

GAO Highlights

Highlights of [GAO-15-399](#), a report to congressional requesters

Why GAO Did This Study

Persons illegally crossing the United States' southwest border and corresponding law enforcement activity may, at times, result in private property damage. Such damage that persists over extended periods of time can result in expensive repairs for landowners. GAO was asked to identify the types of private property damage experienced along the southwest border, as well as the extent to which the federal government addresses such damage.

This report (1) describes the types of private property damage landowners along the southwest border are experiencing and the steps taken by CBP to collect information on such damage, and (2) examines the extent to which CBP addresses private property damage suspected to be caused by illegal border crossers and enforcement activities. GAO analyzed documentation, including administrative tort claims and memos implementing the Border Community Liaison Program; conducted a visit to south Texas; and interviewed Border Patrol officials, as well as landowners living along the southwest border, regarding private property damage that occurs and how, if at all, it is addressed.

What GAO Recommends

GAO recommends that Border Patrol ensure that agents serving in the BCL role receive training and track the receipt of such training. DHS concurred with this recommendation.

View [GAO-15-399](#). For more information, contact Rebecca Gambler at (202) 512-8777 or gambler@ga.gov.

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SOUTHWEST BORDER

Issues Related to Private Property Damage

What GAO Found

Landowners GAO spoke with reported that damage occurs to private properties along the southwest border on a regular basis. The most prevalent types of damage reported include broken fences and gates (see picture below), which can result in destroyed crops and injured livestock. According to 33 landowners GAO spoke with, the majority of damage is caused by illegal border crossers; however, 21 of these landowners said they had also experienced damage that may have resulted from Border Patrol as well as state law enforcement activities or were aware of such occurrences in their community. Landowners may file a Standard Form 95 (SF 95) administrative tort claim to seek compensation for private property damage allegedly caused by the negligent or wrongful conduct of an employee of any U.S. Customs and Border Protection (CBP) component, including Border Patrol while acting within the scope of their office or employment, but few landowners have filed such claims. Of the 821 SF 95s filed during fiscal year 2013, 16 were related to private property damage along the southwest border, with a total of \$11,622 paid to 7 of the 16 claimants.

Mangled Gate in South Texas Potentially Caused by Illegal Border Crossers



Source: GAO. | GAO-15-399

According to Border Patrol officials, agents generally adhere to ranch etiquette, which entails treating private property and its owners respectfully while conducting enforcement efforts. To further promote this concept, CBP established a Border Community Liaison (BCL) Program within Border Patrol in 2011, in which designated agents serve as the conduit between Border Patrol and the community. To enhance relationships with the community, liaisons work with landowners to address, when appropriate, damage allegedly caused by illegal border crossers or their pursuit by Border Patrol. The BCL Program has helped foster community relationships. However, new BCL agents have not received training specific to their role, such as those agents who assumed the BCL role in 2014. Moreover, a mechanism does not exist to track which or how many BCL agents have received training specific to their role. Given that CBP has stated that there is frequent turnover of agents in this position, providing BCL agents with training specific to their role and tracking the receipt of such training could help better ensure that BCL agents have the necessary skills to meet the goals of the BCL Program, including facilitating information sharing between Border Patrol and the community on border security issues.