



U.S. DEPARTMENT OF HOMELAND SECURITY **OFFICE OF INSPECTOR GENERAL**

OIG-24-07

November 15, 2023

FINAL REPORT

Results of Unannounced Inspections of CBP Holding Facilities in the San Diego Area





DHS OIG HIGHLIGHTS

Results of Unannounced Inspections of CBP Holding Facilities in the San Diego Area

November 15, 2023

Why We Did This Inspection

As part of the Office of Inspector General's annual, congressionally mandated oversight of CBP holding facilities, we conducted unannounced inspections at five facilities in the San Diego area to evaluate CBP's compliance with applicable detention standards.

What We Recommend

We made two recommendations to improve management of and conditions in CBP short-term holding facilities in the San Diego area.

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

In May 2023, we conducted unannounced inspections of U.S. Customs and Border Protection (CBP) facilities in the San Diego area, specifically four U.S. Border Patrol facilities and one Office of Field Operations (OFO) port of entry (POE). At the time of our inspection, Border Patrol and OFO held 1,187 detainees in custody in the five facilities. We found that 668 (56 percent) of these detainees were held in custody longer than specified in the *National Standards on Transport, Escort, Detention, and Search* (TEDS), which generally limits detention to 72 hours (3 days), as operationally feasible. We also found data integrity issues with information in Border Patrol's electronic system of record, and worn bedding at one facility. CBP generally met other applicable standards to provide or make available amenities such as food, water, sleeping mats, and medical care to detainees.

CBP Response

CBP concurred with our recommendations. We consider the two recommendations resolved and open.



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Abbreviations

CAS	Case Acceptance System
CBP	U.S. Customs and Border Protection
CDC	U.S. Centers for Disease Control and Prevention
DOJ	U.S. Department of Justice
EER	Enhanced Expedited Removal
ERO	Enforcement and Removal Operations
HHS	U.S. Department of Health and Human Services
ICE	U.S. Immigration and Customs Enforcement
INA	Immigration and Nationality Act
NGO	nongovernmental organization
NTA	Notice to Appear
OFO	Office of Field Operations
ORR	Office of Refugee Resettlement
POE	port of entry
SAD	San Diego Area Detention (Facility)
TEDS	National Standards on Transport, Escort, Detention, and Search
UC	unaccompanied children



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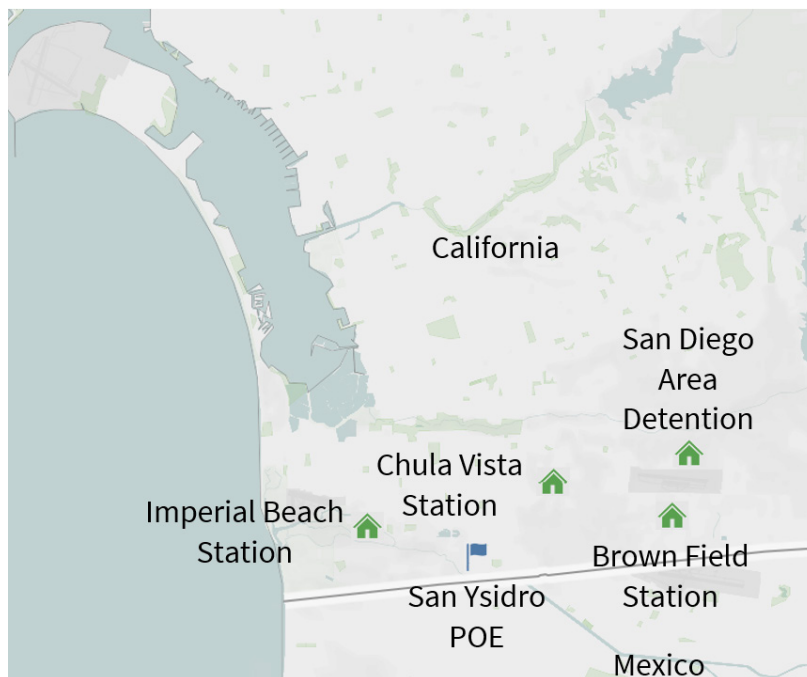
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Background

Congress mandated¹ that the Department of Homeland Security Office of Inspector General conduct unannounced inspections of U.S. Customs and Border Protection’s (CBP) holding facilities. This report describes the results of our May 2023 inspections in the San Diego area.

The CBP San Diego area of responsibility covers 7,000 square miles, including 60 miles of international border with Mexico, and 114 coastal border miles along the Pacific Ocean.² In May 2023, we inspected four Border Patrol holding facilities: Imperial Beach, Brown Field, Chula Vista, and San Diego Area Detention (SAD), and one Office of Field Operations (OFO) port of entry (POE), San Ysidro in the San Diego area. Figure 1 shows the locations of the five facilities we visited.

