



Department of Homeland Security Office of Inspector General

CBP's Handling of Unaccompanied Alien Children



Office of Inspector General

U.S. Department of Homeland Security
Washington, DC 20528

SEP - 9 2010



**Homeland
Security**

Preface

The Department of Homeland Security (DHS) Office of Inspector General (OIG) was established by the *Homeland Security Act of 2002* (Public Law 107-296) by amendment to the *Inspector General Act of 1978*. This is one of a series of audit, inspection, and special reports prepared as part of our oversight responsibilities to promote economy, efficiency, and effectiveness within the department.

This report addresses Customs and Border Protection's compliance with the *Flores Settlement Agreement* in the treatment of unaccompanied alien children in its custody. It is based on interviews with employees and officials of relevant agencies, direct observations, and a review of applicable documents.

The recommendations herein have been developed to the best knowledge available to our office, and have been discussed in draft with those responsible for implementation. We trust this report will result in more effective, efficient, and economical operations. We express our appreciation to all of those who contributed to the preparation of this report.

A handwritten signature in blue ink, appearing to read "Carlton I. Mann".

Carlton I. Mann
Assistant Inspector General for Inspections

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Abbreviation

BP	Border Patrol
CBP	Customs and Border Protection
CRCL	Civil Rights and Civil Liberties
DHS	Department of Homeland Security
EMT	Emergency Medical Technician
HSA	<i>Homeland Security Act of 2002</i>
OBP	Office of Border Patrol
OFO	Office of Field Operations
OIG	Office of Inspector General
UAC	Unaccompanied Alien Children
VLC	Virtual Learning Center

OIG

Department of Homeland Security
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Executive Summary

The *Flores v. Reno Settlement Agreement* governs the policy for the treatment of unaccompanied alien children in federal custody. Unaccompanied alien children are minors less than 18 years old who arrive in the United States without a parent or legal guardian and are in the temporary custody of federal authorities because of their immigration status. The Department of Homeland Security is bound by the *Flores v. Reno Settlement Agreement*, which includes requirements that immigration officials detaining minors provide (1) food and drinking water, (2) medical assistance in the event of emergencies, (3) toilets and sinks, (4) adequate temperature control and ventilation, (5) adequate supervision to protect minors from others, and (6) separation from unrelated adults whenever possible.

Customs and Border Protection is one of the Department of Homeland Security's primary immigration enforcement agencies for handling unaccompanied children. Customs and Border Protection personnel apprehend, process, and detain unaccompanied alien children intercepted along the borders and at ports of entry for attempting to enter the United States illegally.

Based on our site visits to 30 Border Patrol stations and ports of entry, select document reviews, and independent observations, we concluded that Customs and Border Protection was in compliance with the general provisions of the *Flores v. Reno Settlement Agreement*. Although we did not identify any significant violations of the agreement, we are recommending that the agency (1) evaluate its food-purchasing and contracting methods to ensure efficient use of resources; (2) ensure that detainees are informed of the safety of drinking water provided in hold rooms; (3) determine whether unaccompanied alien children are injured or require medical attention; (4) document medical care provided; (5) ensure that detention facilities maintain sufficient inventories of medical supplies; (6) ensure that toilets and sinks are routinely inspected and work properly; (7) verify that all required personnel complete the mandatory annual refresher *Flores v. Reno Settlement Agreement* training; and (8) accurately and consistently document required information pertaining to unaccompanied alien children.

Background

The Department of Homeland Security's (DHS) Customs and Border Protection (CBP) protects United States borders and enforces immigration laws by apprehending and detaining aliens who attempt to enter the country illegally. Juvenile detainees include unaccompanied alien children (UAC), individuals who are less than 18 years old with no lawful immigration status and no parent or legal guardian in the United States available to provide care and physical custody.¹ These individuals must be treated according to provisions of the *Flores v. Reno Settlement Agreement* (*Flores Agreement*), which set forth policy for the detention, treatment, and release of minors in CBP custody.

Authorities

The *Flores Agreement* is the result of a settlement reached in a federal class-action lawsuit filed against the Immigration and Naturalization Service, a former subcomponent of the Department of Justice responsible for apprehending and detaining minors who were in the United States illegally. The suit challenged the arrest, processing, detention, and release of UAC who were in the country illegally and later detained by the U.S. government. The Department of Justice and a coalition of immigrants' rights groups negotiated a settlement in August 1996. The Immigration and Naturalization Service agreed to abide by stipulations of the agreement for processing, detaining, and releasing minors held in its custody. The *Flores Agreement* established guidance on the treatment of minors while in the custody of immigration officials, and recognized the particular vulnerability of UAC while detained without a parent or legal guardian present. The *Flores Agreement* includes a requirement that immigration officials hold minors in facilities that provide (1) access to food and drinking water, (2) medical assistance in the event of emergencies; (3) toilets and sinks; (4) adequate temperature control and ventilation; (5) adequate supervision to protect minors from others; and (6) separation from unrelated adults whenever possible.

In March 2003, the *Homeland Security Act of 2002* (HSA) was implemented, consolidating several agencies to create DHS. The HSA delegated the apprehension, detention, transfer, and repatriation of UAC to DHS.

¹ *Homeland Security Act of 2002*, Public Law 107-296, 462(g), November 2002.

DHS Responsibilities for Handling Unaccompanied Alien Children

Within DHS, CBP and Immigration and Customs Enforcement (ICE) share responsibility for UAC. CBP apprehends, processes, and detains the majority of UAC arrested along the U.S. borders. ICE arrests UAC inside the United States, and removes inadmissible UAC after Immigration Judges or United States Courts issue removal orders. ICE also coordinates the placement and long-term detention of UAC.

The Office of Border Patrol (OBP) and Office of Field Operations (OFO) are the two entities within CBP that process UAC. OBP's mission includes preventing illegal aliens, smugglers, narcotics, and other contraband from entering the United States. OFO is responsible for processing people, goods, and conveyances entering and leaving the United States at its ports of entry along land borders and at seaports.

DHS must abide by the terms of the *Flores Agreement*, which guides the treatment of alien children in federal custody. The agreement mandates that juveniles be afforded appropriate care and protection given their age and vulnerability.

