

# GAO Highlights

Highlights of [GAO-18-470](#), a report to congressional requesters

## Why GAO Did This Study

In January and March 2017, the President issued a series of executive orders related to border security and immigration. The orders direct federal agencies to take a broad range of actions with potential resource implications. For example, Executive Order 13767 instructs DHS to construct a wall or other physical barriers along the U.S. southern border and to hire an additional 5,000 U.S. Border Patrol agents. Executive Order 13768 instructs federal agencies, including DHS and DOJ, to ensure that U.S. immigration law is enforced against all removable individuals and directs ICE to hire an additional 10,000 immigration officers. Executive Order 13780 directs agencies to develop a uniform baseline for screening and vetting standards and procedures; and established nationality-based entry restrictions with respect to visa travelers for a 90-day period, and refugees for 120 days.

GAO was asked to review agencies' implementation of the executive orders and related spending. This report addresses (1) actions DHS, DOJ, and State have taken, or plan to take, to implement provisions of the executive orders; and (2) resources to implement provisions of the executive orders, particularly funds DHS, DOJ, and State have obligated, expended, or shifted. GAO reviewed agency planning, tracking, and guidance documents related to the orders, as well as budget requests, appropriations acts, and internal budget information. GAO also interviewed agency officials regarding actions and budgetary costs associated with implementing the orders.

View [GAO-18-470](#). For more information, contact Rebecca Gambler at (202) 512-8777 or [gambler@gao.gov](mailto:gambler@gao.gov).

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## BORDER SECURITY AND IMMIGRATION

### Initial Executive Order Actions and Resource Implications

#### What GAO Found

The Departments of Homeland Security (DHS), Justice (DOJ), and State issued internal and public reports such as studies and progress updates, developed or revised policies, and took initial planning and programmatic actions to implement Executive Orders 13767, 13768, and 13780. For example:

- DHS's U.S. Customs and Border Protection (CBP) started the acquisition process for a Border Wall System Program and issued task orders to design and construct barrier prototypes. In November 2017, CBP awarded a contract worth up to \$297 million to help with hiring 5,000 U.S. Border Patrol agents, 2,000 CBP officers, and 500 Air and Marine Operations agents.
- DOJ issued memoranda providing guidance for federal prosecutors on prioritizing certain immigration-related criminal offenses. Additionally, from March through October 2017, DOJ detailed approximately 40 immigration judge positions to detention centers and to the southern border to conduct removal and other related proceedings, according to DOJ officials.
- State participated in an interagency working group to develop uniform standards related to the adjudication of visa applications, interviews, and system security checks. State also implemented visa and refugee entry restrictions in accordance with the Supreme Court's June 26, 2017, ruling.

Agency officials anticipate that implementing the executive orders will be a multi-year endeavor comprising additional reporting, planning, and other actions.

DHS, DOJ, and State used existing fiscal year 2017 resources to support initial executive order actions that fit within their established mission areas. GAO found that it was not always possible to disaggregate which fiscal year 2017 funds were used for implementation of the orders versus other agency activities. All three agencies indicated that they used existing personnel to implement the orders and, in some cases, these efforts took substantial time. For example, according to ICE data, personnel spent about 14,000 regular hours (the equivalent of 1,750 8-hour days) and 2,400 overtime hours planning for the ICE hiring surge from January 2017 through January 2018.

In March 2017, the President submitted a budget amendment along with a request for \$3 billion in supplemental appropriations for DHS to implement the orders. In May 2017, DHS received an appropriation of just over \$1.1 billion, some of which DHS used to fund actions to implement the orders. For example, CBP received \$65 million for hiring and, according to CBP officials, used these funds to plan and prepare for the surge in U.S. Border Patrol agents. As of January 2018, CBP had obligated \$18.8 million of the \$65 million.

Agencies plan to continue to use their base budgets and request additional funds as needed to carry out their missions and implement the orders. For example, for fiscal year 2018, CBP requested approximately \$1.6 billion and received (in March 2018) approximately \$1.3 billion to build new and replace existing sections of physical barriers along the southern border. For fiscal year 2019, ICE requested \$571 million to hire 2,000 immigration officers and DOJ requested approximately \$40 million to hire new immigration judges and supporting staff.