Figure 1. Locations of CBP Facilities Visited in May 2023



Source: DHS OIG

OFO manages POEs, where officers perform immigration and customs functions, inspecting people who present with or without valid documents for legal entry, such as visas or lawful

¹ The House Committee on Appropriations, in a report accompanying H.R. 8257, directed OIG to continue its program of unannounced inspections of immigration detention facilities and to publish the results of the inspections and other reports and notifications related to custody operations activities on a publicly available website. H.R. Rep. 117-396, at 18 (2022).

² CBP, San Diego area of responsibility, <https://www.cbp.gov/border-security/along-us-borders/border-patrol-sectors/san-diego-sector-california>, June 23, 2023.



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permanent resident cards, and goods permitted under customs and other laws. Between POEs, Border Patrol detects and interdicts people and goods suspected of entering the United States without inspection. OFO and Border Patrol are responsible for short-term detention, generally of people who are inadmissible or deportable from the United States, or subject to criminal prosecution.³

Since April 12, 2023, CBP has collaborated with the United States Citizenship and Immigration Services (USCIS) and the Department of Justice (DOJ) to implement an operational procedure called Enhanced Expedited Removal (EER)⁴ to expedite processing of noncitizens⁵ from select countries who claim fear of persecution or torture if returned to their home countries. Border Patrol holds noncitizens who are in EER proceedings until a USCIS asylum officer or DOJ Immigration Judge determines whether the noncitizen's fear claims are credible. If the claim is determined credible by USCIS, Border Patrol may process for release and refer the case to ICE ERO for review and possible enrollment into the Alternatives to Detention program, pending further immigration proceedings. If USCIS determines that the claim is not credible, Border Patrol will coordinate the removal of the noncitizen from the United States. In certain circumstances, Border Patrol may coordinate to transfer the noncitizen into ICE ERO custody, pending receipt of a travel document, availability of a removal flight, or further appeal proceedings. A noncitizen can appeal a negative determination by USCIS to a DOJ Immigration Judge, which extends the time in Border Patrol custody until a final determination is made by DOJ. See Appendix C for additional information on the EER procedure.

In the case of unaccompanied children (UC), CBP works with the U.S. Department of Health and Human Services' (HHS) Office of Refugee Resettlement (ORR), the agency responsible for the placement of UCs, to transfer UCs into the custody of HHS ORR.

CBP Standards for Detention at Short-Term Holding Facilities

The 2015 *National Standards on Transport, Escort, Detention, and Search* (TEDS standards)⁶ govern CBP's interactions with detainees⁷ and specify how detainees should be treated while in CBP custody. According to TEDS, detainees should generally not be held for longer than 72 hours

³ Short-term detention is defined as "detention in a U.S. Customs and Border Protection processing center for 72 hours or less..." See 6 U.S.C. § 211(m)(3).

⁴ EER is a joint effort by CBP, USCIS, and DOJ to screen noncitizens from certain countries in Border Patrol custody when noncitizens claim fear of persecution or torture if they are returned to their home countries.

⁵ Noncitizen is defined as a "person who is not a citizen or national of the United States." DHS, *Reporting Terminology and Definitions*, Aug. 2022.

⁶ CBP, *National Standards on Transport, Escort, Detention, and Search*, Oct. 2015.

⁷ A detainee is defined as "any person detained in an immigration detention facility or holding facility." See 6 C.F.R. § 115.5 General Definitions.



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(3 days) in CBP custody, as operationally feasible, and CBP must make every effort to ensure that hold rooms house no more detainees than prescribed by operational procedures.⁸

CBP must provide to detainees, or make available drinking water, meals, access to toilets and sinks, basic hygiene supplies, and under certain circumstances, bedding, and showers.⁹ CBP must ensure that holding facilities are clean, temperature controlled, and adequately ventilated.¹⁰ In addition, TEDS standards and CBP internal operating procedures specify how personnel should handle detainee personal property.¹¹

TEDS standards also outline general requirements for detainee access to medical care.¹² CBP Directive No. 2210-004,¹³ requires “deployment of enhanced medical support efforts to mitigate risk to and sustain enhanced medical efforts for persons in CBP custody along the Southwest Border.”

CBP Migrant Encounters on the Southwest Border

In fiscal year 2022, CBP encounters with migrants¹⁴ on the Southwest border reached a new high of 2,375,981. In FY 2023, total migrant encounters increased to 2,473,134. The table on the following page shows CBP encounters on the Southwest border for UCs, family units, and single adults from FY 2019 to FY 2023.

