all three phases of its training analysis for incumbent CBP officers. Specifically:
 - On June 30, 2013, OTD officials completed phase 1, the Training Gap Analysis, to identify parallels and gaps between current and past training for incumbent officers.
 - On July 18, 2013, OTD officials completed phase 2, the Skills Gap Analysis. During this phase, OTD officials conducted telephone interviews and online surveys of incumbent CBP officers, including legacy officers, to identify if the training gaps have had an impact on the officers' skills and abilities.
 - On August 12, 2013, OTD officials completed phase 3, the Training Needs Assessment, to identify the solutions and recommendations to address the gaps in training that had an impact on the skills or abilities of CBP officers.
- In August 2013, OTD completed a report that includes the outcomes of this analysis and recommended action steps for addressing incumbent officer training gaps. OTD's report addressed our recommendation and should better position CBP to develop training to address the incumbent CBP officer skill gaps and training needs and help ensure its officers are equipped to meet the operational demands at the border.



GAO Contact

Should you or your staff have questions concerning this report, please contact:

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Page 20

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