

December 2011

# BORDER SECURITY

## Additional Steps Needed to Ensure That Officers Are Fully Trained

U.S. Government Accountability Office

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Highlights of [GAO-12-269](#), a report to congressional requesters

## Why GAO Did This Study

Recent incidents involving potential terrorists attempting to enter the country highlight the need for a vigilant and well-trained workforce at the border. U.S. Customs and Border Protection (CBP), within the Department of Homeland Security, is the lead federal agency in charge of inspecting travelers and goods for admission into the United States. About 20,000 CBP officers play a central role in ensuring that CBP accomplishes its mission of securing the border while also facilitating the movement of millions of legitimate travelers and billions of dollars in international trade. GAO was asked to assess the extent to which CBP has (1) revised its training program for newly hired CBP officers in accordance with training standards and (2) identified and addressed the training needs of incumbent CBP officers. GAO analyzed data and documentation related to the agency's training efforts, such as its covert test program and its training records. GAO also interviewed CBP officials and CBP officers. This is a public version of a sensitive report that GAO issued in October 2011. Information CBP deemed sensitive has been redacted.

## What GAO Recommends

To improve CBP training efforts, GAO recommends that the CBP Commissioner evaluate the "Back to Basics" training course; analyze covert test results; establish a policy for training responsibilities, including oversight of training records; and, conduct a training needs assessment. CBP concurred with the recommendations and is taking steps to address them.

View [GAO-12-269](#). For more information, contact Richard M. Stana at (202) 512-8816 or [StanaR@gao.gov](mailto:StanaR@gao.gov).

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### Additional Steps Needed to Ensure That Officers Are Fully Trained

## What GAO Found

CBP revised its training program for newly hired CBP officers in accordance with its own training development standards. Consistent with these standards, CBP convened a team of subject-matter experts to identify and rank the tasks that new CBP officers are expected to perform. As a result, the new curriculum was designed to produce a professional law enforcement officer capable of protecting the homeland from terrorist, criminal, biological and agricultural threats. In addition, the curriculum stated that the CBP officer is to draw conclusions and take appropriate action to identify behavioral indicators displayed by criminals, effectively interview travelers to identify potential threats, identify fraudulent documents, and use technology in support of the inspection process.

CBP has taken some steps to identify and address the training needs of its incumbent CBP officers, but could do more to ensure that these officers are fully trained. GAO examined CBP's results of covert tests conducted over more than 2 years and found significant weaknesses in the CBP inspection process at the ports of entry that were tested. In response to these tests, CBP developed a "Back to Basics" course in March 2010 for incumbent officers but has no plans to evaluate the effectiveness of the training. Moreover, CBP has not conducted an analysis of all the possible causes or systemic issues that may be contributing to the test results. Further evaluation of the training and causes underlying covert test results could help inform CBP about whether the training is sufficient to address the weaknesses identified by the covert tests or if adjustments are needed. In addition, CBP offices are responsible for recording their employees' training records; however, CBP does not have a policy that assigns responsibility to port management to ensure that their staff enter data into its training records system completely and accurately. A policy outlining the roles and responsibilities of offices and positions for training could help clarify which offices and positions are responsible for identifying and addressing training needs and for holding these offices accountable for their responsibilities. Moreover, CBP currently does not have reliable training completion records to ensure CBP officers received required training or other training relevant to their assigned duties. Based on GAO's analysis of training records, more than 4,000 customs officers have not completed the immigration fundamentals, immigration law, and agricultural fundamentals courses, although they were required to complete them during a cross-training program. According to CBP, the training completion records are incomplete, and it is unlikely that the officers did not complete the required cross-training. Nevertheless, without reliable training records; CBP cannot provide reasonable assurance that all customs officers completed the required cross-training. Further, CBP has not conducted a needs assessment that would identify any gaps between identified critical skills and incumbent officers' current skills and competencies. A needs assessment could enhance CBP's ability to ensure its workforce is training to meet its mission.

