



June 2021

IMPORTED AGRICULTURE

Updated Planning and Communication Could Enhance Agency Coordination of Inspections

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GAO@100 Highlights

Highlights of [GAO-21-471](#), a report to congressional committees

Why GAO Did This Study

USDA estimates that over 50,000 invasive species are already in the U.S., costing almost \$120 billion annually in environmental damages and losses. Federal inspectors at U.S. ports of entry help prevent threats from invasive species by inspecting agricultural products (e.g., plants, seeds, and animals) entering the U.S. CBP conducts the majority of inspections, APHIS sets inspection standards, and FWS inspects imported wildlife. The Protecting America's Food and Agriculture Act of 2019 authorized \$221.6 million in appropriations to increase CBP staffing levels for inspectors for fiscal years 2020, 2021, and 2022.

The act includes a provision that GAO review federal efforts to address risks to the agricultural supply. This report examines, among other things, how federal agencies coordinate responsibilities for inspection of imported agriculture. GAO reviewed agency documents and interviewed agency officials and agency inspectors working at large and small ports of entry.

What GAO Recommends

GAO is making five recommendations, including that CBP and APHIS report on the joint task force's progress and update its strategic plan and that CBP review and update agency guidance on communication at ports of entry. CBP and APHIS concurred with all of GAO's recommendations

View [GAO-21-471](#). For more information, contact Steve Morris at (202) 512-3841 or MorrisS@gao.gov.

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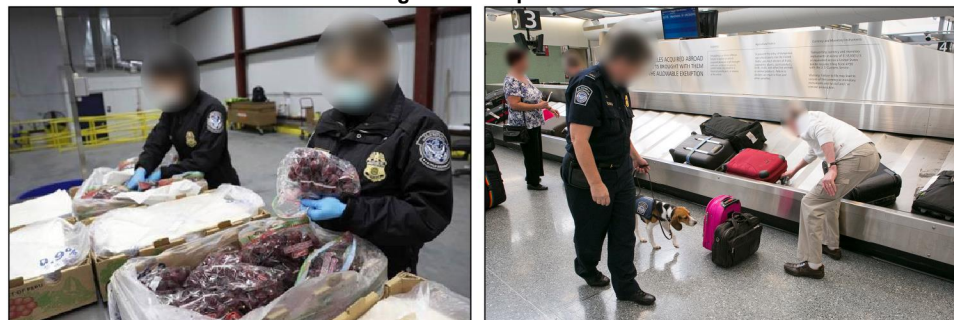
What GAO Found

The Department of Homeland Security's U.S. Customs and Border Protection (CBP) and the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) oversee inspections of imported agricultural products to protect the U.S. agricultural industry and environment. For example, in 2020, CBP inspectors intercepted egg masses of the Asian gypsy moth, a pest that poses a threat to fruit trees and other plants. CBP and APHIS also work to prevent the introduction of diseases such as African swine fever, which could cause billions of dollars in damage to the U.S. pork supply.

CBP and APHIS created the Joint Agency Task Force (JATF) to coordinate on inspections and a joint strategic plan for 2014–2019. The JATF has not updated its strategic plan; as a result, the plan's objectives are not current. According to CBP, the agencies took action to complete the objectives. For example, CBP's deployment of digital microscopes completed an objective to leverage technology to identify pests. However, the JATF has not reported on its progress toward meeting the objectives in its 2014–2019 plan. GAO has previously found that progress reports can help hold agencies accountable for achieving results. Developing a progress report would allow the JATF to document its progress and would provide valuable information to inform development of an updated strategic plan. Without assessing the JATF's progress and updating its strategic plan, CBP and APHIS cannot ensure that the JATF's objectives reflect the most current or urgent matters affecting imported agriculture.

According to CBP officials, CBP guidance directs its inspectors to contact inspectors with the Department of the Interior's Fish and Wildlife Service (FWS) about wildlife encountered during inspections of imported animals. CBP and FWS inspectors said that they have a collaborative working relationship, but some CBP inspectors described miscommunication with FWS at ports of entry because they did not have sufficient contact information. CBP officials told GAO that CBP supervisors at the ports of entry are responsible for ensuring their inspectors follow CBP's guidance, which includes whom to contact at FWS. However, GAO found that the most recent updates of this guidance ranged from 2009 to 2020. By reviewing and updating existing communication guidance where necessary, CBP could help address any gaps in communication between CBP and FWS inspectors at ports of entry.

U.S. Customs and Border Protection Agriculture Specialists and Canine Team



Source: U.S. Customs and Border Protection. | GAO-21-471

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Abbreviations

AgRAM	Agriculture Specialist Resource Allocation Model
APHIS	Animal and Plant Health Inspection Service
AQI	Agricultural Quarantine Inspection
CBP	U.S. Customs and Border Protection
CDC	Centers for Disease Control and Prevention
COVID-19	Coronavirus Disease 2019
DHS	Department of Homeland Security
DOD	Department of Defense
FDA	Food and Drug Administration
FWS	Fish and Wildlife Service
GPRA	Government Performance and Results Act
JATF	Joint Agency Task Force
MOSRAM	Mission and Operational Support Resource Allocation Model
OPM	Office of Personnel Management
USDA	U.S. Department of Agriculture

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June 1, 2021

Congressional Committees:

The Department of Homeland Security's (DHS) U.S. Customs and Border Protection (CBP) works with other federal agencies to oversee inspections of incoming agricultural products at 328 U.S. air, land, and sea ports of entry. These inspections look for pests and diseases that could threaten U.S. agriculture. Incoming agricultural products, or "imported agriculture," include fruits, vegetables, plants, seeds, soil, animal products, and farm animals. While CBP conducts the majority of imported agriculture inspections, the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) sets the import policy and inspection standards. In addition, to support CBP in its inspections of imported agriculture, the Department of the Interior's Fish and Wildlife Service (FWS) inspects imported wildlife.

CBP works with these and other agencies to protect the U.S. agricultural industry and the environment. For example, CBP and APHIS officials work together—APHIS identifies the threat and establishes entry restriction while CBP looks for and seizes products that are in violation of USDA regulations—to prevent the introduction of African swine fever. African swine fever is a highly contagious and deadly foreign animal disease that could cause billions of dollars in damage to the U.S. pork industry. Even with these efforts, USDA estimates that over 50,000 invasive species are already in the United States, costing almost \$120 billion annually in environmental damages and losses and putting at risk almost 42 percent of the species on the federal threatened or endangered species list.

Concerned about protecting the food supply in the United States and ensuring the availability of adequate resources to conduct inspections of imported agriculture at ports of entry, Congress enacted the Protecting America's Food and Agriculture Act of 2019.¹ This act authorized \$221.6 million in appropriations to increase CBP staffing levels by hiring, training, and assigning up to an additional 240 CBP agriculture specialists, 200 technicians, and 20 canine handlers each year for fiscal years 2020, 2021, and 2022. These funds, according to CBP officials, have not yet

¹See Pub. L. No. 116-122, 134 Stat. 143 (2020).

been appropriated. However, amounts appropriated by the Consolidated Appropriations Act, 2020 included \$19.7 million to hire agriculture specialists during fiscal year 2020, according to an accompanying explanatory statement to this act. In addition to funding from appropriations, according to CBP officials, CBP funds staff positions using agriculture inspection fees collected by APHIS through the Agricultural Quarantine Inspection (AQI) program, such as fees collected from international air passengers.

The Protecting America's Food and Agriculture Act of 2019 included a provision that we conduct a review of the efforts of DHS, USDA, and other federal agencies to address risks to the U.S. agricultural supply. This report focuses on CBP and APHIS because they have direct responsibilities for the inspection of imported agriculture. We also included FWS because it has a role in coordinating with CBP to prevent the entry of injurious species through imported wildlife. This report examines (1) how federal agencies coordinate responsibilities for inspection of imported agriculture entering the United States; (2) actions federal agencies planned or took to meet their inspection responsibilities since the enactment of the Protecting America's Food and Agriculture Act of 2019, and what challenges they face; and (3) training for CBP agriculture specialists, technicians, and canine teams since the enactment of the Protecting America's Food and Agriculture Act of 2019.

To address all of these objectives, we reviewed the Protecting America's Food and Agriculture Act of 2019, other relevant laws, agency strategic plans, agency budgets, and memoranda of agreement between agencies. We also conducted interviews with CBP, APHIS, and FWS management and field officials and groups representing the farm industry, pork industry, and state agriculture departments.