⁸ TEDS 4.1, *Duration of Detention*. Detainees should generally not be held for longer than 72 hours in CBP holding rooms or holding facilities. Every effort must be made to hold detainees for the least amount of time required for their processing, transfer, release, or repatriation, as appropriate and as operationally feasible. TEDS 4.7, *Hold Room Standards: Capacity*. For DHS authority to detain individuals, see 6 U.S.C. § 211(c)(8)(B); and 8 U.S.C. § 1357(a)(2).

⁹ TEDS 4.14, *Drinking Water*; TEDS 4.13, *Food and Beverage: Meal Timeframe and Snack Timeframe*; TEDS 5.6, *Detention: Meals and Snacks – Juveniles, Pregnant, and Nursing Detainees*; TEDS 4.15, *Restroom Facilities*; TEDS 5.6, *Detention: Hold Rooms – UAC*; TEDS 4.11, *Hygiene*; and TEDS 4.12, *Bedding*. Under TEDS standards, reasonable effort must be made to provide showers to juveniles approaching 48 hours and adults approaching 72 hours in CBP custody; see TEDS 4.11, *Hygiene: Basic Hygiene Items*, and TEDS 5.6, *Detention: Showers – Juveniles*.

¹⁰ TEDS 4.7, *Hold Room Standards: Temperature Controls and Cleanliness*; TEDS 5.6, *Detention: Hold Rooms – UAC*.

¹¹ Per TEDS 7.1, *General: Personal Property*, all detainee personal property discovered during apprehension or processing and not deemed to be contraband must be safeguarded, itemized according to the operational office’s policies and procedures, and documented in the appropriate electronic system(s) of record. CBP, *Personal Effects Internal Operating Procedures*, Apr. 22, 2021, states any personal effects taken during a law enforcement action need to be safeguarded, itemized, and documented unless classified as contraband or a health hazard. It also requires CBP to transfer personal property when a detainee transits.

¹² TEDS 4.10, *Medical Care*.

¹³ CBP Directive No. 2210-004, [Enhanced Medical Support Efforts](#), Dec. 30, 2019.

¹⁴ A migrant is defined as “a person who leaves his or her country of origin to seek temporary or permanent residence in another country.” DHS, *Reporting Terminology and Definitions*, Aug. 2022.



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Table 1. CBP Total Encounters on the Southwest Border, FYs 2019–2023

Fiscal Year	UCs	Family Units	Single Adults	Total
2019	76,020	473,682	301,806	851,508
2020	33,239	70,994	353,168	457,401
2021	146,925	479,728	1,105,925	1,732,578
2022	152,057	560,646	1,663,278	2,375,981
2023	137,275	821,537	1,514,322	2,473,134

Source: CBP enforcement statistics

In FY 2023, the San Diego sector had 230,941 encounters, representing 9 percent of the total Border Patrol encounters across the 9 Southwest border sectors. CBP migrant encounters declined after the expiration of CDC's Title 42 Order¹⁵ and were lower across the Southwest border and in the San Diego area during the week of our inspection, May 16-18, 2023.

Results of Inspection

At the time of our inspection, Border Patrol and OFO held 1,187 detainees in custody in 5 facilities; one of these facilities exceeded its maximum capacity. We found that 668 (56 percent) of these detainees were held in custody longer than specified in TEDS, which generally limits detention to 72 hours (3 days). We also found data integrity issues with information in Border Patrol's electronic system of record, and worn bedding at one facility. CBP generally met other applicable standards to provide or make available amenities such food, water, sleeping mats, and medical care to detainees.

¹⁵ See 42 U.S.C. § 265. Under Title 42, *the Public Health Service Act*, the U.S. Surgeon General can prohibit the introduction of persons and property into the United States traveling from foreign countries to avert the spread of communicable diseases. In March 2020, under Title 42 authority and in response to the COVID-19 pandemic, the Centers for Disease Control and Prevention issued a public health emergency order that prohibited certain noncitizens traveling from Canada or Mexico from being introduced into the United States, regardless of their countries of origin.