Apprehension, Processing, and Short-Term Detention of UAC

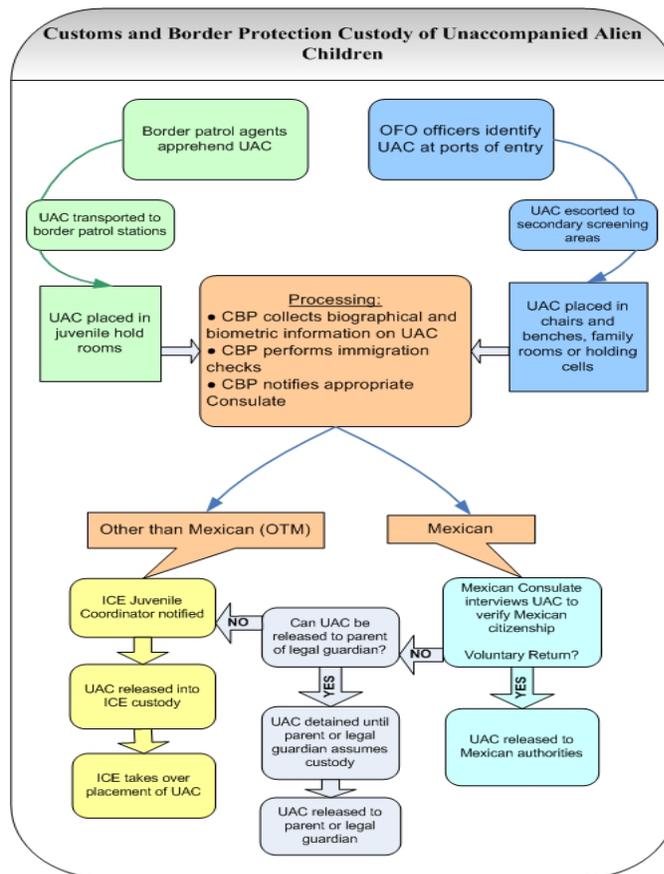
In FY 2009, Border Patrol (BP) agents encountered and apprehended about 18,000 UAC while patrolling border areas, conducting routine checks at highway checkpoints, or performing border security enforcement operations. From March to September 2009, OFO apprehended approximately 2,000 UAC at ports of entry. Prior to March 23, 2009, OFO did not track UAC statistics separately from other juveniles.

CBP agents and officers process juveniles at CBP facilities to determine their names, ages, citizenship, and whether they are accompanied or unaccompanied. Processing also includes querying federal government immigration and criminal databases to determine whether juveniles have the right to remain in the country and whether they have committed any criminal offenses. When CBP confirms that juveniles have entered the country illegally and unaccompanied, they are considered UAC and processed for immigration violations.

UAC brought to CBP facilities are detained in hold rooms. OBP defines hold rooms as detention cells or search or interview rooms where individuals are temporarily detained pending processing or transfer. OFO defines hold rooms as areas at ports of entry where detained individuals may be temporarily held pending secondary processing, which involves verifying documents and conducting interviews. UAC are held in these secure areas on a short-term basis while their cases are being processed. Short-term detention in CBP facilities is generally less than 24 hours; however, CBP’s goal is to remove UAC from its custody within 12 hours after their apprehension.

Figure 1 depicts the usual flow of apprehending, processing, and detaining UAC while in DHS custody.

Figure 1. Flow of UAC Apprehension, Processing, and Detention²



Source: Customs and Border Protection

² DHS’ Immigration and Customs Enforcement is also responsible for apprehending, processing, and detaining juveniles, to include UAC, who illegally enter the country.

Results of Review

CBP's Compliance With Terms of the *Flores Agreement*

CBP is complying with the provisions of the *Flores Agreement* as described in the following sections of this report.

Food and Drinking Water

The *Flores Agreement* requires that UAC in CBP custody have access to food and drinking water. To comply with the agreement, CBP established internal policies requiring that food and drinking water be provided to UAC.

OBP issued a *Hold Room and Short Term Custody* policy, dated June 2, 2008. According to the policy, meals must be offered to UAC at least every six hours. The policy also requires that two of the meals served within the 24-hour period must be hot, and that juveniles must have regular access to snacks, milk, and juice.

OFO's August 8, 2008, policy, *Secure Detention, Transport and Escort Procedures at Ports of Entry*, includes requirements for juveniles to have access to meals, snacks, and drinks at any time. This policy also urges officers to be sensitive to cultural and religious dietary restrictions whenever possible.

At the 17 BP stations and 13 ports of entry we visited, meals, snacks, drinking water, and other beverages were available to UAC. Figures 2 and 3 list the types of food served at the facilities we visited.

Figure 2. Meals, Snacks, and Beverages at Select Border Patrol Stations

OBP Sector	OBP Station	Meals	Snacks	Beverages
Tucson	Tucson Coordinating Center	Burger King contract for hamburgers, chicken sandwiches, side salads	Peanut butter and cheese crackers, fruit	Water, juice, milk
	Nogales	Chili packets, frozen burritos	Peanut butter and cheese crackers	Water, juice
	Sonoita	Chili packets	Peanut butter and cheese crackers	Water, juice
El Paso	El Paso	New Facility Detainees processed at El Paso Station Processing Center		
	El Paso Station Processing Center	Frozen burritos	Granola bars	Water, juice
	Ft. Hancock	Frozen burritos	Granola bars	Water, juice
	Fabens	Frozen burritos	Granola bars, crackers	Water, juice
	Santa Teresa	Frozen burritos	Granola bars	Water, juice
Detroit	Detroit	Meals Ready to Eat³	Peanut butter and cheese crackers	Water, juice
	Marysville	Meals Ready to Eat	None	Water
	Gibraltar	Meals Ready to Eat	None	Water
San Diego	Chula Vista	Meals Ready to Eat	Peanut butter and cheese crackers	Water, powdered juice
	Imperial Beach	Meals Ready to Eat	Peanut butter and cheese crackers	Water
	Brown Field	Meals Ready to Eat	Peanut butter and cheese crackers	Water
	El Cajon	Meals Ready to Eat	Peanut butter and cheese crackers	Water
Miami	Dania Beach	Pasta bowls	Fruit cups, applesauce, crackers	Water, juice, milk
	West Palm Beach	Pasta bowls	Peanut butter and cheese crackers	Water, juice, milk

Source: OIG observations during site visits

³ Meals Ready to Eat are prepackaged microwaveable food. Packages include items such as pancakes or omelets for breakfast, and spaghetti, chicken pasta, beef ravioli, beef stroganoff, and chili with beans for lunch or dinner.