Our interviews included nine nongeneralizable group interviews with CBP agriculture specialists, technicians, and canine handlers; six nongeneralizable group interviews with APHIS inspectors, trainers, budget officials, and pest identifiers; and one nongeneralizable group interview with FWS inspectors. We conducted these interviews to capture a variety of perspectives of those involved with imported agriculture inspections. We selected and interviewed inspectors from throughout the United States and from ports of entry representing the different

transportation pathways into the United States—land, sea, and air.² Where we attribute examples gained from these interviews to the group of interviewees, we do not identify ports of entry or geographic region. We also summarize attribution using “some” to prevent identification of specific interview participants.³

In addition, we reviewed the Office of Personnel Management’s (OPM) 2019 Employee Viewpoint Survey to better understand work conditions as reported by inspectors. We also reviewed various training manuals to understand training requirements. Finally, we compared our evidence on how federal agencies coordinate responsibilities for inspections with our prior work on performance measurement and strategic planning, and we used the GPRA Modernization Act of 2010 to assess the importance of updating agency strategic plans.⁴

We conducted this performance audit from May 2020 to June 2021 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

USDA was responsible for the inspection of imported agriculture at U.S. ports of entry from 1913 through 2002. After the terrorist attacks on September 11, 2001, Congress passed the Homeland Security Act of 2002,⁵ which combined the inspection activities of the Department of the

²Because our review occurred during the Coronavirus Disease 2019 (COVID-19) pandemic, all interviews were conducted by video or telephone.

³We define “some” as three or more interview participants.

⁴The GPRA Modernization Act of 2010 requires that federal agencies update their strategic plans every 4 years. Pub. L. No. 111-352, §2, 124 Stat. 3866, 3866 (2011) (codified at 5 U.S.C. § 306(a)). GAO has previously reported that this act’s requirements can also serve as leading practices for strategic planning in various areas within federal agencies. See, for example, GAO, *Coast Guard: Actions Needed to Enhance Performance Information Transparency and Monitoring*, GAO-18-13 (Washington, D.C.: Oct. 27, 2017). The GPRA Modernization Act of 2010 amends the Government Performance and Results Act of 1993, Pub. L. No. 103-62, 107 Stat. 285.

⁵Pub. L. No. 107-296, 116 Stat. 2135.

Treasury's Customs Service, the Department of Justice's Immigration and Naturalization Service, and USDA's APHIS into the newly created DHS. The Secretaries of DHS and USDA signed a memorandum of agreement in February 2003, agreeing to work cooperatively to implement the relevant provisions of the Homeland Security Act of 2002. In 2003, approximately 1,500 agriculture specialists who had worked for APHIS became CBP employees.

Under the 2003 memorandum of agreement, DHS and USDA have distinct responsibilities. DHS's responsibilities include conducting inspections and other related activities. USDA retained some responsibilities it had prior to 2003, including providing risk analysis guidance, setting inspection protocols in consultation with DHS, and conducting specialized inspections of imported plant materials. USDA is also responsible for overseeing agriculture specialists' training and managing the collection of user fees paid by those whose goods are subject to inspection.

How the agencies implement their inspection responsibilities at ports of entry depends on the types of transportation pathway into the United States—airport, seaport, or land border crossing. Across all types of transportation pathways, CBP officers generally conduct the primary inspections, which may include interviewing passengers. CBP officers may refer a passenger to CBP agriculture specialists if they believe the passenger could be carrying a prohibited agricultural product. CBP agriculture specialists conduct more detailed secondary inspections, which may include further interviewing and an examination of baggage. Agriculture specialists also inspect cargo (such as fruit, vegetables, and animal products) entering the United States. If specialists encounter items of concern, they can hold them for further evaluation. Items found to be in violation of USDA regulations can be seized, destroyed, or re-exported.

CBP inspectors (agriculture specialists and canine handlers) can refer certain plant materials and live animals to APHIS for identification or for additional inspection. CBP inspectors can also refer wild, non-domestic animals and animal products to FWS inspectors, who inspect them to identify and prevent the import of injurious species. While certain animal products, such as meat, could be kept frozen while awaiting additional inspection, live animals could be more difficult for the inspectors to store and may require a timely response from APHIS or FWS. According to CBP officials, CBP agriculture specialists work at 186 of the 328 ports of

entry in the United States.⁶ According to FWS officials, FWS inspectors work at 43 of the 328 ports of entry.

In addition to CBP, APHIS, and FWS, the Centers for Disease Control and Prevention and the Department of Defense have responsibilities related to inspection of imported agriculture at U.S. ports of entry. See Table 1 for a summary of each agency's responsibilities.

Table 1: Summary of Responsibilities among Federal Agencies for the Inspection of Imported Agriculture

Federal agency	Responsibility
Department of Homeland Security's U.S. Customs and Border Protection (CBP)	CBP conducts most primary inspections of imported agriculture, including the initial review of import documentation; the targeted physical inspection of agricultural commodities; and the holding, detention, seizure, and disposal of most agricultural materials suspected or found to be in violation of USDA standards. CBP also refers items requiring further inspections to APHIS and FWS.
U.S. Department of Agriculture's Animal Plant and Health Inspection Service (APHIS)	APHIS provides risk analysis guidance and inspection protocols, inspects plant material, identifies pests, manages Agricultural Quarantine Inspection user fee funds, and provides training for agriculture specialists and canine handlers.
Department of the Interior's Fish and Wildlife Service (FWS)	FWS inspects wild, non-domestic animals and animal products to prevent the entry of injurious species into the United States. The agency receives questions and referrals for inspection of wildlife from CBP.
Department of Health and Human Services' Centers for Disease Control and Prevention (CDC)	CDC works to protect the United States from zoonotic diseases (diseases that may be transmitted from animals to humans under natural conditions), emerging diseases, and diseases with unknown causes by detecting and responding to contagious diseases at U.S. ports of entry. CDC collaborates with CBP to restrict importation of products that could be harmful to human health.
Department of Defense's (DOD) U.S. European Command and U.S. Transportation Command	DOD's U.S. European and U.S. Transportation Commands collaborate with CBP and APHIS to conduct preclearance inspections of personnel and cargo. Preclearance is conducted at the point of origin with a goal of reducing contraband and pest risk and expediting the movement of personnel and equipment to the United States.

Sources: GAO review of Memorandum of Agreement between CBP and APHIS and applicable laws for federal agency responsibilities. | GAO-21-471

Note: Imported food products are subject to Food and Drug Administration (FDA) inspection at U.S. ports of entry. FDA may detain shipments of products offered for import if the shipments are found not to be in compliance with U.S. requirements. Food products are defined by the Federal Food, Drug, and Cosmetic Act (21 U.S.C. §321(f)).

⁶According to CBP officials, agriculture specialists also work at 14 passenger preclearance stations in the following countries: Canada, Aruba, Bermuda, Bahamas, United Arab Emirates, and Ireland. These stations are located at airports to inspect travelers prior to boarding flights bound to the United States, allowing them to bypass CBP inspections upon arrival. Inspections at these foreign preclearance stations help to *identify or mitigate the risk of exotic pest introductions*.

Federal Agencies Follow an Agreement and Created a Task Force to Coordinate Inspections, but Could Improve Planning and Communication

CBP and APHIS coordinate inspections by following the 2003 memorandum of agreement that established each agency's responsibilities and through a joint task force the agencies created. The joint task force has a strategic plan that identifies priorities and strategic goals, but the plan is outdated. CBP has guidance to coordinate with FWS, and the agencies generally have a collaborative relationship at ports of entry, according to officials with both agencies, but instances of miscommunication have occurred in some circumstances.

CBP and APHIS Report a Positive Relationship as They Continue to Follow the 2003 Memorandum of Agreement on Inspections

CBP and APHIS officials told us the two agencies continue to follow the 2003 memorandum of agreement that established each agency's responsibilities on inspections. In addition, these officials said their staff work toward a good, collaborative working relationship. An appendix to the 2003 memorandum identifies a liaison from both agencies to share information, identify issues, and resolve problems. According to CBP officials, the agencies also coordinate through face-to-face and virtual meetings and workgroups on various issues. APHIS officials told us these meetings and workgroups allow for APHIS and CBP to engage in open discussion, look at big-picture policy objectives, and develop solutions. Similarly, CBP and APHIS inspectors at ports of entry told us the staff of both agencies generally have a good, collaborative working relationship.