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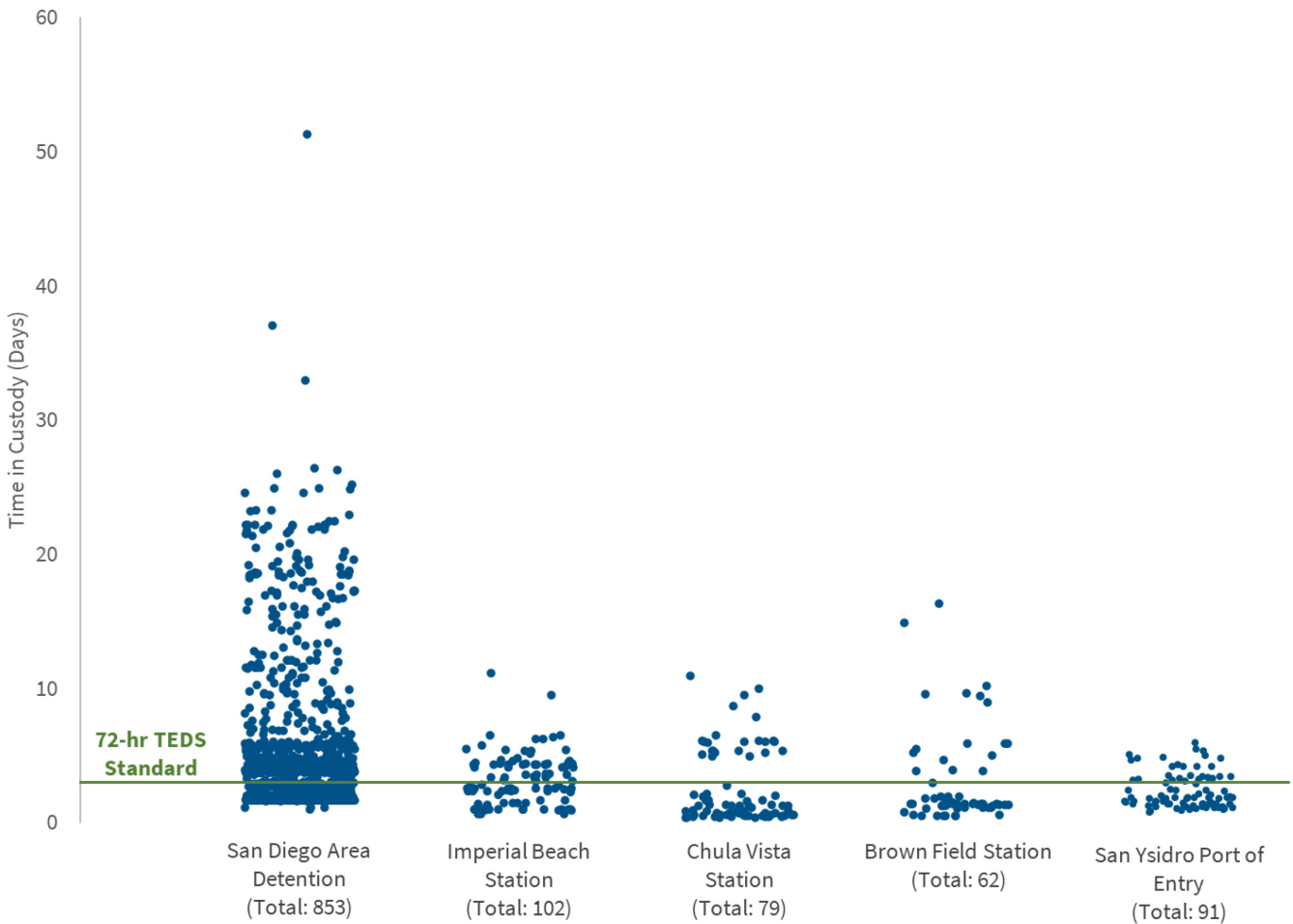
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Detainees in CBP Custody Experienced Prolonged Detention and Overcrowding

We observed prolonged detention in all five inspected facilities in the San Diego area, and the SAD¹⁶ exceeded its maximum capacity. According to Border Patrol and OFO records, 668 of the 1,187 (56 percent) detainees in the facilities we inspected were held in custody over 72 hours. At the SAD, 549 of the 853 (64 percent) of detainees in custody were held for over 72 hours. Figure 2 shows the time detainees spent in CBP custody in each facility.

Figure 2. Time Detainees Spent in San Diego CBP Custody by Facility, May-June 2023

Each dot represents one detainee.



Source: DHS OIG analysis of CBP data

¹⁶ The SAD is a temporary soft-sided facility with the largest holding capacity in the San Diego area. Border Patrol uses the SAD to hold, and process, apprehended single adult males at the time of our inspection and was the only facility processing EER cases.



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Our analysis of custody data found EER processing was a contributing factor to prolonged times in custody. For example, of the 150 detainees held at the SAD for over 10 days, 78 percent (117) were in EER proceedings, waiting for USCIS or DOJ to adjudicate their fear claims. One detainee in the EER process was held in Border Patrol custody over 34 days while USCIS and DOJ adjudicated their fear claims. Border Patrol agents told us delays in transferring detainees to Federal partners and in processing detainees for release also contributed to prolonged detention.

During our inspection, the SAD was at 171 percent capacity, with 853 detainees held in a facility with a maximum capacity of 500. Three of four holding pods, each with a capacity of 125, were near or over 150 percent capacity, as shown in Figure 3. San Ysidro POE and Imperial Beach, Chula Vista, and Brown Field stations were under capacity at the time of our inspection.