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# Contents

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Letter		1
	Background	4
	CBP Revised Its Training for Newly Hired CBP Officers Consistent with Its Training Standards	11
	CBP Has Taken Steps to Identify and Address Incumbent Officer Training Needs but Could Do More to Improve Oversight	16
	Conclusions	25
	Recommendations for Executive Action	26
	Agency Comments and Our Evaluation	26
Appendix I	Customs and Border Protection Officer Staffing Policy and Specialized Teams	30
Appendix II	Mandatory and Specialized Courses for CBP Officers	32
Appendix III	Comments from the Department of Homeland Security	35
Appendix IV	GAO Contact and Staff Acknowledgments	38
Table		
	Table 1: Overview of OTD Training Development Standards	12
Figures		
	Figure 1: Percentage of Legacy Officers In the Workforce, Fiscal Year 2004 to July 16, 2011	6
	Figure 2: National Training Plan Expenditures for CBP Employee Training, Fiscal Years 2008 to 2011 (projected)	9
	Figure 3: Overview of Revised Training Program for Newly Hired CBP Officers	14
	Figure 4: Key CBP Offices and Positions Involved in Incumbent CBP Officer Training	19

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## Abbreviations

CBP	Customs and Border Protection
DHS	Department of Homeland Security
FDAU	Fraudulent Document Analysis Unit
FLETA	Federal Law Enforcement Training Accreditation
IA	Office of Internal Affairs
NTP	National Training Plan
OFO	Office of Field Operations
OPM	Office of Personnel Management
OTD	Office of Training and Development
SME	subject matter expert
TAB	Training Advisory Board
TRAEN	Training Records and Enrollment Network
VLC	Virtual Learning Center

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GAO

Accountability \* Integrity \* Reliability

United States Government Accountability Office  
Washington, DC 20548

December 22, 2011

### Congressional Requesters

The September 11, 2001, terrorist attacks, as well as recent incidents involving potential terrorists attempting to enter the country, highlight the need for a vigilant and well-trained workforce at the border. Since the creation of the Department of Homeland Security (DHS) in 2003, U.S. Customs and Border Protection (CBP)—a component within DHS—serves as the lead federal agency in charge of inspecting travelers and goods entering the United States at air, land, and sea ports of entry.<sup>1</sup> CBP officers, who number about 20,000, play a central role in carrying out this responsibility. A highly trained CBP officer corps is critical to ensure that CBP accomplishes its dual mission of securing the border by refusing attempted illegal entry to the United States and facilitating the cross-border movement of millions of legitimate travelers and billions of dollars in international trade. Since the creation of the CBP officer position in 2003 and the subsequent development of the original CBP officer basic training curriculum, the role of the CBP officer has involved increased emphasis on countering threats posed by terrorists and others attempting to fraudulently enter the country with altered or genuine travel documents.<sup>2</sup> As a result, CBP has revised its training to reinforce the law enforcement mindset within the CBP officer.

In 2007, we reported on vulnerabilities and inefficiencies in traveler inspections, including challenges ports of entry faced in delivering required training to CBP officers.<sup>3</sup> Specifically, we reported that CBP did not know the extent to which legacy officers had received required cross-

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<sup>1</sup>CBP consists of the following component offices: the Office of Air and Marine, the Office of Border Patrol, and the Office of Field Operations.

<sup>2</sup>The original CBP officer curriculum was launched in 2004 and subsequently revised in 2009.

<sup>3</sup>GAO, *Border Security: Despite Progress, Weaknesses in Traveler Inspections Exist at Our Nation's Ports of Entry*, [GAO-08-219](#) (Washington, D.C.: Nov. 5, 2007). For GAO products related to document security, see GAO, *Border Security: Security of New Passports and Visas Enhanced, but More Needs to Be Done to Prevent their Fraudulent Use*, [GAO-07-1006](#) (Washington, D.C.: July 31, 2007) and GAO, *Combating Terrorism: Additional Steps Needed to Enhance Foreign Partners Capacity to Prevent Terrorist Travel*, [GAO-11-637](#) (Washington, D.C.: June 30, 2011).

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training and whether newly hired officers were fully proficient in their required duties.<sup>4</sup> Therefore, we recommended that the agency develop data on cross-training to determine whether the officers received the required training. We also recommended that the agency incorporate specific tasks into the on-the-job training program for newly hired officers and measure officer proficiency in performing those tasks. CBP generally agreed with our recommendations and we discuss actions it has taken in response to these recommendations later in this report.

In this context, you asked us to assess the extent to which CBP has (1) revised its training program for newly hired CBP officers in accordance with its training standards since the launch of the curriculum in 2004 and (2) identified and addressed the training needs among incumbent CBP officers.