CBP and APHIS Created a Joint Task Force to Coordinate Efforts, but Its Strategic Plan Is Outdated

CBP and APHIS created the CBP-APHIS Joint Agency Task Force (JATF) in 2007 to coordinate inspections between the two agencies.⁷ CBP and APHIS also created this task force in response to our 2006 recommendation that DHS and USDA adopt meaningful performance measures for assessing their efforts.⁸ In 2007, the JATF developed a report that outlined action plans for issues it would address. For example, the report included action plans for communication between the agencies, a training plan for inspectors, and a joint agency plan (i.e., a strategic plan).

The first and most recent JATF strategic plan was signed in September 2013 to cover fiscal years 2014 through 2019.⁹ This strategic plan outlines priorities, identifies strategic goals, and defines specific objectives for the two agencies. The plan has four key strategic goals that address, among other things, enhancing targeting and analysis for agricultural purposes and communication. For each goal, the strategic plan has from two to four objectives. For example, an objective for enhancing targeting and analysis is to refine and expand targeting (of certain agricultural products, for example). An objective for enhancing communication is to improve the integration of business processes (streamlining steps for timely day-to-day communication between the agencies, for example). FWS is not a part of the JATF but shares a memorandum of understanding with CBP for exchanging commercial trade and transportation data.

The JATF's plans for making updates to its strategic plan have been delayed. According to APHIS officials, renewal of the JATF strategic plan to cover the 2020–2024 period was initially delayed so task force members could participate in the 2020 International Year of Plant Health.

⁷The task force is referred to as the “APHIS-CBP Joint Task Force” in a 2007 task force report and “CBP-APHIS Joint Agency Task Force (JATF)” in a task force 2014–2019 strategic plan. For the purposes of this review, we refer to the task force as “CBP-APHIS Joint Agency Task Force (JATF).”

⁸GAO, *Homeland Security: Management and Coordination Problems Increase the Vulnerability of U.S. Agriculture to Foreign Pests and Disease*, [GAO-06-644](#) (Washington, D.C.: May 19, 2006).

⁹Department of Homeland Security and U.S. Department of Agriculture, *CBP-APHIS Joint Agency Task Force (JATF) Strategic Plan (2014–2019)* (Sept. 9, 2013).

According to these officials, at this conference they expected to gain important knowledge about international efforts to protect plant health and would then implement relevant policies in the renewed plan. The outbreak of the Coronavirus Disease 2019 (COVID-19) pandemic resulted in the delay of this conference and, subsequently, of drafting an updated plan. CBP and APHIS officials told us the JATF still plans to update the strategic plan.

Because of the delay in updating the strategic plan, the strategic plan currently in place, covering fiscal years 2014 through 2019, includes objectives that are no longer current. For example, one objective in the plan is to leverage new and advanced technology for pest detection and identification. CBP officials said the agency deployed new microscopes with digital image capabilities and because it took this action, considers the objective as completed. CBP officials said another objective, to refine and expand agricultural targeting, was also completed. According to CBP officials, the agency has, among other things, created a data analytics division to enhance its data analysis and agriculture targeting capabilities. CBP, which based completion on actions the agencies have taken, considers 10 of the 12 objectives in the 2014–2019 strategic plan as completed.

APHIS officials provided a slightly different interpretation of the status of the objectives for the 2014–2019 strategic plan. They said the objectives were broadly worded and could still apply. However, APHIS officials agreed that some projects related to those objectives are complete and noted that the objectives might be reframed or presented differently in the new plan.

The GPRA Modernization Act of 2010 requires that federal agencies update their strategic plans every 4 years. While this is not a requirement for the JATF’s strategic plan, GAO has previously reported that GPRA Modernization Act of 2010 requirements can serve as leading practices for strategic planning for federal agencies.¹⁰ Without updating the strategic plan, the plan’s objectives may not reflect the most current or urgent matters confronting CBP and APHIS.

In addition, the JATF has not reported on progress toward or time frames for the objectives identified in the 2014–2019 strategic plan. When we asked CBP officials whether the task force has a progress report for this

¹⁰[GAO-18-13](#)

plan, they told us the JATF is updating the strategic plan, but they did not have information on why JATF has not produced a progress report on the plan. The JATF has not completed a report since 2007. APHIS officials said that as the JATF meets to discuss the new strategic plan, it will discuss the items in the 2014–2019 strategic plan to determine which items have been completed and which items remain relevant.¹¹

After the creation of the JATF, the task force completed a report in June 2007 that outlined key issues, recommendations, measures for success, and challenges.¹² The JATF included an implementation plan in its 2014–2019 strategic plan. The JATF stated in this 2007 report that “a periodic review of progress and future needs is appropriate” and that the task force would develop a semi-annual progress report. In addition, we have previously found that reporting progress is part of a broader performance management process that includes identifying desired outcomes, measuring performance (and identifying gaps), and using this information to report on performance to external parties.¹³ As such, these types of progress reports can provide essential information to hold agencies accountable for achieving results.¹⁴

While APHIS officials said the JATF would discuss progress as part of the process of developing its new plan, a formal report would, as we previously noted, document progress and ensure accountability. By developing a performance or progress report for the 2014–2019 strategic plan, the JATF would ensure it documents the task force’s progress on achieving key shared objectives, and it would be able to use the information from the progress report to inform development of a new strategic plan. By continuing to develop periodic progress reports going forward, JATF would be better able to measure and report on the agencies’ performance in carrying out inspections.

¹¹APHIS and CBP officials met on March 24, 2021 for the first of several virtual meetings regarding a new JATF Strategic Plan, according to APHIS officials.

¹²Department of Homeland Security and U.S. Department of Agriculture, *Report of the APHIS-CBP Joint Task Force on Improved Agriculture Inspection* (June 2007).

¹³GAO, *Executive Guide: Effectively Implementing the Government Performance and Results Act*, [GAO/GGD-96-118](#) (Washington, D.C.: June 1, 1996).

¹⁴GAO, *Managing For Results: Enhancing Agency Use of Performance Information for Management Decision Making*, [GAO-05-927](#) (Washington, D.C.: Sept. 9, 2005).

CBP and FWS Coordinate at Ports of Entry but in Some Cases Face Communication Challenges

Guidance on communication between CBP and FWS includes job aids, which provide information on violation, detention, and seizure procedures, and Standard Operating Procedures, which may be specific to each port of entry. CBP guidance directs CBP inspectors to contact FWS when they encounter imported wildlife or endangered species products. In addition, each port of entry has protocols on whom to contact when the FWS point of contact is not available, according to CBP officials.

CBP and FWS officials we interviewed told us the agencies generally have a collaborative working relationship. For example, one CBP technician explained that FWS has been helpful with providing direction on whether to seize or return to the sender certain wildlife items, such as coyote pelts. FWS officials explained that they work closely with CBP when conducting special operations to prevent illegal smuggling of wildlife, such as sea turtle eggs, into the United States.

While CBP and FWS officials said the agencies have a collaborative relationship, we found that some CBP inspectors said they faced challenges in communicating with FWS. For example, some CBP inspection officials commented that communication with FWS could be challenging at ports of entry that do not have an assigned FWS inspector. CBP agriculture specialists and FWS inspectors are not physically present at all ports of entry. According to CBP and FWS officials, while CBP agriculture specialists are located at 186 ports of entry, FWS inspectors are located at 43 ports. In other examples described to us, communication with FWS became more difficult because an FWS inspector left the agency and the position was not filled. Other CBP officials commented that they work with an FWS inspector, but that person is not available at certain times and an alternate inspector is not available. Several other CBP inspectors commented that it can be difficult to reach FWS inspectors by phone.

Some CBP inspectors noted that these communication challenges can affect whether they work with FWS. For example, CBP inspectors from one port told us communication difficulties between the two agencies at ports of entry has resulted in FWS not inspecting some shipments containing wildlife. Specifically, these CBP inspectors said when they encounter wildlife products (such as deer meat) and the paperwork is either missing or incomplete, rather than trying to reach FWS inspectors,

who are often unavailable, they contact the game warden of the state in which their port of entry is located in order to make a timely decision about the imported wildlife.