Figure 3. Crowded Holding Pod at the SAD



Source: DHS OIG Photo

Although we identified prolonged detention and overcrowding, we also observed robust cooperation between OFO and Border Patrol. To lessen time in custody, OFO officers at the San Ysidro POE assisted Border Patrol by holding and processing a group of noncitizens Border Patrol encountered.



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Border Patrol's Detention Records Had Data Integrity Issues

We found data-integrity issues in custody logs collected from Border Patrol's electronic system of record, e3. We reviewed a judgmental sample¹⁷ of 28 custody logs for detainees held by Border Patrol at the SAD, Chula Vista, Imperial Beach, and Brown Field stations and found data integrity issues with every custody log.

TEDS states that staff should conduct and record regular hold room checks¹⁸ and detainees will be provided with food at regularly scheduled mealtimes and documented in the appropriate electronic system of record.¹⁹ We reviewed 11 custody logs from the SAD and found that in all 11 logs, staff had not recorded hold room checks on multiple days, nor had they recorded the provision of meals in 10 of the logs over 3 consecutive days. At Chula Vista, Imperial Beach, and Brown Field stations, we reviewed 17 custody logs and found staff had not always recorded regular hold room checks, and sometimes had not recorded breakfast, lunch, or dinner services. For example, 10 of the custody logs from these stations had gaps of 8 hours or longer during which hold room checks were not recorded. In addition, breakfast service was not recorded in 6 custody logs, lunch service was not recorded in 10 custody logs, and dinner service was not recorded in 3 custody logs. We also found custody logs from Brown Field station with entries that male detainees received feminine hygiene products.

Maintaining accurate, complete, and consistent data in e3 is critical for Border Patrol to monitor detainee care and ensure compliance with TEDS and other applicable standards. A Border Patrol agent in the San Diego sector told us such data integrity issues were an oversight by agents responsible for logging hold room checks and amenities provided.

We reviewed a sample of six custody logs for detainees held at the San Ysidro OFO POE and did not find data integrity issues.

CBP Generally Complied with Other Applicable Standards

CBP generally met other applicable standards at all five facilities we inspected in the San Diego area, except for severely worn bedding observed at one facility.

¹⁷ We typically review custody logs in each facility for the detainees with the longest times in custody in excess of 72 hours including 10 logs for single adults, 5 custody logs for family units, and custody logs for all unaccompanied children held over 72 hours. However, our samples size can vary by facility type and size, as well as the demographics and number of detainees in custody. We also request custody logs for all detainees we interview and may request logs for pregnant females, non-English or Spanish speaking detainees, unaccompanied children held under 72 hours, and other detainees depending on the particular circumstances of the inspection.

¹⁸ TEDS 4.7, *Hold Room Checks*.

¹⁹ TEDS 4.13, *Food and Beverage*



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At the Chula Vista station, we found Border Patrol did not meet standards requiring that detainees be provided clean bedding.²⁰ We observed holding cells that had severely worn, damaged, and cracked sleeping mats as shown in Figure 4. The damaged mats created a potential health risk for detainees at Chula Vista station because they could not be effectively cleaned. On July 31, 2023, Border Patrol submitted documentation for replacement mats delivered to Chula Vista station the week after our inspection.

Figure 4. Severely Worn Sleeping Mat at Chula Vista Border Patrol Station, Observed May 18, 2023



Source: DHS OIG photo

All five facilities we inspected were clean, temperature controlled, and adequately ventilated. CBP made available basic amenities such as meals and snacks (including accommodations for those with religious and dietary needs), water and other beverages, blankets, and sleeping mats. CBP provided child-specific items such as baby formula and cereal appropriate for infants. Supplies of feminine hygiene products, diapers, personal hygiene items, and clothing and shoes were available. All five facilities had medical contract staff onsite to provide medical screening and care to detainees. CBP facilities in the San Diego area had access to telephonic interpretation services to communicate with non-English speaking detainees. Finally, the

²⁰ CBP, *Hold Rooms and Short-Term Custody Policy*, June 2, 2008, Section 6.11 Bedding, states that detainees requiring bedding will be given clean bedding. Only one detainee will use this bedding between cleanings. This bedding will be changed every 3 days and cleaned before it is issued to another detainee. Vinyl or rubber-coated mattresses will be disinfected before being reissued.



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facilities we inspected in the San Diego area were storing detainee property, including larger items such as backpacks.

Conclusion

Interdependencies among CBP, ICE, HHS, USCIS, DOJ, and local governmental and non-governmental organizations limit CBP's ability to unilaterally address prolonged detention and overcrowding in its holding facilities. While CBP in the San Diego area generally met TEDS and other standards for providing amenities to detainees in custody, Border Patrol should improve documentation of the provision of amenities in e3.