This report is a public version of the prior sensitive report that we provided to you. DHS deemed some of the information in the prior report as Sensitive Security Information (SSI), which must be protected from public disclosure. Therefore, this report omits sensitive information about the specific results related to CBP's covert testing. Although the information provided in this report is more limited in scope, it addresses the same questions as the sensitive report. Also, the overall methodology used for both reports is the same.

To address our first objective, we analyzed the process CBP followed to revise its curriculum for newly hired CBP officers against its Office of Training and Development (OTD) standards.<sup>5</sup> We reviewed and analyzed documents related to the design and implementation of the curriculum review process, including reports identifying the key job tasks for newly hired CBP officers and describing the curriculum review process, trainee evaluations of the former basic academy and pretest of the new basic academy, and other training-related documents. We interviewed relevant officials from the Office of Field Operations (OFO), OTD, and the Field

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<sup>4</sup>Legacy officers are former inspectors from the U.S Customs Service, the U.S. Immigration and Naturalization Service, and the U.S. Department of Agriculture.

<sup>5</sup>OTD standards are based in part on federal laws and regulations, including the Government Employees Training Act (5 U.S.C. §§ 4101-4120) and its implementing regulations (5 C.F.R. pt. 410), as well as Executive Order No. 11,348, 32 Fed. Reg. 6335 (Apr. 20, 1967), as amended ("Providing for the Further Training of Government Employees").

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Operations Academy who are responsible for designing and implementing the revised curriculum.

To address our second objective, we analyzed the results of CBP covert testing of document fraud<sup>6</sup> detection at ports of entry for the period April 2009 through August 16, 2011, and interviewed officials at the Office of Internal Affairs (IA) to understand the methodology of covert testing operations.<sup>7</sup> We assessed the reliability of the covert test data by verifying CBP's calculations of the covert test interdiction rate. We found these data to be sufficiently reliable for our purpose. We also analyzed relevant CBP training policies and procedures for incumbent officers, CBP course offerings for incumbent officers, and CBP's job task analysis that identifies the differences between the former and new basic academy training to identify possible incumbent officer training needs. We obtained and reviewed relevant data from CBP's Training Records and Enrollment Network (TRAEN) for the period 2004 through 2011, as well as supplemental data from OTD. We assessed the reliability of the TRAEN data by (1) interviewing knowledgeable officials about how training completion is documented, and how the completions are entered in TRAEN; (2) reviewing relevant documentation; and, (3) comparing TRAEN records to training completion records we obtained directly from select field offices. We determined the TRAEN data were not sufficiently reliable to demonstrate CBP officer training completion and training needs, as discussed later in this report. Further, we interviewed OFO and OTD officials on CBP efforts to address any identified training needs and compared these efforts with OTD training standards. To assess CBP policies for tracking, overseeing, and evaluating incumbent officer training, we interviewed officials at the OFO Training branch, the Office of Field Programs, the Office of Passenger Admissibility, and Passenger Programs, including the Fraudulent Document Analysis Unit (FDAU) and the Enforcement Policy office.

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<sup>6</sup>For the purpose of the tests, CBP used travel documents that in part or in whole have been altered, counterfeited, stolen, presented by someone other than the rightful holders, or who received it by legitimate means through misrepresentation. According to IA, CBP focused their tests on genuine documents that were presented fraudulently in all of the covert tests except two which used counterfeit documents.

<sup>7</sup>CBP covert tests of document fraud inspections began in April 2009 and are ongoing. We selected August 16, 2011, due to the end of our data collection period.

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We also visited three ports of entry—John F. Kennedy International Airport, Laredo land port, and Dallas-Fort Worth International Airport—during January and February 2011 to observe CBP officer inspections and to interview CBP officers and port management regarding incumbent CBP officer training and inspection policies and procedures. We selected John F. Kennedy International Airport and Dallas-Fort Worth International Airport because of the large volume of international passenger traffic going through these airports. We selected Laredo land port because the postacademy course was piloted at this port of entry. Our observations helped us understand CBP officer passenger inspections. We also interviewed officials with training-related responsibilities at CBP headquarters, the New York field office, and three land ports of entry we visited— John F. Kennedy International Airport, Laredo land port, and Dallas-Ft. Worth International Airport. Our observations from these visits and interviews are illustrative and provide insights but are not generalizable to all ports of entry across the country.