In cases where CBP found it difficult to contact FWS, using the contact information for FWS alone was insufficient. FWS officials also indicated a concern about any incidents where there was poor communication and their inspectors were not involved in the inspection of wildlife products. CBP officials told us CBP supervisors at ports of entry are responsible for ensuring their inspectors follow CBP's guidance, which includes whom to contact at FWS. However, from the guidance we reviewed and the information CBP provided to us, we found that the most recent updates of the guidance ranged from 2009 to 2020. As previously stated, CBP inspectors told us that in some cases, they had difficulties contacting FWS using the contact information they were provided. Therefore, updated guidance with the most current FWS contact information and instructions on what to do if the assigned FWS inspectors are unavailable could address the issues inspectors identified. By reviewing or evaluating existing communication guidance and updating it where necessary, CBP could help address any gaps in communication between CBP and FWS inspectors at ports of entry.

CBP and APHIS Use a Risk-Based Approach to Meet Inspection Responsibilities, and CBP Officials Said Staffing Shortages Are a Challenge

CBP and APHIS use a risk-based approach to prioritize and conduct inspections of imported agriculture and meet their inspection responsibilities. The risk-based approach allows CBP to use staff to target specific commodities or countries of origin. However, carrying out inspections has been challenging, according to CBP officials, because CBP has fewer inspections staff than its staffing models recommend. In addition, some CBP agriculture specialists we interviewed provided perspectives about their working conditions and identified staffing as a

challenge; this concern was also reflected in the results of a 2019 OPM survey.¹⁵

Risk-Based Approach

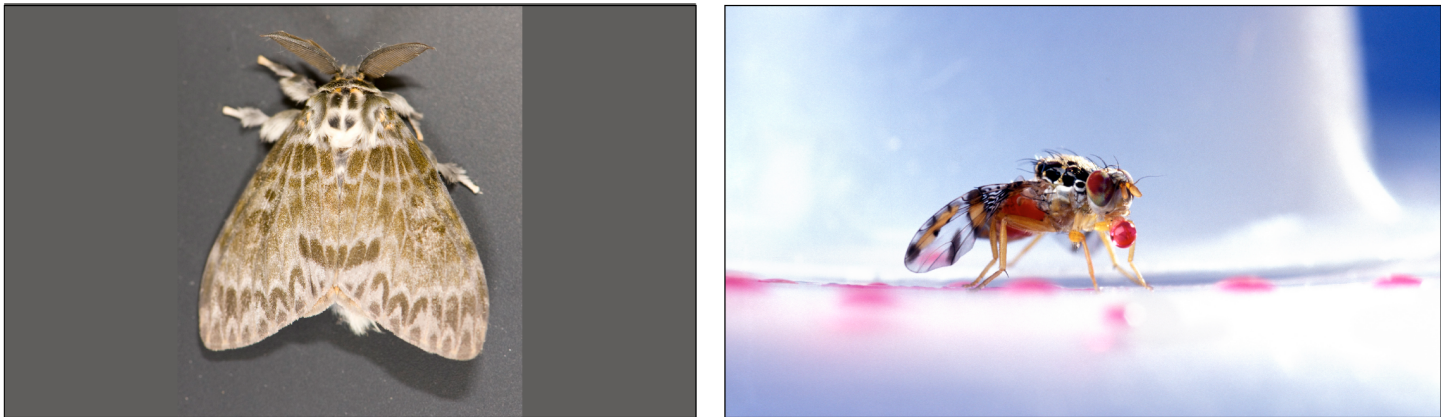
CBP and APHIS use a risk-based approach to conduct inspections at ports of entry. The agencies focus inspection activities on commodities with a higher risk of disease and pests, specific high-risk pests, or agricultural commodities imported from high-risk countries. CBP also uses this approach to determine which shipments are higher risk and require greater security against the introduction of pests into the United States. For example, CBP prioritizes inspecting shipments from countries where certain species that APHIS considers high risk originate. The Asian gypsy moth and Mediterranean fruit fly are two such species (see fig. 1). Asian gypsy moths can damage fruit trees and leave them susceptible to disease.¹⁶ According to CBP, in October 2020, CBP intercepted three Asian gypsy moth egg masses that contained hundreds of hatching eggs. The Mediterranean fruit fly can infest a wide range of commercial fruits, nuts, and vegetables and poses such a risk that APHIS restricts or prohibits the importation of certain commodities to prevent potential importation of the fly.¹⁷ For example, APHIS prohibited commercial shipments of and passenger baggage containing pomegranate arils (edible seeds of a pomegranate) from Peru into the United States in an effort to prevent the introduction of the Mediterranean fruit fly.

¹⁵Office of Personnel Management, *2019 Federal Employee Viewpoint Survey: Report by Agency* (Washington, D.C.: 2019).

¹⁶According to APHIS, the Asian gypsy moth has been detected in Washington, Oregon, Georgia, Oklahoma, and South Carolina, but has not yet been established in the United States. Establishment is the point at which a species becomes self-sustaining without additional human intervention.

¹⁷U.S. Department of Agriculture, Animal and Plant Health Inspection Service, *Federal Order: Suspension of Imports of Pomegranate Arils (Punica Granatum L.) from Peru due to Interceptions of Mediterranean Fruit Fly (Ceratitis Capitata)* DA-2018-19 (June 11, 2018).

Figure 1: Asian Gypsy Moths and Mediterranean Fruit Flies Pose Risks to Agriculture



Source: U.S. Department of Agriculture. | GAO-21-471

Note: Asian gypsy moth (left); Mediterranean fruit fly (right).

Staffing Model Results

CBP management officials said staffing levels are lower than their internal staffing models recommend. CBP officials told us they estimate their needs for agriculture specialists and other mission support staff using internal models such as the Agriculture Specialist Resource Allocation Model (AgRAM) and the Mission and Operational Support Resource Allocation Model (MOSRAM). CBP officials explained that AgRAM identifies the number of CBP agriculture specialists and other administrative support staff needed to adequately support the mission of APHIS's AQI program.¹⁸ (See appendix II for more information about the AQI program.)

According to CBP officials we spoke with, MOSRAM estimates a recommended number of mission support and technicians by linking workload to time spent to complete activities—in this case, agriculture support activities. CBP officials explained that the workload data that

¹⁸CBP explained to us that AgRAM considers both the legally mandated inspection of regulated cargo as defined by APHIS and the risk-based inspection of passengers and cargo. The AgRAM also utilizes APHIS data to determine the various work counts in all environments and incorporates animal health and plant pest risk levels as determined by USDA. The inclusion of pest risk data provided by USDA ensures sufficient staffing is allocated for inspection of high-, medium-, and low-risk commodities, passengers, and conveyances.

drive MOSRAM staffing recommendations are updated at the end of each fiscal year. According to CBP officials, these models show that the agency needs additional CBP agriculture specialists and technicians. For example, in July 2020, CBP officials stated that the agency would have 724 fewer agriculture specialists on staff than the AgRAM analysis recommended for fiscal year 2021.¹⁹

CBP officials said that within this overall number, some ports of entry experience greater staffing shortages than others because of the ports' unique setting (such as high cost of living or remote location). CBP officials also said the need for agriculture specialists at international airports temporarily declined in the past year because of COVID-19.

Impact of Staffing on Work Conditions

CBP officials said that because of the shortage of technicians, agriculture specialists have had to spend time conducting administrative tasks that a technician could do and spend less time on agriculture inspections. CBP officials also noted that during the COVID-19 pandemic, because of the decrease in air passengers, CBP shifted some agriculture specialists from air passenger inspections to other enforcement activities such as cargo inspection, mail inspection, and monitoring of compliance of import-related requirements.

In group interviews, nine of the 41 participating CBP inspectors identified staffing as a challenge to their working conditions. For example, some inspectors said that at some ports of entry, CBP lacks sufficient staff to conduct the necessary inspections and other related tasks (e.g., emailing agents, monitoring shipment schedules) when the volume of passengers and cargo increases during busier seasons. In addition, in OPM's 2019 Federal Employee Viewpoint Survey, an estimated 49 percent of CBP agriculture specialists responded negatively to the statement that they

¹⁹As of April 2021, CBP officials stated that the agency had about 2,600 agriculture specialists on staff.

had sufficient resources, and about 25 percent responded negatively to the statement that their workload was reasonable.²⁰

CBP officials told us that in the past, an increase in agriculture specialists resulted in an increase in the detection of violations. Similarly, CBP officials said that when the agency increased staff monitoring compliance of the proper disposal of garbage arriving from international flights, it detected double of the number of violations.