Recommendations

We recommend the San Diego Sector Chief, Border Patrol, and the Director of San Diego Office of Field Operations, U.S. Customs and Border Protection:

Recommendation 1: Refine current and identify new strategies, and implement solutions to manage delays in detainee transfers to partner agencies and communicate these improvements throughout the San Diego area.

We recommend the San Diego Sector Chief, Border Patrol, U.S. Customs and Border Protection:

Recommendation 2: Oversee a data integrity review at San Diego sector facilities for a sampling of detainee custody logs for 1 month, to verify that the information recorded is accurate. If the problem we identified persists, implement a quality assurance plan, and continue to monitor data integrity.

Management Comments and OIG Analysis

In response to our draft report, CBP officials concurred with our recommendations and described corrective actions to address the issues we identified. We consider both recommendations resolved and open. Appendix B contains CBP's management response in its entirety. We also received technical comments on the draft report and made revisions as appropriate. A summary of CBP's response and our analysis follows.

CBP Response to Recommendation 1: Concur. CBP noted actions taken to address this recommendation, including stronger cooperation with ICE ERO through use of the Case Acceptance System (CAS), embedded ERO personnel in Border Patrol facilities, increased staffing, and enhanced communication with USCIS, regular coordination with non-government organizations and local stakeholders to assist released noncitizens, and use of virtual processing to increase processing capacity. CBP requested the closure of this recommendation.



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OIG Analysis: We consider these actions responsive to the recommendation, which we consider open and resolved. We will close this recommendation when CBP submits documentation that use of the CAS, embedded ERO personnel, coordination with USCIS and local stakeholders, and use of virtual processing helped to manage delays in transferring detainees out of Border Patrol custody as described in its management response.

CBP Response to Recommendation 2: Concur. CBP noted actions taken to address this recommendation, including establishing a Data Integrity Team to review and ensure custody actions are recorded properly and implementing supervisory quality assurance processes for monitoring data integrity. CBP requested the closure of this recommendation.

OIG Analysis: We consider these actions responsive to the recommendation, which we consider open and resolved. We will close this recommendation when CBP submits documentation showing that corrective actions described in its management response are implemented.



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Appendix A: Objective, Scope, and Methodology

The Department of Homeland Security Office of Inspector General was established by the *Homeland Security Act of 2002* (Pub. L. No. 107–296) by amendment to the *Inspector General Act of 1978*.

We initiated this inspection at Congress' direction to conduct unannounced inspections at CBP short-term holding facilities. We analyzed various factors to determine which facilities to inspect. We reviewed prior inspection reports, and current and future inspection, evaluation, and audit schedules from internal and external organizations. We monitored ongoing conditions in the field and considered location, historical apprehension numbers and facility capacity, and facility type (e.g., temporary processing centers, permanent stations, POEs).

Our objective was to determine whether CBP complied with TEDS standards and, when applicable, with other standards, policies, and directives related to conditions of detention for migrants at CBP short-term holding facilities in the San Diego area of California. From May 16-18, 2023, we visited four Border Patrol facilities (the SAD, Imperial Beach, Brown Field, and Chula Vista stations) and one OFO POE (San Ysidro). Our inspections were unannounced. We did not inform CBP we were in the area until we arrived at the first facility. At each facility, we observed conditions and reviewed electronic records and paper logs as necessary. We also interviewed CBP personnel and medical contractors. We interviewed detainees using language assistance services to provide interpretation. We photographed examples of compliance and noncompliance with TEDS and other standards.

With the number of detainees arriving and departing each day, conditions at facilities could vary daily. Our conclusions are, therefore, largely limited to what we observed and information we obtained from detainees, CBP staff, and medical contractors at the time of our inspections and site visits. We requested additional documentation after our inspections and site visits.

We conducted this review under the authority of the *Inspector General Act of 1978*, 5 U.S.C §§ 401-424, and in accordance with the Quality Standards for Inspection and Evaluation issued by the Council of the Inspectors General on Integrity and Efficiency.

DHS OIG's Access to DHS Information

During this inspection, CBP provided timely responses to our requests for information and did not deny or delay access to the information we requested.



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Appendix B: CBP Comments on the Draft Report

1300 Pennsylvania Avenue, NW
Washington, DC 20229



U.S. Customs and
Border Protection

October 19, 2023

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

10/19/2023

FROM: Henry A. Moak, Jr.
Senior Component Accountable Official
U.S. Customs and Border Protection

X

Signed by: HENRY A MOAK JR

SUBJECT: Management Response to Draft Report: “Results of
Unannounced Inspections of CBP Holding Facilities in the San
Diego Area” (Project No. 23-005-ISP-CBP(d))

Thank you for the opportunity to comment on this draft report. U.S. Customs and Border Protection (CBP) appreciates the work of the Office of Inspector General (OIG) in planning and conducting its review and issuing this report.