The scope of our review was limited to training provided to all CBP officers who serve in the passenger environment at ports of entry with an emphasis on passenger admissibility. It did not include training on customs procedures, radiation detection or training provided to those CBP officers who serve as canine specialists, or those who may serve in the cargo environment.

We conducted this performance audit from December 2010 to December 2011, 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.

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## Background

CBP is the lead federal agency charged with interdicting terrorists, criminals, and inadmissible travelers at ports of entry while facilitating the flow of legitimate travel and commerce at the nation's borders. In March 2003, inspectors from the three legacy agencies—the Department of Justice's U.S. Immigration and Naturalization Service, the Department of the Treasury's U.S. Customs Service and the Department of Agriculture's Animal and Plant Health Inspection Service—were merged to form CBP. As part of the merger, CBP cross-trained CBP officers to simultaneously perform immigration and customs inspection functions as well as identify and refer possible agricultural violations for further inspection. DHS stated

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that the ability to use inspectors interchangeably for immigration and customs inspection functions would allow the agency to more effectively use its personnel and accelerate the processing of legitimate travelers, thereby enabling CBP to more effectively enhance efforts to secure the border. OFO—one of the CBP component offices—manages and deploys CBP officers who operate within 20 field offices, and 329 ports of entry composed of airports, seaports, and designated land ports of entry throughout the United States plus selected locations overseas.<sup>8</sup>

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## Staffing, Budgeting, and Training

As of July 2011, nearly 20,000 CBP officers operated at U.S. ports of entry and other locations overseas. The total number of onboard CBP officers peaked in fiscal year 2009 at 21,339 but declined in fiscal years 2010 and 2011 to 20,431.<sup>9</sup> According to OFO, the decline in the onboard number of CBP officers is due, in part, to a decline in traveler volume resulting in a decline in collected user fees that fund CBP officers located at airports and seaports.<sup>10</sup> At the end of fiscal year 2004, there were about 18,000 CBP officers, the majority of whom were legacy officers from the Department of Treasury's U.S. Customs Service, followed by legacy officers from the Department of Justice's U.S. Immigration and Naturalization Service and the Department of Agriculture's Animal and Plant Health Inspection Service. Since fiscal year 2007, the total number of legacy officers has declined. As of July 2011, 45 percent of the CBP officer workforce was comprised of legacy officers. Since fiscal year 2007, the annual attrition rate of legacy officers has declined from 6.5 percent to 2.4 percent in fiscal year 2010. Figure 1 illustrates the percentage of legacy CBP officers compared to the total CBP officer workforce over time.

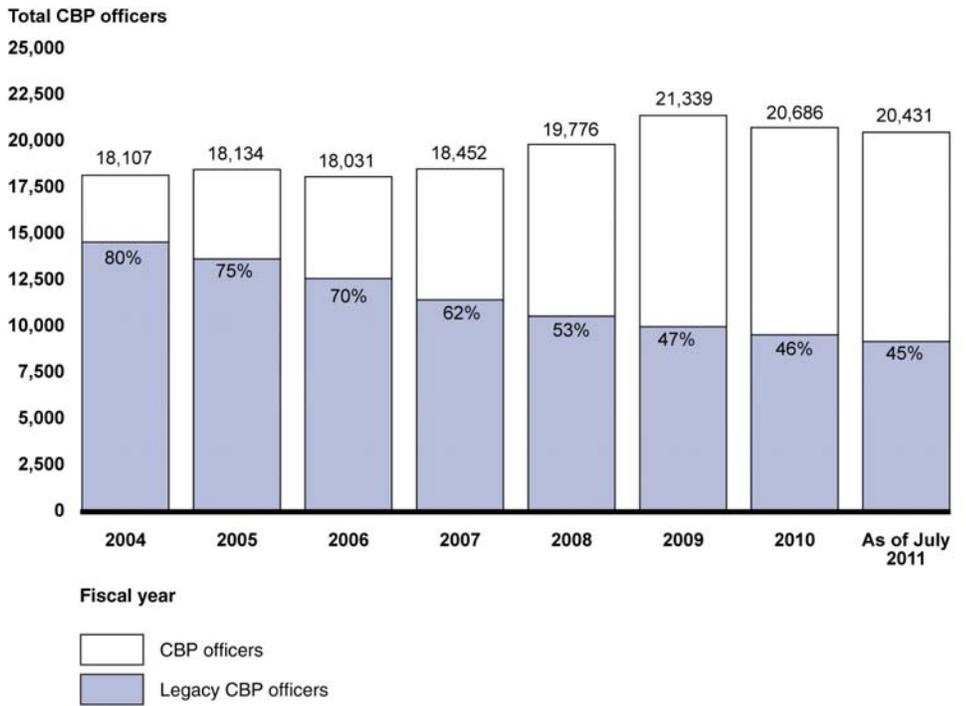
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<sup>8</sup>CBP also has preclearance operations at 15 international ports in Aruba, Bahamas, Bermuda, Canada, and Ireland, where travelers are processed for advance approval to enter the United States prior to departure from the respective airport.