CBP inspectors also shared other challenges to their work conditions that did not relate to staffing, such as insufficient equipment (e.g., limited use of a vehicle and computers) and space for their canines to run and take breaks. In response to this statement, CBP officials said CBP augments port of entry budgets and its other operations with additional agriculture-centric funding. CBP officials said that in fiscal year 2020, the agency provided approximately \$650,000 for agriculture supplies and equipment. These officials also explained that CBP has been directed to reduce its government vehicle fleet while maintaining vehicles for port inspection activities, but that vehicles assigned to canine teams are exempt from this requirement.

APHIS Provides Training to CBP Inspectors but Delayed Training during the Pandemic

APHIS provides training to newly hired CBP agriculture specialists and canine handlers, but it was unable to train newly hired CBP agriculture specialists because of the COVID-19 pandemic and was unable to train CBP canine handlers for almost a year.

²⁰The 95 percent confidence intervals for these estimates are (45.2, 51.7) and (21.5, 27.8) respectively. The 2019 Federal Employee Viewpoint Survey measures employees' perceptions of whether, and to what extent, conditions characterizing successful organizations are present in their agencies. Agencies are to use this information to make strategic decisions about management. The survey includes several questions on performance management and dealing with poor performers. We used 2019 instead of 2020 survey results because 2020 data were not available when we made our request to OPM.

APHIS Provides Training to Some but Not All CBP Agriculture Staff

APHIS is responsible for providing training to CBP agriculture specialists and canine handlers to perform inspections. APHIS does not provide training to agriculture technicians because the work these staff conduct are not completely agriculture-specific. APHIS officials responsible for training told us the 2003 memorandum of agreement between DHS and USDA outlines the training APHIS provides to CBP (see table 2). For example, according to the 2003 memorandum, APHIS provides training for new agriculture specialists, basic canine officer training for agriculture canine teams, and biological security training for agriculture specialists, among other training courses.

Table 2: Animal and Plant Health Inspection Service (APHIS) Training Provided to U.S. Customs and Border Protection (CBP) for Inspections

CBP position	Training provided
Agriculture specialists	CBP agriculture specialists undergo 36 days of APHIS training on import and entry inspections at the Professional Development Center in Frederick, Maryland. In addition, agriculture specialists undergo 33 days of CBP training on non-agricultural-related CBP functions at the Federal Law Enforcement Training Center in Glynco, Georgia.
Agriculture technicians	APHIS does not provide training to agriculture technicians.
Canine handlers	CBP canine handlers undergo Agriculture Detector Dog Handler Training at the National Detector Dog Training Center in Newnan, Georgia. Canine handlers receive basic canine training, certification as a handler, and replacement training for new canines. Training occurs over 10 weeks for canine; 13 weeks for border, cargo and parcel; and 4 weeks for replacing a new canine. Only CBP agriculture specialists can hold the position of canine handler.

Source: GAO presentation of information from interviews with APHIS officials. | GAO-21-471

As previously stated, the 2003 memorandum of agreement did not include training for CBP agriculture technicians because CBP did not consider the work of technicians as completely agriculture-specific. At most ports of entry, agriculture technicians provide assistance to agriculture specialists by performing tasks such as data entry, passenger escort, transporting pests to APHIS, and organizing and inventorying equipment, according to CBP officials. CBP officials told us it was not necessary for APHIS to train the technicians because the technicians performed CBP functions only. CBP officials also told us technicians receive on-the-job training from CBP personnel such as trainers, managers, and agriculture specialists.

In our group interviews with agriculture specialists, canine handlers, and technicians, participants said they were generally satisfied with the training they received. In these group interviews, most participants who

had received training from APHIS within the last few years told us the training they received provided appropriate information for them to perform their job responsibilities. Most of these group interview participants also told us they would benefit from additional, ongoing training to enhance their abilities to perform their jobs. In OPM's 2019 Federal Employee Viewpoint Survey, when asked how satisfied they were with the training they received for their present job, an estimated 48 percent of CBP agriculture specialists and canine handlers who completed the survey responded positively, 22 percent were neutral, and 30 percent responded negatively.²¹

APHIS Delayed CBP Inspector Training

APHIS delayed training for many CBP agriculture specialists and canine handlers during fiscal year 2020 because of the COVID-19 pandemic but resumed training for canine handlers in February 2021, according to APHIS officials. Specifically, APHIS trainers planned a total of 10 academies (group of classes with the same cohort of students) for agriculture specialists and a range of training classes for canine handlers. However, officials said the pandemic forced the agency to postpone most of these academies and trainings. Table 3 shows the number of trainings APHIS planned, conducted, and postponed because of the pandemic in fiscal year 2020, according to APHIS officials.

Table 3: U.S. Customs and Border Protection (CBP) Agriculture Inspector Trainings Planned, Held, and Postponed in Fiscal Year 2020

Training status	CBP agriculture specialists	CBP agriculture canine handlers	
Planned	10 academies	Teams	46
		Supervisors	20
		Field trainers	40
Trained	3 academies (total 69 specialists)	Teams	8
		Supervisors	10
		Field trainers	20
Postponed	7 academies	Teams	38
		Supervisors	10
		Field trainers	20

Source: GAO presentation of APHIS training statistics. | GAO-21-471

²¹The 95 percent confidence intervals for these estimates are (44.0, 51.2), (19.7, 24.9), and (26.9, 33.4) respectively.

APHIS provided some CBP inspectors with training in fiscal year 2020 prior to the pandemic. APHIS officials said they held three training academies that trained a total of 69 agriculture specialists.²² Table 4 provides the total number of agriculture specialists and canine handlers hired and trained for fiscal years 2020 and 2021, according to CBP officials.

Table 4: Total U.S. Customs and Border Protection (CBP) Agriculture Inspectors Hired and Trained by Fiscal Year

	CBP agriculture specialists		CBP agriculture canine handlers	
	Hired	Trained	Hired	Trained
Fiscal year 2020	275	42	44	0
Fiscal year 2021	40	0	12	0
2-year total	315	42	56	0

Source: GAO presentation of CBP training statistics. | GAO-21-471

In August 2020, APHIS officials told us they had not provided virtual training to replace the postponed training. As a result, APHIS had not yet trained most (329) of the 371 agriculture specialists and canine handlers CBP hired in fiscal years 2020 and 2021. According to CBP officials, recently hired agriculture specialists who have not been trained cannot conduct inspections. Instead, recently hired agriculture specialists can provide assistance to trained agriculture specialists on administrative tasks such as data entry, attending meetings, and conducting inventories. Because airline traffic significantly decreased during the pandemic, CBP inspectors said the impact of having fewer inspectors at airports was minimal in 2020. However, CBP agency officials said the suspension of training resulted in agriculture specialists on duty having to cover inspections and other enforcement efforts that otherwise would have been covered by recently hired agriculture specialists. In addition, according to these officials, some locations have been reluctant to promote agriculture specialists to canine handlers because they would not be able to fill the vacated positions with trained agriculture specialists.

In November 2020, APHIS officials told us they were developing a plan to convert training from in-person to virtual. In March 2021, APHIS officials told us, in written responses, that they planned to deliver portions of the training virtually to agriculture specialists and canine handlers until USDA allowed in-person training to resume. APHIS conducted a pilot of a virtual training for its course on Regulatory Decision Making during December

²²APHIS officials told us in written responses that they trained a total of 144 agriculture specialist in fiscal year 2019.

2020 and January 2021. According to APHIS officials, 24 agriculture specialists participated in the pilot. These officials also said the agency plans to offer the Regulatory Decision Making course virtually every 5 weeks to train 396 agriculture specialists for fiscal year 2021. However, as of April 2021, APHIS had not resumed all of the training for agriculture specialists.

APHIS also plans to offer virtual courses for canine handlers, such as Agriculture Canine Field Trainer and Agricultural Detector Dog Team Supervisor Training, but cannot offer others virtually because those courses, especially for new hires, require in-person instruction. Courses such as New Agricultural Canine Handler and Replacement Agricultural Canine Handler training require in-person instruction because handlers learn how to work with canines, according to APHIS officials. APHIS officials told us they resumed in-person canine handler training at an alternate location in Georgia in February 2021 because this location had enough space to address COVID-19 safety concerns.