CBP is pleased to note the OIG’s unannounced inspection found that the CBP facilities in the San Diego area generally met the National Standards on Transport, Escort, Detention, and Search (TEDS) standards for food, water, sleeping mats, and medical care. CBP remains committed to ensuring compliance with its policies, including but not limited to TEDS, by providing reasonable and appropriate care for persons in CBP custody.

On August 3, 2023, the San Diego Sector Area Soft-Sided Facility (SDC-SSF) implemented a Data Integrity Team (DIT) that collaborated with the Laredo, Del Rio, and Rio Grande Sector Central Processing Center experts to develop guidance based on identified best practices that ensure information recorded in the e3 Detention Module system of record is complete, accurate, and regularly monitored. In addition, SDC-SSF management increased communication efforts to ensure sector personnel understand the importance of ensuring custodial actions are performed in accordance with CBP TEDS and immediately logged in the e3 Detention Module (e3DM).

The SDC-SSF became operational on January 30, 2023, and as of September 24, 2023, processed over 62,000 non-citizen migrants. SDC-SSF staff continue to identify process improvements to increase operational efficiencies and are always quick to recognize and resolve deficiencies. Consequently, government oversight organizations and various other entities, to include the Department of Homeland Security Office of Immigration and Detention Ombudsman, San Diego Mayor’s Office, local congressional representative offices, U.S. Immigration and Customs Enforcement (ICE), CBP Office of Human Resources Management, and the U.S. Department of State recognized SDC-SSF’s



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attention to detail that goes into their operations, to include maintaining a safe and humane environment for detainees. SDC-SSF continues to leverage, communicate, and work with partner agencies and non-governmental organizations to minimize delays in detainee transfers. The partnerships established have allowed for open, honest dialogue and improved collaborative efforts.

The draft report contained two recommendations with which CBP concurs. Enclosed find our detailed response to each recommendation. CBP 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



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Enclosure: Management Response to Recommendations Contained in 23-005-ISP-CBP(d)

OIG recommended that the San Diego Sector Chief, Border Patrol, and the Director of San Diego Office of Field Operations, CBP:

Recommendation 1: Refine current and identify new strategies and implement solutions to manage delays in detainee transfers to partner agencies and communicate these improvements throughout the San Diego area.

Response: Concur. U.S. Border Patrol (USBP) faces ongoing challenges in managing detainee transfers to partner agencies due to unparalleled surges in migration. USBP utilizes every available resource and operational option to ensure detainees are processed and released within 72 hours to meet CBP's TEDS. This includes (1) using the Case Acceptance System that facilitates electronic file reviews of transfer documentation between ICE Enforcement Removal Operations (ERO) and USBP to minimize ICE ERO delays in accepting detainees from USBP; (2) coordinating with ICE ERO partners embedded in USBP facilities; (3) working daily with non-government organizations and local stakeholders to assist detainees when released from USBP custody; and (4) leveraging virtual processing capabilities from other sectors to ensure detainees are processed, served a final disposition, and released within 72 hours to meet CBP's TEDS.

As those processed under the Enhanced Expedited Removal (EER) pathway make up the majority of San Diego's detainee population exceeding 72 hours in custody, USBP also increased staffing and enhanced communication with U.S. Citizenship and Immigration Services to maximize the efficiency of the EER/Credible Fear process in a fair and humane manner, while still affording migrants all rights therein.

On October 6, 2023, CBP provided supporting documentation of the actions completed to address this recommendation. CBP requests the OIG consider this recommendation resolved and closed.

OIG recommended that the San Diego Sector Chief, Border Patrol, CBP:

Recommendation 2: Oversee a data integrity review at San Diego sector facilities for a sampling of detainee custody logs for 1 month, to verify that the information recorded is accurate. If the problem we identified persists, implement a quality assurance plan, and continue to monitor data integrity.

Response: Concur. The SDC-SSF, implemented DIT on August 3, 2023, consisting of Border Patrol Processing Coordinators and Border Patrol Supervisors. Every two weeks, the DIT reviews custodial action logs for 27 randomly selected non-citizen migrants who have been in SDC-SSF custody within the last 30 days.



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The purpose of this review is to ensure compliance with the CBP TEDS policy regarding accurate, timely reporting of amenities and custodial actions. Further, the DIT will identify data entry errors and determine if appropriate actions were logged into the e3DM.