Figure 3. Meals, Snacks, and Beverages at Select Ports of Entry

OFO Field Office	OFO Facility	Meals	Snacks	Beverages
Tucson	Nogales	Chili packets	Peanut butter and cheese crackers	Water, juice
El Paso	Paso Del Norte Bridge	Frozen burritos	Snack bars	Water, juice
	Fabens	Frozen burritos	Fruit cups, crackers	Water, Gatorade
	Santa Teresa	Frozen burritos	Fruit cups, peanut butter and cheese crackers	Water, juice
Detroit	Detroit Ambassador Bridge	Noodle cups, pasta bowls	Granola bars	Water, juice
	Detroit Canada Tunnel	Noodle cups	Fruit cups, crackers	Water, juice
	Blue Water Bridge	Noodle cups, pasta bowls	Chips and breakfast bars	Water, juice
San Diego	San Ysidro	Brown bag meal: turkey sandwich, macaroni salad, carrots, and granola bar	Granola bars	Water, juice
	Otay Mesa	Brown bag meal: turkey sandwich, macaroni salad, carrots	Granola bars	Water, juice
	San Diego International Airport	None		Water
Miami	Miami International Airport	Pasta bowls	Chips and Jell-O	Water, juice
	Ft. Lauderdale International Airport	Macaroni and cheese cups, noodle cups	Cereal	Water, juice, milk
	West Palm Beach International Airport	Noodle cups, pasta bowls	None	Water

Source: OIG observations during site visits

Food

OBP and OFO agents and officers followed similar practices when providing meals and snacks to UAC detained at BP stations or apprehended at ports of entry. Typically, OBP and OFO provide:

- meals every 4 to 6 hours after the first meal in custody; and
- snacks, milk, or juice as often as requested, and in unlimited quantities.

Each CBP facility either maintained an inventory of food or had a process in place to purchase meals and snacks on an as-needed basis. Three facilities, Marysville and Gibraltar BP stations and

West Palm Beach International Airport, stocked meals, but did not keep snacks readily available because of minimal UAC encounters. Each facility averaged contact with fewer than ten UAC per year. Each of these facilities had established procedures to purchase snacks as needed. San Diego International Airport handled fewer than five UAC a year and did not maintain a supply of food at its location. When CBP officials encounter UAC at this airport, the officials purchase food for them from a nearby food court. At the time of our visit to the El Paso station, OBP had recently occupied the building; therefore, detainees were being processed at the El Paso Processing Center. OBP officials told us that processing should begin at the El Paso station within a few weeks.

Even though food was provided to UAC in custody, OBP and OFO personnel described large quantities of food being discarded because UAC did not eat the meals offered. For example, UAC were provided food such as chili, macaroni salad, and turkey sandwiches; however, many refused to eat these items based on a lack of appeal, cultural preferences, or other reasons. CBP managers explained that agents and officers often compensate for such occurrences by purchasing food from the facilities' vending machines or in nearby fast food restaurants. Agents and officers said that when UAC refuse to eat the food offered, they have shared their own lunches and dinners with them.

Some stations and ports of entry provided meals that they considered appealing to children. For example, a Tucson BP station contracted with Burger King to provide hamburgers, sandwiches, and side salads. At Miami International Airport, officers assembled meal packages from items purchased in bulk. These items included microwavable pasta dishes, potato chips, Jell-O, and juice boxes. Agents and officers at BP stations and OFO ports of entry in El Paso said that UAC had no problems eating the variety of microwavable burritos they served as meals. In addition, OFO managers said that this arrangement works well in ports of entry where the volume of UAC is difficult to predict and purchasing nonperishable food is more practical.

Examples of meals and snacks available to UAC



Source: DHS OIG

Drinking Water

During our site visits, we observed that drinking water was accessible to all UAC detained in CBP facilities through a variety of methods, including plastic coolers, water fountains, bottled water, and combined toilet-sink units. The combined units were located in hold rooms at BP stations, and designed with the sinks located directly above the toilet. These sinks also served as drinking fountains that dispensed regular tap water from a separate water supply than that connected to the toilet. Of the 17 BP stations that we visited that used these combined units, 14 stations also offered bottled water or water from large plastic coolers to UAC. The remaining three stations used the combined units as the only source of drinking water.

BP managers informed us that having water available in bottles and coolers stemmed from complaints filed by UAC that they were drinking water from toilets. An official from DHS' Office for Civil Rights and Civil Liberties (CRCL) informed us that complaints had been filed by or on behalf of UAC who believed that since the sink was located directly above the toilet, the

drinking water came from the toilet itself. The CRCL representative alerted OBP officials of this situation, which resulted in some stations providing water from coolers or bottles. Other BP stations indicated in English and Spanish above the toilet-sink units that water from the combined unit was safe to drink, as illustrated below.



Source: DHS OIG.

At the newer BP stations we visited, hold rooms had combined toilet-sink units. The combined units have the sink on one side and the toilet on the other. UAC detained in hold rooms were less apprehensive about drinking water from this type of configuration.

Toilet-sink unit at newer Border Patrol stations



Source: DHS OIG

Although drinking water was accessible to UAC in OBP facilities, one station did not have disposable cups readily available to hold water from the cooler. At another station, the water faucet in the combined toilet-sink unit was inoperable. In hold rooms at three BP stations, the toilet-sink units had wet toilet paper or paper

towels in or around the units, making it appear that the area may not be sanitary and the water from the sink unsafe to drink.

At OFO ports of entry, water is provided to UAC from fountains located in secondary screening areas or from bottles. When UAC are placed in hold rooms, they have access to water through toilet-sink units as described for OBP. Every OFO facility we visited had drinking water available either in bottles or through drinking fountains in addition to toilet-sink combinations inside hold rooms.

According to OBP and OFO juvenile detention policies, milk could be available for UAC, as well as other categories of detainees including babies, toddlers, and pregnant women. At the time of our fieldwork, four of the 30 facilities we visited served milk. In addition, most facilities made other beverages available to UAC, such as orange or apple juice. Figures 2 and 3 list the beverages available to UAC at the sites we visited.

Recommendations

We recommend that the Chief, Office of Border Patrol, and Assistant Commissioner, Office of Field Operations:

Recommendation #1: Evaluate the current methods for purchasing food to ensure that purchases are efficient and cost-effective.

Recommendation #2: Display information near the toilet-sink units in all hold rooms to indicate that the water is safe to drink.

Management Comments and OIG Analysis

We evaluated CBP's written comments and have made changes to the report where we deem appropriate. A summary of CBP's written responses to our recommendations and our analysis of the responses follow each recommendation. A copy of CBP's response, in its entirety, appears in Appendix B.

CBP Response: CBP concurred with Recommendation 1.

Border Patrol sectors will identify current best practices and provide food items that will be well received by the unaccompanied alien children (UAC). By identifying meals that have appeal, are culturally preferred, and cost-effective, we will

eliminate waste and redundancy. The Border Patrol sectors will implement best practices by January 31, 2011.

The Office of Field Operations (OFO) Logistics will survey the field offices on the types of food that seem to be popular with the “typical child” and share best practices with the field offices and Office of Border Patrol (OBP).

Due Date: January 31, 2011

OIG Analysis: This recommendation is **resolved and open** pending our receipt of the Office of Border Patrol (OBP) and Office of Field Operation’s (OFO) best practices on serving foods to UAC in their custody that are appealing, culturally preferred, and cost-effective.