Conclusions

Federal inspections of imported agriculture, a shared responsibility among several agencies, are a key component in the federal effort to protect U.S. agricultural and natural resources. CBP, which takes the lead on inspections, generally has positive working relationships with APHIS, which sets inspection standards, and FWS, which provides expertise on imported wildlife. These positive relationships are, in part, due to a clear understanding of each agency's responsibilities for inspections outlined in memoranda of understanding and various agency guidance.

CBP and APHIS created the Joint Agency Task Force to enhance coordination of inspections and document the agencies' shared objectives. When they created the JATF, CBP and APHIS documented the task force's plan to periodically report on progress in reaching the objectives and develop semi-annual progress reports. However, the JATF has not reported on progress or time frames toward the objectives identified in its 2014–2019 strategic plan. Based on our previous work, progress reports can identify gaps and hold agencies accountable for achieving results. Periodic progress reports would help the JATF and external parties understand the current status of the task force's objectives and future needs. By developing a progress report for the 2014–2019 strategic plan, the JATF would ensure it documents its

progress on achieving key objectives and would provide information that can be used to update its strategic plan.

The current JATF strategic plan, covering fiscal years 2014 through 2019, is outdated. CBP officials told us the task force had taken actions to complete 10 of the 12 objectives in its 2014–2019 strategic plan, and APHIS officials told us these objectives could be reframed or presented differently in a new plan. By updating the strategic plan, the two agencies will help ensure their objectives reflect the most current or urgent matters on imported agriculture confronting CBP and APHIS.

CBP's coordination with FWS is supported by CBP's written guidance on communication at ports of entry, but we found incidents of poor communication between inspectors at some ports. In some cases, the CBP inspectors were unable to reach FWS using the contact information provided in their guidance. At one port, this issue led to CBP inspectors no longer coordinating with FWS when they encounter wildlife, an incident about which FWS officials expressed concern. CBP supervisors are responsible for ensuring inspectors at ports of entry have the information they need about how and with whom to contact on issues related to imported wildlife. Periodic reviews of the written guidance would help ensure the guidance has current contact information and includes instructions on how to proceed if the assigned FWS inspectors are unavailable, for example. Reviewing and updating the CBP guidance on communication could assist with stronger coordination on inspections of wildlife and wildlife products.

Recommendations for Executive Action

We are making a total of five recommendations, including three to CBP and two to APHIS. Specifically:

The Commissioner of CBP, in collaboration with the Director of APHIS, should report on the CBP-APHIS Joint Agency Task Force's progress in meeting its objectives for the 2014–2019 strategic plan, and develop periodic progress reports for future strategic plans. (Recommendation 1)

The Director of APHIS, in collaboration with the Commissioner of CBP, should report on the CBP-APHIS Joint Agency Task Force's progress in meeting its objectives for the 2014–2019 strategic plan, and develop periodic progress reports for future strategic plans. (Recommendation 2)

The Commissioner of CBP, in collaboration with the Director of APHIS, should update the CBP-APHIS Joint Agency Task Force Strategic Plan. (Recommendation 3)

The Director of APHIS, in collaboration with the Commissioner of CBP, should update the CBP-APHIS Joint Agency Task Force Strategic Plan. (Recommendation 4)

The Commissioner of CBP, with input from the Director of FWS, should review CBP's existing guidance on communication with FWS at U.S. ports of entry and update the guidance where necessary. (Recommendation 5)

Agency Comments

We provided a draft of this report to DHS, USDA, and the Department of the Interior for review and comment. DHS and USDA provided written comments, which are reproduced in appendixes III and IV, respectively. Both agencies stated that they concurred with all of our recommendations that pertained to them. DHS and USDA estimated that CBP and APHIS would develop a report on the JATF's progress in meeting its objectives by September 30, 2021, and a 2021-2026 CBP-APHIS Joint Agency Task Force Strategic Plan by December 31, 2021. In addition, DHS estimated that CBP would review and update, where necessary, its guidance on communication with the Department of the Interior's FWS by September 30, 2021. The Department of the Interior did not provide comments on the report.

We are sending copies of this report to the appropriate congressional committees, the Secretary of Agriculture, the Secretary of Homeland Security, the Secretary of the Interior, and other interested parties. In addition, the report is available at no charge on the GAO website at <https://www.gao.gov>.

If you or your staff have any questions about this report, please contact me at (202) 512-3841 or MorrisS@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix V.

A handwritten signature in black ink that reads "Steve D. Morris". The signature is written in a cursive, flowing style.

Steve D. Morris
Director, Natural Resources and Environment

List of Congressional Committees

The Honorable Debbie Stabenow
Chairwoman
The Honorable John Boozman
Ranking Member
Committee on Agriculture, Nutrition, and Forestry
United States Senate

The Honorable Gary C. Peters
Chairman
The Honorable Rob Portman
Ranking Member
Committee on Homeland Security and Government Affairs
United States Senate

The Honorable David Scott
Chairman
The Honorable Glenn Thompson
Ranking Member
Committee on Agriculture
House of Representatives

The Honorable Bennie G. Thompson
Chairman
The Honorable John Katko
Ranking Member
Committee on Homeland Security
House of Representatives

Appendix I: Objectives, Scope, and Methodology

This report examines federal coordination of responsibilities related to inspections of imported agriculture. Our objectives were to examine (1) how federal agencies coordinate responsibilities for inspection of imported agriculture entering the United States; (2) actions federal agencies planned or took to meet their inspection responsibilities since the enactment of the Protecting America's Food and Agriculture Act of 2019, and what challenges they face; and (3) training for CBP agriculture specialists, technicians, and canine teams since the enactment of the Protecting America's Food and Agriculture Act of 2019.¹ We compared our evidence on how federal agencies coordinate responsibilities for inspections with our prior work on performance measurement and strategic planning.² We also reviewed the GPRA Modernization Act of 2010 to assess the importance of updating strategic plans.³

This report focuses on the Department of Homeland Security's (DHS) U.S. Customs and Border Protection (CBP) and the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) because the agencies have direct responsibilities for the inspection of imported agriculture. We also included the Department of the Interior's Fish and Wildlife Service (FWS) because FWS has a role in coordinating with CBP to prevent the entry of injurious species through imported wildlife at ports of entry.

To address our objectives, we reviewed the Protecting America's Food and Agriculture Act of 2019, other relevant laws, agency strategic plans, agency budgets, and memorandums of agreement between agencies.

¹Pub. L. No. 116-122, 134 Stat. 143 (2020).

²GAO, *Managing For Results: Enhancing Agency Use of Performance Information for Management Decision Making*, [GAO-05-927](#) (Washington, D.C.: Sept. 9, 2005); GAO, *Homeland Security: Management and Coordination Problems Increase the Vulnerability of U.S. Agriculture to Foreign Pests and Disease*, [GAO-06-644](#) (Washington, D.C.: May 19, 2006); and GAO, *Coast Guard: Actions Needed to Enhance Performance Information Transparency and Monitoring*, [GAO-18-13](#) (Washington, D.C.: Oct. 27, 2017).

³The GPRA Modernization Act of 2010 requires that federal agencies update their strategic plans every 4 years. Pub. L. No. 111-352, §2, 124 Stat. 3866 (2011) (codified at 5 U.S.C. § 306(a)). GAO has previously reported that this act's requirements can also serve as leading practices for strategic planning in various areas within federal agencies.

The key memoranda of agreement were the 2003 memorandum of agreement between DHS and USDA and the 2015 memorandum of understanding between DHS and the Department of the Interior.

We conducted interviews with CBP, APHIS, and FWS officials and groups representing the farm industry, pork industry, and state agriculture departments. We selected these groups because they are knowledgeable about and offer diverse perspectives on the inspection of imported agriculture. Because our review occurred during the Coronavirus Disease 2019 (COVID-19) pandemic, all interviews were conducted by video or telephone. The engagement team also reviewed video footage of CBP agriculture specialists inspecting banana, pineapple, grape, and flower shipments and canine handlers inspecting airport baggage. GAO requested this footage from CBP to gain a better understanding of the agency's day-to-day agricultural inspection activities.

We also conducted nongeneralizable group interviews with agency staff working at ports of entry. Specifically, we conducted nine group interviews with CBP agriculture specialists, technicians, and canine handlers. CBP participants represented air, land, and sea ports of entry throughout the United States. For eight of the nine group interviews, we worked with CBP to select officials from the larger U.S. ports of entry. We defined "larger" by the total weight of agricultural products entering through sea ports, by value of agricultural products entering through land ports, and by the number of international passengers for airports. We also held one group interview with agriculture specialists from smaller ports of entry. We asked CBP to provide us with a combination of both new and experienced staff for each group interview. We met with a total of 25 agriculture specialists, 16 canine handlers, and five technicians.