The DIT quickly annotates discrepancies and makes proper notifications so they can be immediately addressed. The DIT is currently collaborating with Laredo Sector, Del Rio Sector, and Rio Grande Valley Sector to develop guidance based on identified best practices, including a quality assurance plan if the issue persists. This plan would include training in the form of emails, muster modules, and one-on-one training to be used to increase proficiency, awareness, and emphasize the importance of logging custodial actions in an accurate and timely manner.

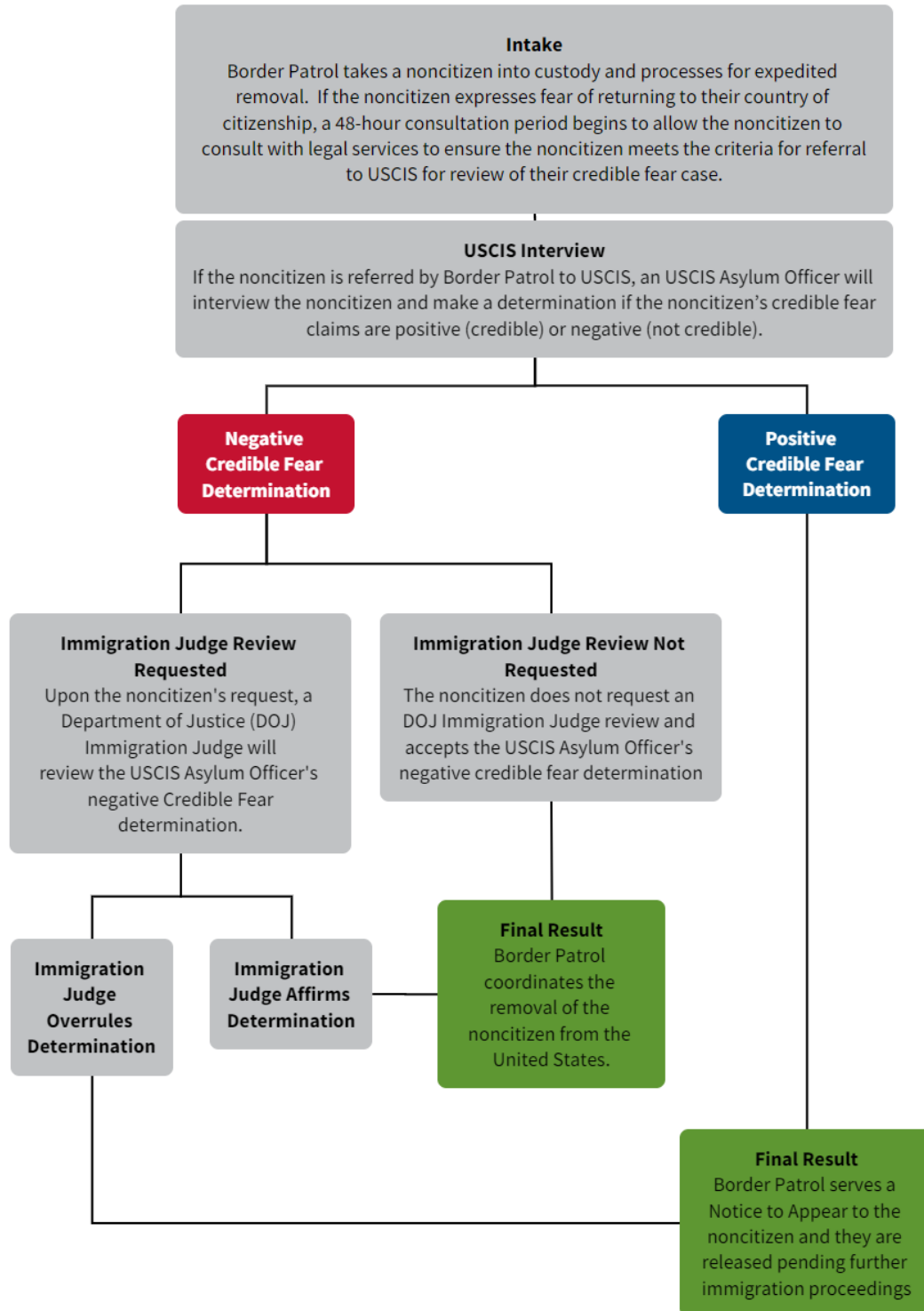
On October 6, 2023, CBP provided supporting documentation of the actions completed to address this recommendation. CBP request that the OIG consider this recommendation resolved and closed.



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Appendix C: Enhanced Expedited Removal Flowchart



Source: OIG analysis of Border Patrol documentation



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Appendix D:

Office of Inspections and Evaluations Major Contributors to This Report

Tatyana Martell, Chief Inspector

Jonathan Ban, Lead Inspector

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Almas Khan, Inspector

Ashley Wilder, Inspector

Sean Peck, Independent Referencer



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Appendix E: Report Distribution

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