CBP Response: CBP concurred with Recommendation 2.

OBP will issue field guidance and conduct follow-up conference calls with sector field staff by October 21, 2010, to ensure that signage is properly displayed to inform everyone that the water is drinkable.

By December 1, 2010, OFO will display information near the toilet-sink units in all hold rooms to indicate that the water is safe to drink.

Due Date: December 1, 2010

OIG Analysis: This recommendation is **resolved and open** pending our receipt of Border Patrol (BP) guidance and OFO confirmation that signs indicating water from toilet-sink units is safe to drink have been properly displayed.

Emergency Medical Assistance

The *Flores Agreement* requires that UAC have access to emergency medical assistance. OBP’s *Policy for Encounters with Injured Subjects* requires that all individuals who are injured or require medical assistance when encountered by BP agents be provided access to medical treatment. In addition, OBP’s *Hold Room and Short-Term Custody* policy specifies that a qualified medical professional, such as an emergency medical technician (EMT), paramedic, or physician, evaluate detainees who require medical attention or display symptoms of serious infectious

diseases or contagions such as tuberculosis, severe acute respiratory syndrome, or pandemic influenza.

OFO officers must provide medical assistance at ports of entry when encountering UAC who need medical care. Specifically, OFO's policy, *Secure Detention, Transport and Escort Procedures at Ports of Entry*, requires that all persons placed in a secure area at its facilities be asked whether they have a medical problem or condition that may require medical attention.

Many BP agents and OFO officers we interviewed stated that juveniles occasionally reported having medical conditions. However, according to a CRCL official, juveniles may be too intimidated to report an injury or illness during processing. OFO policy requires officers to ask all detainees whether they need medical treatment, while OBP policy does not have a similar requirement. BP agents may observe that juveniles require medical assistance or juveniles may request such assistance, but OBP policy does not require the agent to ask. Requesting information from juveniles about their medical condition might be a useful tool in assessing their physical well-being.

CBP managers, agents, and officers said that when they apprehend and process UAC, CBP employees identify injured juveniles. In cases of medical emergencies, agents and officers said that they transport or escort UAC to hospitals and monitor their condition. When appropriate, UAC are returned to BP stations or OFO ports of entry to complete administrative processing.

OFO's *Secure Detention, Transport and Escort Procedures at Ports of Entry* policy requires officers to complete an Individual Caution Sheet on every UAC when they observe obvious medical conditions or UAC claim to have an injury or illness. A sector within OBP issued guidance, *Juvenile Directive*, dated May 2003, requiring its BP agents to record health-related complaints from juveniles in the narrative portion of Form I-213, a document CBP completes when aliens are deportable.

BP agents reported documenting instances when UAC were transported to hospitals for medical care or treated by EMTs. In addition, employees who process UAC said that they sometimes include a description of health problems, medical emergencies, and any treatment provided on Form I-213. However, a BP official said that OBP does not have a nationwide requirement to document that type of information on Form I-213. A CRCL official commented that its office's review of Form I-213 indicated that these forms do not always identify medical assistance provided to UAC when CRCL investigates complaints filed by UAC or their representative.

More consistent documentation of medical assistance given to UAC could provide increased evidence of CBP's compliance with the *Flores Agreement*.

According to OBP personnel, all agents are certified to provide cardiopulmonary resuscitation and first aid. Additionally, OBP has a cadre of 734 trained EMTs nationwide who are able to evaluate the severity of an injured or ill detainee's medical condition to determine the appropriate methods of treatment or contact emergency medical services (EMS) for conditions that require special medical attention. When an OBP facility does not have EMTs available to evaluate a medical emergency, agents contact EMS for assistance.

OFO managers informed us that they had 104 certified EMTs, and 460 officers trained as first responders. The managers said OFO also certifies officers in cardiopulmonary resuscitation and first aid during basic training.

Since certain minor injuries may not warrant treatment by EMS, CBP facilities should have first aid kits readily available and supplied with basic items, such as adhesive bandages, sterile pads, and cold packs, to treat detainees. Of the 30 CBP facilities we visited, 23 had first aid kits with a sufficient inventory of medical supplies. However, six BP stations and one OFO port of entry had first aid kits that either were empty or contained minimal basic first aid items. In one OBP sector, all four stations we visited had first aid kits that were completely or almost empty. Overall, CBP personnel said that they recognized the need to maintain sufficient supplies in order to provide UAC with immediate assistance for minor medical conditions.

Examples of first aid kits we observed



Source: DHS OIG

Recommendations

We recommend that the Chief, Office of Border Patrol, and Assistant Commissioner, Office of Field Operations:

Recommendation #3: Establish a procedure that requires CBP employees who initially encounter UAC to inquire about any injury or illness that might require medical attention.

Recommendation #4: Develop a process to document any medical assistance provided to UAC.

Recommendation #5: Maintain a sufficient inventory of medical supplies in first aid kits at BP stations and ports of entry.

Management Comments and OIG Analysis

CBP Response: CBP concurred with Recommendation 3.

By October 31, 2010, OBP will rerelease previously issued guidance to reemphasize adherence to the medical and reporting requirements contained in the memo, dated March 20, 2009, signed by Chief David V. Aguilar entitled, *Implementation of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008* (TVPRA, attached), the *Hold Rooms and Short Term Custody* policy issued June 2, 2008, and the *Policy for Encounters with Injured Subjects* signed on November 9, 2007.

OFO/Admissibility and Passenger Program will reissue Implementation of TVPRA field guidance to all ports of entry (POE). Reissue will also include a reminder to complete the Initial Placement Referral Form, which captures the UAC medical status (injury/treatment/illness).

Due Date: October 31, 2010

OIG Analysis: The management policies OBP cites in their response do not address its personnel specifically asking each UAC whether they are ill or injured when initially encountered. *Implementation of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008* requires that a child is only asked how they received injuries if they show signs of torture, malnourishment, fatigue, or emotional abuse. The *Hold Rooms and Short Term Custody* policy and the *Policy for Encounters with*

Injured Subjects address access to medical assistance, but do not mention inquiring about the need for medical attention due to illness or injury.

The intent of this recommendation is to inquire of every UAC whether they are ill or injured when initially encountered regardless of how they physically appear. This recommendation will remain **unresolved and open** until OBP establishes such a requirement.

OFO's policy to complete the Unaccompanied Alien Child Initial Placement Referral Form, which captures each UAC's medical status, addresses this recommendation.

CBP Response: CBP concurred with Recommendation 4.