We also conducted six group interviews with 43 APHIS officials. These group interviews included animal inspectors from three different ports of entry, plant inspectors, agriculture specialist trainers, canine handler trainers, budget officials, and pest identifiers. We selected these groups by working closely with APHIS management officials to obtain information about the most knowledgeable officials at ports of entry. In addition, we conducted one group interview with two FWS inspection officials and their supervisors.

To examine how federal agencies coordinate responsibilities for inspection of agricultural commodities entering the United States, we also reviewed the Report of the *APHIS-CBP Joint Task Force on Improved*

Agriculture Inspection (2007) and the CBP-APHIS Joint Agency Task Force Strategic Plan (2014–2019).

To examine actions federal agencies planned or took to meet their inspection responsibilities since the enactment of the Protecting America's Food and Agriculture Act of 2019 and what challenges they faced, we reviewed data on CBP agriculture specialists and canine handlers' responses to questions about their workload from the Office of Personnel Management's (OPM) 2019 Employee Viewpoint Survey.

To examine training for CBP agriculture specialists, technicians, and canine teams since the enactment of the Protecting America's Food and Agriculture Act of 2019, we reviewed written responses to our questions from APHIS regarding training and the agency's plans for virtual training. We also reviewed CBP position descriptions and APHIS training materials for agriculture specialists and canine handlers and reviewed data on CBP agriculture specialists and canine handlers' responses to questions about training in OPM's 2019 Employee Viewpoint Survey.

We conducted this performance audit from May 2020 to June 2021 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Appendix II: Impact of COVID-19 on the Agriculture Quarantine Inspection Program User Fee Collection

The U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service's (APHIS) Agriculture Quarantine Inspection (AQI) program has the mission of helping to protect U.S. agriculture from pests and diseases. Under this program, APHIS sets and collects user fees in connection with the arrival of international passengers, commercial vessels, trucks, aircraft, and railcars at ports of entry, among other things.¹ These "AQI user fees," along with annual appropriations, fund the AQI program.

A few weeks after the enactment of the Protecting America's Food and Agriculture Act of 2019, the President issued a number of proclamations suspending the entry of certain travelers from a number of countries as a result of the Coronavirus Disease 2019 (COVID-19) pandemic. According to APHIS officials, this resulted in a 98 percent reduction in international air passenger travel and a corresponding reduction in AQI user fees. For comparison, according to AQI user fee information provided to us by APHIS officials, from April 2019 through July 2019, AQI user fee collection reached nearly \$302 million. APHIS officials stated that in the same period in 2020, AQI user fees totaled \$162 million—roughly half that of the prior year.

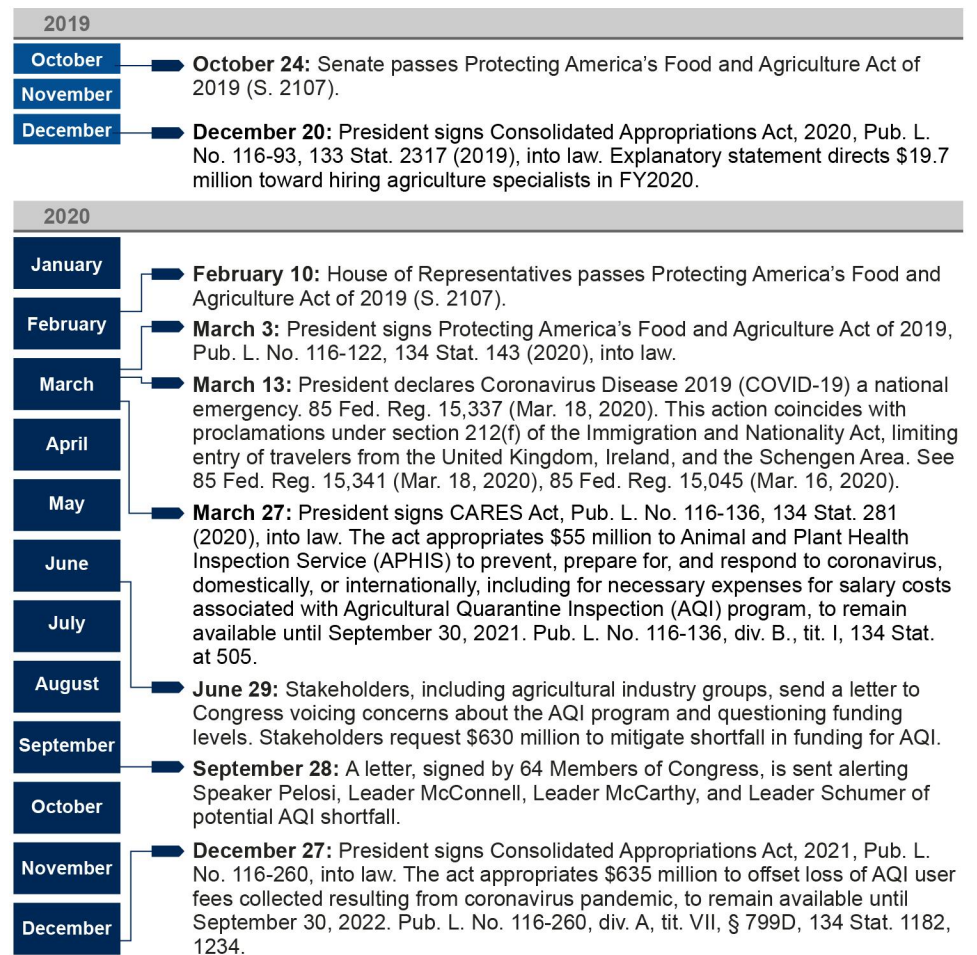
APHIS officials told us they initially estimated AQI user fees would be approximately \$845 million for fiscal year 2020. However, APHIS officials told us they collected \$591 million in AQI user fees for fiscal year 2020—\$254 million less than estimated. APHIS officials explained that during the COVID-19 pandemic, travelers whose flights were refunded because of COVID-19 also had the AQI user fee refunded. As a result, APHIS officials told us they returned about \$30 million in AQI user fees. To

¹Section 2509(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 authorizes APHIS to collect user fees for certain AQI services. Pub. L. No. 101-624, § 2509(a) 104 Stat. 3359, 4069 (codified at 21 U.S.C. § 136(a)).

**Appendix II: Impact of COVID-19 on the
Agriculture Quarantine Inspection Program
User Fee Collection**

address the shortfall that AQI user fee collection faced in fiscal year 2020, Congress appropriated \$635 million for fiscal year 2021 as part of the Consolidated Appropriations Act, 2021.² For a timeline of legislative actions related to inspections of imported agriculture during the 2019 and 2020 calendar years, see figure 2.

Figure 2: Legislative and Other Actions Related to Funding of Inspections of Imported Agriculture and Other Activities (2019–2020)



Sources: GAO review of legislation, APHIS documents, and stakeholder and congressional letters. | GAO-21-471

²Pub. L. No. 116-260, div. A, tit. VII, § 799D, 134 Stat. 1182, 1234 (2020).

Appendix III: Comments from the Department of Homeland Security

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



**Homeland
Security**

May 21, 2021

Steve D. Morris
Director, Natural Resources and Environment
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Re: Management Response to Draft Report GAO-21-471, "IMPORTED
AGRICULTURE: Updated Planning and Communication Could Enhance
Agency Coordination of Inspections"

Dear Mr. Morris:

Thank you for the opportunity to comment on this draft report. The U.S. Department of Homeland Security (DHS or Department) appreciates the U.S. Government Accountability Office's (GAO) work in planning and conducting its review and issuing this report.

The Department is pleased to note GAO's recognition of the critical role daily inspections of imported agricultural products have in preventing threats of invasive species from entering the country at U.S. ports of entry. The 2020 Asian gypsy moth egg mass interception is just one example of the many interceptions of critical invasive species resulting from the daily agriculture inspections of imported agricultural products performed by U.S. Customs and Border Protection's (CBP) Office of Field Operations (OFO) agriculture specialists.

