



INFORMATION BULLETIN

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SUBJECT: GAO Report on Border Security

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November 25, 2008

TO:

The Honorable Joseph I. Lieberman Chairman
The Honorable Susan M. Collins Ranking Member Committee on Homeland Security
and Governmental Affairs United States Senate
The Honorable Bennie G. Thompson Chairman
The Honorable Peter T. King Ranking Member Committee on Homeland Security
House of Representatives

The U.S.-Canadian border stands as the longest undefended border in the world, covering nearly 4,000 miles of land and water,¹ most of which is sparsely populated with limited law enforcement presence. Historically, U.S. attention and resources have been focused primarily on the U.S. border with Mexico, which continues to experience significantly higher levels of drug trafficking and illegal immigration than the U.S.-Canadian border. However, the extensive volume of trade and travel between the two countries, and large expanse of areas with limited law enforcement presence, provide potential for terrorists and other criminal elements to enter the United States undetected at or between the northern ports of entry.

Securing the northern border is the primary responsibility of various components within DHS, in collaboration with other federal, state, local, tribal, and Canadian entities. Within DHS, U.S. Customs and Border Protection (CBP) is the frontline agency responsible for interdiction of persons and contraband crossing the border illegally; U.S. Immigration and Customs Enforcement (ICE) is responsible for investigating the source of cross-border crimes and dismantling their operations; and the U.S. Coast Guard (USCG) executes its maritime security mission on all navigable waterways on the northern border, including the Great Lakes.

DHS submitted a report to Congress in February 2008, discussing ongoing initiatives of these agencies to improve security along the northern border, as required by law. Specifically, the Implementing Recommendations of the 9/11 Commission Act of 2007 (9/11 Act) required the Secretary of Homeland Security to submit a report within 180 days of enactment that was to (1) address the vulnerabilities along the northern border, and (2) provide recommendations to address such vulnerabilities, including required resources needed to protect the border.²

The 9/11 Act also directed us to submit to Congress, within 270 days of DHS's report, a report that reviews and comments on the DHS report, and to provide recommendations regarding any additional actions necessary to protect the northern border.³ In response to this mandate, we prepared this report to answer the following key questions:

- To what extent is the DHS report to Congress responsive to the legislative requirements to report on ongoing initiatives to improve U.S. northern border security, address the vulnerabilities along the northern border, and provide recommendations to address these vulnerabilities and required resources to protect the northern border?
- In addition to the actions addressed in the report, what actions may be necessary to address northern border security vulnerabilities?

In conducting our work, we reviewed the DHS report structure and content against requirements in the 9/11 Act. We also reviewed whether the DHS report content was complete and consistent with information provided in its key management documents including strategic plans, performance and accountability reports, budget requests, and other documentation produced by relevant DHS agencies. We interviewed DHS officials from CBP, ICE, and USCG located at headquarters and Detroit, Michigan, who had roles and responsibilities for northern border security to obtain their perspectives on documented information. For this reason, we also interviewed Department of Justice (DOJ) officials with the Drug Enforcement Administration (DEA), which has national responsibility for drug enforcement, and the Federal Bureau of Investigation (FBI), which has national responsibility for terrorism. We selected Detroit, Michigan, among CBP's Office of Border Patrol's (OBP) eight northern border sectors based on factors including relative threat and vulnerabilities, priority for resources, and demonstration site for new technology. Our observations from the Detroit sector cannot be generalized across the other seven sectors; however, we believe that they were sufficient for the purposes of this report in comparing the headquarters and field perspective. While in Detroit, we also spoke with state and Canadian officials involved in northern border security to obtain their perspectives on northern border security threats and vulnerabilities, DHS actions to address them, and the effectiveness of binational and national partnerships. To determine actions that could help address northern border security vulnerabilities, we reviewed whether the information reported by DHS reflected a strategic risk-informed approach as required in the Homeland Security Act of 2002⁴ and Homeland Security Presidential Directive 7 (HSPD-7). We also identified report recommendations for strengthening national border security from past GAO evaluations

from fiscal years 2005 through 2008 that when fully implemented have potential to help address northern border vulnerabilities.

We conducted this performance audit from June 2008 through November 2008 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 based on our audit objectives.

Results in Brief:

The DHS report to Congress is not fully responsive in providing information for improving northern border security as required in the 9/11 Act. DHS provided a listing of northern border vulnerabilities and initiatives to address them, but did not include recommendations and additional resources that are needed to protect the northern border. DHS officials responsible for preparing the report provided several reasons for the lack of specificity and gaps in reported information, including the fact that DHS reflects its priorities for action and resources in the existing budget process, and that they had nothing further to recommend or request. However, the budget process provides Congress with a 5-year plan to meet prioritized needs within projected resource constraints, not the time frame and resources needed to achieve control of the northern border. The lack of information regarding the extent that vulnerabilities remain unaddressed on the northern border and the time and resources it will take to address them makes it challenging for Congress to consider future actions and resources necessary for the northern border in the broader context of national security. DHS has an opportunity to increase the value of information it provides to Congress in fulfilling other reporting requirements established in law.

DHS is developing northern border strategic plans and a risk-management process to help guide and prioritize action and resources, and fully implementing recommendations from past GAO evaluations would also provide benefit in addressing northern border security vulnerabilities. DHS officials are currently developing strategic plans that are intended to provide its component agencies with overall direction in addressing vulnerabilities in northern border security, as well as more-targeted direction specific to vulnerabilities in the air and water environments. DHS is also developing a risk-management process to assist in prioritizing efforts and resources that will provide greatest benefit to national security. DHS officials said the success of various pilot projects will likely change the level and mix of resources needed to protect the northern border. For example, DHS is testing new technology that, if successful, may change the mix of technology and personnel deployed along the border, and partnerships among federal, state, and local agencies to coordinate information and operations may also create efficiencies that change resource requirements. DHS can also act to timely implement recommendations made in recent and past GAO evaluations. At the time of our review, DHS had implemented 11 GAO recommendations designed to improve border security, but 39 recommendations had not been fully implemented. Eighteen of these open recommendations were made within the last year. However, 21

recommendations for improving screening processes at the ports of entry, expediting deployment of nuclear detection equipment, and improving the use of air and marine assets have not been fully implemented in the course of at least 1 and, in some cases, over 3 years. Internal control standards for the federal government state that agencies are to ensure that findings of audits and other reviews are promptly resolved. We believe that these outstanding recommendations continue to have merit and should be implemented.

We are making a recommendation to the Secretary of Homeland Security to provide more specific information in addressing future reporting requirements to Congress, including planned actions, resource requirements, and time frames for increasing and achieving northern border security, and the basis used for prioritizing such action and resources in the context of other national security risks. In commenting on a draft of this report, DHS and CBP concurred with this recommendation and stated that CBP will work with the department to implement the recommendation through the approved budget process.