By October 31, 2010, OBP will rerelease previously issued guidance to reemphasize adherence to the medical and reporting requirements. This is contained in the memo dated March 20, 2009, signed by Chief David V. Aguilar entitled, *Implementation of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008* (TVPRA, attached), the *Hold Rooms and Short Term Custody* policy issued June 2, 2008, and the *Policy for Encounters with Injured Subjects* signed on November 9, 2007.

OFO will reissue UAC field guidance including a reminder to complete the Initial Placement Referral Form, which captures the UAC medical status (injury/treatment/illness) and any medical assistance provided.

Due Date: October 31, 2010

OIG Analysis: The management policies cited in OBP's response do not include specific procedures for documenting medical assistance provided to UAC. *Implementation of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008* requires that a child is asked only how they received injuries if they show signs of torture, malnourishment, fatigue, or emotional abuse. The *Hold Rooms and Short Term Custody* policy and the *Policy for Encounters with Injured Subjects* address access to medical care, but do not require any documentation when medical assistance is provided. This recommendation will remain **unresolved and open** until OBP establishes a process for documenting medical assistance provided to UAC.

OFO's policy to complete the Initial Placement Referral Form, which captures any medical assistance provided to UAC, addresses this recommendation.

CBP Response: CBP concurred with Recommendation 5.

By October 31, 2010, OBP will issue guidance reminding sector Health and Safety personnel to regularly inspect and stock medical supplies to ensure medical kits have the necessary supplies at all times.

OFO Logistics will immediately abate this issue by contacting the field offices to fill the first aid kits with the necessary components.

Due Date: October 31, 2010

OIG Analysis: This recommendation is **resolved and open** pending our receipt of OBP's guidance to Health and Safety personnel, and OFO's communication to its field offices to replenish first aid kits. OFO's communication should also include guidance to ensure that first aid kits continue to be properly stocked following OFO Logistics' immediate replenishment of first aid kits that are currently under stocked.

Toilets and Sinks

The *Flores Agreement* requires that minors be held in DHS facilities that are safe and sanitary and have access to toilets and sinks. According to OBP and OFO detention policies, all detainees will have access to properly equipped restrooms. In addition, OBP policy specifies that supervisors must ensure that officers are within visible or audible range of secure areas so they can respond to detainees' requests to use the restroom.

According to CBP personnel, toilets and sinks are always available to UAC. CBP agents and officers said that where restrooms are not located within open areas or hold rooms where UAC are detained, a CBP employee of like gender escorts them to the nearest restroom.

We observed toilets and sinks inside hold rooms designated for UAC use. At each facility, we tested toilets and sink faucets to ensure that both worked. We noted only one toilet and one faucet that did not operate properly and brought that matter to the

attention of CBP personnel. CBP should routinely check toilets and sinks to ensure that they operate properly.

Recommendation

We recommend that the Chief, Office of Border Patrol, and Assistant Commissioner, Office of Field Operations:

Recommendation #6: Routinely inspect toilets and sinks to ensure they are working properly.

Management Comments and OIG Analysis

CBP Response: CBP concurred with Recommendation 6.

Because some of our stations are leased, OBP will work closely with the CBP's Office of Administration to report toilets and sinks that are not working properly. Furthermore, by October 31, 2010, OBP will rerelease previously issued guidance on the implementation of the TVPRA and the *Hold Rooms and Short Term Custody* policy.

OFO will issue guidance to the Field Office to routinely check toilets and sinks to ensure that they are working properly.

Due Date: October 31, 2010

OIG Analysis: OFO's response addresses guidance that will be issued to field offices to routinely inspect toilets and sinks for proper operation, which represents a positive step in implementing our recommendation. OBP's response does not address how they will ensure that toilets and sinks, in either owned or leased facilities, are routinely inspected and working properly. In addition, OBP guidance previously issued on the TVPRA and *Hold Rooms and Short Term Custody* policy does not address adequate operation of toilets and sinks, as detailed in this report.

The recommendation is **unresolved and open** pending our receipt of specific efforts by OBP to address this issue, and OFO's guidance to the Field Office as detailed in their response.

Proper Temperature Control and Ventilation

CBP's internal guidance incorporates the *Flores Agreement* requirement for detention facilities to provide adequate temperature control and ventilation. The *Flores Agreement* does not specify the temperature range. Agents and officers explained that they had few problems with the buildings' temperature and ventilation and contacted the appropriate maintenance personnel when problems occurred.

We noted variances in the temperatures in the CBP facilities we inspected. CBP recognizes the challenges in regulating the temperature to suit everyone. The most common complaint from detainees was that hold rooms were too cold. However, we observed that blankets were available to detainees.

Supervision for UAC in Custody

The *Flores Agreement* requires that detained minors be placed in the least restrictive setting appropriate to the minors' age and special needs if the setting is consistent with its interest to protect the minors' well-being and that of others. The *Flores Agreement* further requires that DHS ensure the safety and well-being of minors in its custody.

OBP and OFO policies require that UAC be under direct supervision, with agents and officers stationed where they can constantly observe or hear detainees. Under OBP policy, detainees are to be temporarily held in hold rooms. According to OFO policy, when no hold rooms exist at a port of entry, a segregated area within the facility should be established, where feasible, away from the traveling public, where direct supervision and control of all detainees must be maintained.

CBP personnel use various methods to observe and supervise UAC. Those methods include continuous direct observation or periodic checks—typically at 15-minute intervals—of hold rooms, one-on-one supervision, and closed circuit monitors.

Based on our observation of areas designated for UAC detainees, we concluded that either the proximity of the hold rooms to the processing desks or central control rooms, periodic scheduled checks, closed circuit monitors, or combinations thereof were sufficient to comply with the intent of the *Flores Agreement*.

Processing area at OBP station with view of hold rooms



Source: DHS OIG.

Although not required by the *Flores Agreement*, some CBP facilities provide televisions, toys, coloring books and crayons, and books for the UAC in their custody. In addition, we noted that some agents and officers donate clothing for detainees.

Separation From Unrelated Adults

The *Flores Agreement* stipulates that unaccompanied minors in DHS custody be separated from unrelated adult detainees unless it is not immediately possible. When separation is impossible, UAC detention with an unrelated adult will not exceed 24 hours.

OBP guidelines require that UAC not be detained with unrelated adults. The guidance also requires that, when a separate temporary hold room is unavailable, UAC be kept in an open area under constant visual supervision of desk officers or other BP agents, if feasible.

OFO policy requires that all detention options be considered when detaining UAC at ports of entry, including placing detainees in detention cells or hold rooms. The policy requires that UAC not be held with unrelated adults, preferring that they be held in secondary or temporary holding areas, away from the public and under the direct supervision of officers.

We determined that CBP complies with the requirement of the *Flores Agreement* regarding separating UAC from unrelated adults.