DHS remains committed to safeguarding the United States against national and economic security threats, while also facilitating lawful trade and travel. Further, CBP will continue to collaborate with other federal agencies, such as the U.S. Department of Agriculture's Animal, Plant Health Inspection Service (APHIS), and the Department of the Interior's Fish and Wildlife Service (FWS), to conduct inspections of imported agriculture and to protect the nation's agriculture industry, economy, and ecology from the intentional and unintentional impact of invasive plants, animals, and insect species.

**Appendix III: Comments from the Department
of Homeland Security**

The draft report contained five recommendations, including three for DHS with which the Department concurs. Attached find our detailed response to each recommendation. DHS previously submitted technical comments addressing several accuracy, contextual, and other issues under a separate cover for GAO'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.

Sincerely,

JIM H
CRUMPACKER

Digitally signed by JIM H
CRUMPACKER
Date: 2021.05.21 09:06:03 -04'00'

JIM H. CRUMPACKER, CIA, CFE
Director
Departmental GAO-OIG Liaison Office

Attachment

**Attachment: Management Response to Recommendations
Contained in GAO-21-471**

GAO recommended that the Commissioner of CBP:

Recommendation 1: In collaboration with Director of APHIS, report on the CBP-APHIS Joint Agency Task Force's progress in meeting its objectives for the 2014-2019 strategic plan, and develop periodic progress reports for future strategic plans.

Response: Concur. CBP OFO Agriculture Programs and Trade Liaison (APTL) will continue meeting with APHIS on a weekly basis with the common purpose of achieving the 2014-2019 Joint Strategic Plan objectives, and will create a final report detailing the accomplishments in meeting these objectives. It is also important to note that, whereas the 2014-2019 plan did not set periodic progress reports, the new 2021-2026 plan will have progress reporting requirements embedded within the plan. Estimated Completion Date (ECD): September 30, 2021.

Recommendation 3: In collaboration with the Director of APHIS, update the CBP-APHIS Joint Agency Task Force Strategic Plan.

Response: Concur. CBP OFO APTL will continue meeting weekly with APHIS to create a 2021-2026 CBP-APHIS Joint Agency Task Force Strategic Plan, which will include progress reporting requirements. ECD: December 31, 2021.

Recommendation 5: With input from the Director of FWS, review CBP's existing guidance on communication with FWS at U.S. ports of entry and update the guidance where necessary.

Response: Concur. CBP OFO APTL will coordinate and collaborate with FWS to review existing interagency communication guidance and update, as necessary to ensure appropriate communication guidance is known and followed at U.S. ports of entry that receive importations of FWS products. ECD: September 30, 2021.

Agency Comment Letter

Text of Appendix III: Comments from the Department of Homeland Security

Page 1

May 21, 2021

Steve D. Morris
Director, Natural Resources and Environment
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Re: Management Response to Draft Report GAO-21-471, "IMPORTED AGRICULTURE: Updated Planning and Communication Could Enhance Agency Coordination of Inspections"

Dear Mr. Morris:

Thank you for the opportunity to comment on this draft report. The U.S. Department of Homeland Security (DHS or Department) appreciates the U.S. Government Accountability Office's (GAO) work in planning and conducting its review and issuing this report.

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DHS remains committed to safeguarding the United States against national and economic security threats, while also facilitating lawful trade and travel. Further, CBP will continue to collaborate with other federal agencies, such as the U.S. Department of Agriculture's Animal, Plant Health Inspection Service (APHIS), and the Department of the Interior's Fish and Wildlife Service (FWS), to conduct inspections of imported agriculture and to protect the nation's agriculture industry, economy, and

ecology from the intentional and unintentional impact of invasive plants, animals, and insect species.

Page 2

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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.

Sincerely,
Jim H. Crumpacker, CIA, CFE
Director
Departmental GAO-OIG Liaison Office

Attachment

Page 3

Attachment: Management Response to Recommendations Contained in GAO-21-471

GAO recommended that the Commissioner of CBP:

Recommendation 1:

In collaboration with Director of APHIS, report on the CBP- APHIS Joint Agency Task Force's progress in meeting its objectives for the 2014-2019 strategic plan, and develop periodic progress reports for future strategic plans.

Response: Concur. CBP OFO Agriculture Programs and Trade Liaison (APTL) will continue meeting with APHIS on a weekly basis with the common purpose of achieving the 2014-2019 Joint Strategic Plan objectives, and will create a final report detailing the accomplishments in meeting these objectives. It is also important to note that, whereas the 2014-2019 plan did not set periodic progress reports, the new 2021-2026 plan will have progress reporting requirements embedded within the plan. Estimated Completion Date (ECD): September 30, 2021.

Recommendation 3:

In collaboration with the Director of APHIS, update the CBP-APHIS Joint Agency Task Force Strategic Plan.

Response: Concur. CBP OFO APTL will continue meeting weekly with APHIS to create a 2021-2026 CBP-APHIS Joint Agency Task Force Strategic Plan, which will include progress reporting requirements. ECD: December 31, 2021.

Recommendation 5:

With input from the Director of FWS, review CBP's existing guidance on communication with FWS at U.S. ports of entry and update the guidance where necessary.

Response: Concur. CBP OFO APTL will coordinate and collaborate with FWS to review existing interagency communication guidance and update, as necessary to ensure appropriate communication guidance is known and followed at U.S. ports of entry that receive importations of FWS products. ECD: September 30, 2021.

Appendix IV: Comments from the U.S. Department of Agriculture



United States
Department of
Agriculture

Washington, DC
20250

Steve D. Morris, Director
Natural Resources and Environment
Government Accountability Office
2635 Century Parkway, Suite 600
Atlanta, Georgia 30345

May 18, 2021

Dear Director Morris:

The U.S. Department of Agriculture (USDA) appreciates the opportunity to respond to the U.S. Government Accountability Office (GAO) draft report "Imported Agriculture: Updated Planning and Communication Could Enhance Agency Coordination of Inspections", GAO Report GAO-21-471 dated June 2021. USDA appreciates GAO's recognition of our efforts to protect American agriculture and natural resources with our robust Agriculture Quarantine Inspection (AQI) program that aims to keep invasive pests out of the United States.

Since the creation of the Department of Homeland Security (DHS) in 2003, USDA Animal and Plant Health Inspection Services (APHIS) has worked closely with DHS Customs and Border Protection (CBP) to ensure the AQI program is robustly implemented at all US ports of entry. USDA and DHS have responded to numerous pest and port operations issues over the years, but nothing has compared to the past year responding to the COVID-19 pandemic and the substantial challenges it posed to international trade and travel. Through it all, USDA and DHS worked together to find innovative solutions and, most importantly, maintain safe trade so American consumers had access to agricultural products even during a global pandemic.

Although USDA and DHS have a strong working relationship, USDA agrees with the two GAO recommendations that more work needs to be done to document strategic planning efforts between USDA and DHS through reporting on past successes and developing a new joint strategic plan. In response to GAO recommendation #2, USDA commits to producing a 2014 - 2019 progress report by September 30, 2021, and producing annual progress reports on future strategic plans by December 31st of each year. Additionally, in response to GAO recommendation #4 suggesting a new strategic plan, USDA commits to developing a new 5-year joint strategic plan with DHS by December 31, 2021.

Thank you again for the opportunity to review and respond to the GAO draft report.

Sincerely,

A handwritten signature in blue ink, appearing to read "mae wu".

Mae Wu
Deputy Under Secretary
Marketing and Regulatory Programs

An Equal Opportunity Provider and Employer

Agency Comment Letter

Text of Appendix IV: Comments from the U.S. Department of Agriculture

Page 1

May 18, 2021

Steve D. Morris, Director
Natural Resources and Environment
Government Accountability Office
2635 Century Parkway, Suite 600
Atlanta, Georgia 30345

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Sincerely,

Mae Wu
Deputy Under Secretary
Marketing and Regulatory Programs
An Equal Opportunity Provider and Employer

Appendix V: GAO Contact and Staff Acknowledgments

GAO Contact

Steve D. Morris, (202) 512-3841 or MorrisS@gao.gov

Staff Acknowledgments

In addition to the individual named above, Tahra Nichols (Assistant Director), Allen Chan (Analyst in Charge), Sahar Angadjivand, Carl Barden, Kevin Bray, Lawrence Crockett, Andrew Furillo, Serena Lo, Corinna Nicolaou, Laurel Poolman, and Sara Sullivan made key contributions to this report. Kim Frankena, Kirk Kiester, Susanna Kuebler, and Sarah Veale also contributed to this report.

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