Other Issues

Telephones

The *Flores Agreement* does not require immigration officials to provide access to telephones. However, CBP officials said that UAC processed for removal receive a list of free legal service providers in the jurisdiction where their apprehension occurred. OBP's policy requires that processing agents grant telephone access to UAC as soon as practicable. UAC may use telephones to communicate with attorneys, parents, and consular offices. OFO policy requires that supervisors determine whether detainees may use the telephone. OFO's policy does not distinguish between adult and juvenile detainees; however, OFO managers said UAC are always given access to telephones.

At each detention facility we visited, telephones were available and accessible for juvenile use. Telephones were located in areas such as hold rooms, interview rooms, and at processing desks.

Improvements Needed In Training in *Flores Agreement* Requirements

According to the *Flores Agreement*, staff must make every effort to ensure the safety and well-being of minors detained in CBP facilities. As such, the agreement requires appropriate guidance and training for employees regarding the terms of the agreement. However, we were unable to determine whether all CBP employees responsible for handling UAC received sufficient training to comply with this requirement.

As part of the initial basic training curriculum, BP agents and OFO officers receive instruction on CBP's responsibilities for the care and treatment of juveniles in its custody. CBP's Unaccompanied Alien Children training course includes processing and notice of rights and disposition, and the treatment and placement of unaccompanied juveniles/minors.

CBP developed a one-hour electronic refresher course, titled "Unaccompanied Juveniles/Minors and the *Flores v. Reno Settlement Agreement*," that is available through its Virtual Learning Center (VLC). In addition to this training, CBP personnel said that its staff receives policy updates during pre-shift briefings, through email, and by policy memorandums.

In March 2008, OBP issued an internal policy mandating that all supervisory and nonsupervisory BP agents complete the VLC training “Unaccompanied Juveniles/Minors and *Flores vs. Reno Settlement Agreement*” each year. According to VLC records, 5,492 agents, or approximately 35%, completed the training in FY 2008. In FY 2009, 7,939 agents, nearly 40%, completed the training.

In October 2006, the Executive Director, OFO Mission Support, issued a memorandum mandating that any CBP officer or agent involved in apprehending, processing, reviewing, detaining, releasing, decision making or transporting juveniles to take this training annually. However, CBP has not established a process to verify that employees responsible for handling UAC satisfy the training requirement. According to VLC records, 17,661 OFO officers completed the course in FY 2008 and 17,897 OFO officers did so in FY 2009. Since OFO does not distinguish officers with responsibility for handling UAC, it was unable to provide the number of officers who were required to complete the *Flores Agreement* training.

CBP employees responsible for these functions made the following comments regarding the *Flores Agreement* refresher course provided through VLC:

- A BP manager could not remember taking the refresher course since 2007.
- A BP manager completed the *Flores Agreement* training during the late 1990s but was unable to recall whether the same information was covered in VLC.
- An OFO officer completed the VLC course 2 years ago and was unaware that it was a yearly training requirement.
- An OFO officer said that it had been a long time since receiving the training, and it may have been given at the basic training academy. The officer did not remember taking any refresher course through VLC.
- An OFO manager said that the delay in employees completing the *Flores Agreement* refresher course was due to rotations, temporary duty assignments, and agents going into active duty.
- Officers and agents who had infrequent or no contact with UAC said that they refer to internal detention policies when they encounter UAC.

A CBP manager said that the Office of Training and Development database contains the names of all CBP agents and officers who have completed VLC training. A VLC specialist said that statistical data on CBP employees completing the course could be generated only by an employee's name, and not by OBP sectors or OFO field offices.

OBP and OFO have established policies and developed a course on *Flores Agreement* requirements for employees who maintain contact with UAC. However, CBP has not developed a tracking system to verify those personnel responsible for processing and detaining UAC complete annual refresher training. Such a process would provide greater assurance that CBP complies with the *Flores Agreement*, as well as its own internal guidelines.

Recommendation

We recommend that the Chief, Office of Border Patrol, and Assistant Commissioner, Office of Field Operations:

Recommendation #7: Mandate that all CBP personnel required to take the *Flores Agreement* training complete the refresher course annually.

Management Comments and OIG Analysis

CBP Response: CBP concurred with Recommendation 7.

By October 31, 2010, OBP will re-release previously issued guidance to ensure that the field is aware and complies with the provisions of the policy signed by Chief Aguilar on March 11, 2008, entitled, *Unaccompanied Juveniles/Minors and Flores vs. Reno Settlement Agreement Virtual Learning Center Course* (attached). The field will be reminded of the requirement to complete annual training once every fiscal year through the Virtual Learning Center course of the same title.

The *Flores v. Reno* online training course is currently available and a memorandum was issued in March 2009 requiring all U.S. Customs and Border Protection officers, who apprehend process, detain, and/or transport a juvenile/minor, complete this course by December 2009. There are 7,793 completions to June 28, 2010.

A memorandum mandating completion of the course for 2010 has not been issued pending the revision of the course to include

updated material from the *Trafficking Victims Protection Reauthorization Act of 2008*. This development was requested early in FY 2010, but was finally approved in May to start development. A design meeting is scheduled for July 2010 with an expected completion in early November 2010 for full implementation towards the end of the first quarter of FY 2011.

Due Date: January 31, 2011

OIG Analysis: OBP's release of guidance previously issued may provide awareness, but does not provide assurance that required training will be completed. In addition, the CBP response does not clearly identify any specific actions taken by OFO to satisfy this recommendation. This recommendation remains **unresolved and open** as CBP continues its effort to establish and implement a process to verify that CBP personnel complete the refresher course annually.

Improvements Needed in Maintaining Unaccompanied Alien Children Information

The *Flores Agreement* requires that up-to-date records be maintained on minors placed in proceedings and remaining in custody for longer than 72 hours. The records must include the following information:

- Biographical data such as name, date of birth, and country of origin
- Date placed in custody
- Date removed or released
- To whom and where placed, transferred, removed, or released
- Immigration status
- Hearing dates

CBP is responsible for collecting and reporting UAC information within its jurisdiction, either electronically or manually. A coordinated record-keeping system can provide increased accountability for the safety and well-being of UAC while in CBP custody.

OBP policy requires that each BP station maintain a detention log for UAC in its custody. According to OBP policy, at a minimum, these logs should include the following information:

- Biographical information

-
- Alien registration number and nationality
 - Reason for placement
 - Date and time taken into CBP custody, transferred, and released
 - Date and time juvenile coordinator notified
 - Final disposition
 - Times meals were provided
 - Telephone use
 - Showers
 - Visual checks

OFO policy requires that officers record and initial the times of visual checks, physical observations, and meals offered, eaten, or declined in a Personal Detention Log.

During our site visits, we analyzed UAC detention log entries for September 28, 2008, and September 28, 2009. In some locations, CBP did not have UAC in custody on those dates. In those instances, we selected random dates. Generally, CBP employees were consistent in documenting UAC biographical information. However, at 28 of the 30 facilities, detention logs did not contain the documentation CBP requires. For example, we observed detention logs that included category headings for required information; however, documentation was incomplete. We also observed detention logs that did not include category headings for all required information to be recorded.

CBP officials provided several reasons for inconsistencies in documenting required information, including the following comments:

- Meals are documented when eaten by juveniles, but are not documented when a meal was offered and the juvenile refused to eat.
- Mealtimes are documented on a whiteboard located in the processing area.
- Information on alien apprehensions is maintained in the Enforcement Case Tracking System; however, there is no distinction between UAC and other juveniles. OFO field offices keep track of UAC on a weekly basis and send the information to headquarters for compilation.
- Officers document meals served and phone usage in a manual log.
- Officers use an internal electronic UAC detention log. However, officers are not consistent in documenting meals, especially when UAC refuse to eat food from the existing inventory and officers purchase a meal or snack for them.

OBP has developed an electronic system, referred to as e3, which collects comprehensive statistical information on alien apprehensions. e3 also contains a juvenile module that can function as an electronic juvenile detention log. This system has the capacity to differentiate between accompanied and unaccompanied juveniles, and captures specific information including the times meals are served, phone usage, detainee medical conditions, and detainee arrests and releases from CBP custody.

At the time of our fieldwork, the juvenile module in e3 was under development. OBP officials estimated that about 50 BP stations used the juvenile module in e3 to some extent in the pilot stage. According to OBP manager, all BP stations will use e3 after the system is completely developed.

The *Flores Agreement* specifies that complete and accurate records be maintained concerning detained UAC. A coordinated record-keeping system can provide increased accountability for UAC's safety and well-being during all phases of CBP's custody process.

Recommendation

We recommend that the Chief, Office of Border Patrol, and Assistant Commissioner, Office of Field Operations:

Recommendation #8: Establish a CBP-wide procedure to document required UAC information.

Management Comments and OIG Analysis

CBP Response: CBP concurred with Recommendation 8.

As OIG is aware, OBP has been working very closely with our Enforcement and Information Technology Division to proactively address this requirement. In June 2009, the Border Patrol developed a standardized Border Patrol juvenile detention processing module in e3, our enforcement system of record. The module serves as our electronic juvenile detention log. Currently, the Rio Grande Valley Sector has mandated the use of the juvenile detention module in all its stations. CBP's Office of Information and Technology (OIT) has additional Border Patrol requirements that will improve the uniform collection of juvenile data. Once OIT implements the improvements by March 31, 2011, OBP will mandate the use of the module nationwide. OBP welcomes the opportunity to open dialogue with our CBP counterparts and offer

any lessons learned to adapt or create, if fiscally-sound and feasible, a CBP-wide electronic juvenile detention log.

OFO continues to work with all stakeholders to develop a Joint Operations Manual for UAC. Developments in information technology and policy guidance are currently being worked on. In the interim, OFO will reissue UAC field guidance, no later than October 31, 2010.

Due Date: January 31, 2011

OIG Analysis:

CBP's response needs to address efforts to establish and implement a CBP-wide procedure requiring both OBP and OFO to capture similar UAC information. The OBP response includes their plan for full implementation of the detention processing module in e3, which satisfies the intent of this recommendation. OFO's response does not provide specific details regarding the technology and policy guidance currently under development.

OBP is agreeable to open dialogue with OFO to adapt or create a CBP-wide electronic juvenile detention log. This could serve as a means for achieving a uniform documentation requirement throughout CBP. This recommendation remains **unresolved and open** pending additional efforts to develop uniform documentation requirements for UAC information.

Appendix A

Purpose, Scope, and Methodology

The purpose of our review was to determine whether Customs and Border Protection is complying with the *Flores Agreement* relating to UAC in CBP custody. The *Flores Agreement* requires that following arrest, DHS detain minors, to include UAC, in facilities that are safe, sanitary, and consistent with their vulnerabilities as minors. DHS must provide (1) food and drinking water; (2) medical assistance in the event of emergencies; (3) toilets and sinks; (4) adequate temperature control and ventilation; (5) adequate supervision to protect minors from others; and (6) separation from unrelated adults whenever possible.

We conducted our fieldwork from September to December 2009, interviewing 110 CBP personnel and visiting 30 CBP facilities. We interviewed senior CBP officials and staff in Washington, DC; Arizona, Texas, Michigan, California, and Florida. We also consulted with DHS Office for Civil Rights and Civil Liberties on civil rights and civil liberties issues.

In identifying locations for site visits, we analyzed relevant documents and statistical data to determine the number of minors CBP apprehended and initially detained in its holding facilities during FYs 2008 and 2009. We selected a sample of complaints filed with the Office for Civil Rights and Civil Liberties to determine which facilities allegedly violated the *Flores Agreement*. During the fieldwork, we visited CBP holding facilities that generated high as well as low volumes of complaints to assess compliance with the *Flores Agreement*. We notified CBP of our site visits to 27 of the 30 locations we inspected. We did not disclose the location of the remaining three sites. During these visits, we observed detention conditions for UAC and assessed whether the facilities met the provisions of the *Flores Agreement*.

We conducted this review under the authority of the *Inspector General Act of 1978*, as amended, and according to the *Quality Standards for Inspections* issued by the Council of the Inspectors General on Integrity and Efficiency.

Appendix B
Management Comments to the Draft Report

U.S. Department of Homeland Security
Washington, DC 20229



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

July 15, 2010

MEMORANDUM FOR RICHARD L. SKINNER
INSPECTOR GENERAL
DEPARTMENT OF HOMELAND SECURITY

FROM: Assistant Commissioner
Office of Internal Affairs

A handwritten signature in black ink, appearing to read "Justin T. [unclear]".

SUBJECT: U.S. Customs and Border Protection's Response to the Office of Inspector General's Draft Report Entitled, "CBP's Handling of Unaccompanied Alien Children"

Thank you for providing us with a copy of your draft report entitled "CBP's Handling of Unaccompanied Alien Children" and the opportunity to discuss the issues in the report. We welcome the Office of Inspector General's (OIG) acknowledgement of U.S. Customs and Border Protection's (CBP) compliance with the provisions of the *Flores vs. Reno Settlement Agreement*.

Although the OIG did not identify any significant violations of the agreement, the OIG made eight recommendations to CBP. CBP concurs with all eight recommendations and places great value in addressing these recommendations. By implementing the corrective actions, we believe we can enhance our program's overall effectiveness. The recommendations and CBP's actions to address the recommendations are described below.

Recommendation #1: Evaluate the current methods for purchasing food to ensure that purchases are efficient and cost effective.

CBP Response: CBP concurs with the recommendation.

Border Patrol sectors will identify current best practices and provide food items that will be well received by the unaccompanied alien children (UAC). By identifying meals that have appeal, are culturally preferred, and cost-effective, we will eliminate waste and redundancy. The Border Patrol sectors will implement best practices by January 31, 2011.

The Office of Field Operations (OFO) Logistics will survey the field offices on the types of food that seem to be popular with the "typical child" and share best practices with the field offices and Office of Border Patrol (OBP).

Due Date: January 31, 2011

Recommendation #2: Display information near the toilet-sink units in all hold rooms to indicate that the water is safe to drink.

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CBP Response: CBP concurs with the recommendation.

OBP will issue field guidance and conduct follow-up conference calls with sector field staff by October 21, 2010, to ensure that signage is properly displayed to inform everyone that the water is drinkable.

By December 1, 2010, OFO will display information near the toilet-sink units in all hold rooms to indicate that the water is safe to drink.

Due Date: December 1, 2010

Recommendation #3: Establish a procedure that requires CBP employees who initially encounter UAC to inquire about any injury or illness that might require medical attention.

CBP Response: CBP concurs with the recommendation.

By October 31, 2010, OBP will rerelease previously issued guidance to reemphasize adherence to the medical and reporting requirements contained in the memo dated March 20, 2009, signed by Chief David V. Aguilar entitled, *Implementation of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008* (TVPRA, attached), the *Hold Rooms and Short Term Custody* policy issued June 2, 2008 by Chief Aguilar (attached), and the *Policy for Encounters with Injured Subjects* signed by Chief Aguilar on November 9, 2007 (attached).

OFO/Admissibility and Passenger Program will reissue Implementation of TVPRA field guidance to all ports of entry (POE). Reissue will also include a reminder to fully complete the Initial Placement Referral form, which captures the UAC medical status (injury/treatment/illness).

Due Date: October 31, 2010

Recommendation #4: Develop a process to document any medical assistance provided to UAC.

CBP Response: CBP concurs with the recommendation.

By October 31, 2010, OBP will rerelease previously issued guidance to reemphasize adherence to the medical and reporting requirements contained in the memo dated March 20, 2009, signed by Chief David V. Aguilar entitled, *Implementation of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008* (TVPRA, attached), the *Hold Rooms and Short Term Custody* policy issued June 2, 2008 by Chief Aguilar (attached), and the *Policy for Encounters with Injured Subjects* signed by Chief Aguilar on November 9, 2007 (attached).

OFO will reissue UAC field guidance including a reminder to fully complete the Initial Placement Referral form, which captures the UAC medical status (injury/treatment/illness) and any medical assistance provided.

Due Date: October 31, 2010

Recommendation #5: Ensure that border patrol stations and ports of entry maintain a sufficient inventory of medical supplies in first aid kits.

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CBP Response: CBP concurs with the recommendation.

By October 31, 2010, OBP will issue guidance reminding sector Health and Safety personnel to regularly inspect and stock medical supplies to ensure that medical kits have the necessary supplies at all times.

OFO Logistics will immediately abate this issue by contacting the field offices to fill the first aid kits with the necessary components.

Due Date: October 31, 2010

Recommendation #6: Ensure that toilets and sinks are routinely inspected and working properly.

CBP Response: CBP concurs with the recommendation.

Because some of our stations are leased, OBP will work closely with the CBP's Office of Administration to report toilets and sinks that are not working properly. Furthermore, by October 31, 2010, OBP will rerelease previously issued guidance on the implementation of the TVPRA and the *Hold Rooms and Short Term Custody* policy.

OFO will issue guidance to the Field Office to routinely check toilets and sinks to ensure that they are working properly.

Due Date: October 31, 2010

Recommendation #7: Mandate that all CBP personnel required to take the *Flores Agreement* training complete the refresher course annually.

CBP Response: CBP concurs with the recommendation.

By October 31, 2010, OBP will rerelease previously issued guidance to ensure that the field is aware and complies with the provisions of the policy signed by Chief Aguilar on March 11, 2008, entitled, *Unaccompanied Juveniles/Minors and Flores vs. Reno Settlement Agreement Virtual Learning Center Course* (attached). The field will be reminded of the requirement to complete annual training once every fiscal year through the Virtual Learning Center course of the same title.

The Flores v. Reno online training course is currently available and a memorandum was issued in March 2009 requiring all U.S. Customs and Border Protection officers, who apprehend, process, detain, and/or transport a juvenile/minor, complete this course by December 2009. There are 7,793 completions to June 28, 2010.

A memorandum mandating completion of the course for 2010 has not been issued pending the revision of the course to include updated material from the Trafficking Victims Protection Reauthorization Act of 2008. This development was requested early in fiscal year (FY) 2010, but was finally approved in May to start development. A design meeting is scheduled for July 2010 with an expected completion in early November 2010 for full implementation towards the end of the first quarter of FY 2011.

Due Date: January 31, 2011

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Recommendation #8: Establish a CBP-wide procedure to document required UAC information.

CBP Response: CBP concurs with the recommendation.

As OIG is aware, OBP has been working very closely with our Enforcement and Information Technology Division to proactively address this requirement. In June 2009, the Border Patrol developed a standardized Border Patrol juvenile detention processing module in e3, our enforcement system of record. The module serves as our electronic juvenile detention log. Currently, the Rio Grande Valley Sector has mandated the use of the juvenile detention module in all its stations. CBP's Office of Information and Technology (OIT) has additional Border Patrol requirements that will improve the uniform collection of juvenile data. Once OIT implements the improvements by March 31, 2011, OBP will mandate the use of the module nationwide. OBP welcomes the opportunity to open dialogue with our CBP counterparts and offer any lessons learned to adapt or create, if fiscally-sound and feasible, a CBP-wide electronic juvenile detention log.

OFO continues to work with all stakeholders to develop a Joint Operations Manual for UAC. Developments in information technology and policy guidance are currently being worked on. In the interim, OFO will reissue UAC field guidance, no later than October 31, 2010.

Due Date: January 31, 2011

Attached are supporting documents referenced in this memo, as well as technical comments that relate to statements that need to be clarified prior to finalization of this report. With regard to the classification of the draft report, CBP has not identified any information within this report that warrants a "For Official Use Only" classification.

If you have any questions regarding this response, please contact me or have a member of your staff contact Ms. Lynn Richardson, Audit Liaison, CBP Audit Liaison, Office of Internal Affairs, at (202) 344-2953.

Attachments

Appendix C
Major Contributors to This Report

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Appendix D
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