<sup>9</sup>As of July 16, 2011, approximately 1 percent of CBP officers worked in CBP offices other than the Office of Field Operations.

<sup>10</sup>CBP collects user fees to recover certain costs incurred for processing, among other things, air and sea passengers; and various private and commercial land, sea, air, and rail carriers and shipments. These fees were created by the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) and are deposited into the Customs User Fee Account. CBP also receives appropriations, including a Salaries and Expenses appropriation. To pay for certain expenses, it reimburses its salaries and expenses appropriation from its COBRA collections.

**Figure 1: Percentage of Legacy Officers In the Workforce, Fiscal Year 2004 to July 16, 2011**



Source: CBP data.

### CBP Officer Responsibilities for Passenger Inspections

CBP officer responsibilities for passenger inspection are primarily focused at the primary and secondary inspection areas at ports of entry. In the primary inspection area, CBP officers are expected to rapidly analyze passenger admissibility by sufficiently questioning the passenger, examining the passenger’s travel documents, and using appropriate technology to identify those passengers that can be immediately admitted into the United States or need to be referred to a secondary inspection area for a more thorough inspection, if necessary. Specifically, CBP officers in the primary inspection area are expected to first examine travel documents by comparing the document to the passenger and then ask questions to confirm the identity of the traveler. They also may inspect travelers’ luggage. CBP officers who serve in the secondary inspection area conduct closer inspection of travel documents and possessions and can use multiple law enforcement databases to verify the traveler’s identity, background, and purpose for entering the country. CBP officers may also serve in specialized teams to support the inspection functions at

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the ports of entry. For example, CBP established the Passenger Analysis Unit team, which is responsible for cross-checking passenger data in automated systems to identify high-risk passengers before they enter the country. Appendix I provides more detail on CBP officer staffing policy and OFO specialized teams.

### CBP Training Responsibilities

OFO is to coordinate with OTD to ensure that component training complies with OTD training standards. In the case of CBP officers, OFO and OTD share responsibility for ensuring that newly hired and incumbent CBP officers are sufficiently trained. OTD is responsible for designing, developing, delivering, and evaluating CBP-wide training courses and establishing training standards and policies for the program, while OFO is responsible for identifying the training requirements of CBP officers, providing subject-matter experts to assist in the development and instruction of some training courses, and reviewing training that is developed. OFO established a training branch in 2003 to serve as a liaison between OTD and OFO. OFO also established FDAU in 2005, which performs analyses of fraudulent documents that have been seized to identify global patterns and trends. FDAU is to provide training and training materials to enhance CBP officers' abilities to detect fraudulent documents and thereby increase the number of interceptions through the sharing of information within CBP and DHS and with other U.S. and foreign government agencies.

OTD is also responsible for overseeing and managing the CBP training budget, known as the National Training Plan (NTP), and prioritizing training development and delivery via the Training Advisory Board (TAB).<sup>11</sup> Also, OTD developed and manages the Virtual Learning Center (VLC) where CBP officers can take self-paced courses on a variety of topics.<sup>12</sup> Further, OTD operates and manages basic and advanced training schools for CBP officers. Specifically, OTD operates the Field Operations Academy, which trains and prepares newly hired CBP Officers for deployment to U.S. ports of entry. OTD is responsible for managing and overseeing CBP's official training records system, Training

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<sup>11</sup>TAB is comprised of the Deputy Commissioner and the Assistant Commissioners from CBP offices, such as OTD, Office of Administration, OFO, Office of Border Patrol, Office of Air and Marine and Human Resources Management. The TAB is responsible for ensuring that training requirements are identified and prioritized so that CBP resources are matched to the component agency's priority needs.

<sup>12</sup>According to OTD officials, there are over 2,000 courses on the VLC.

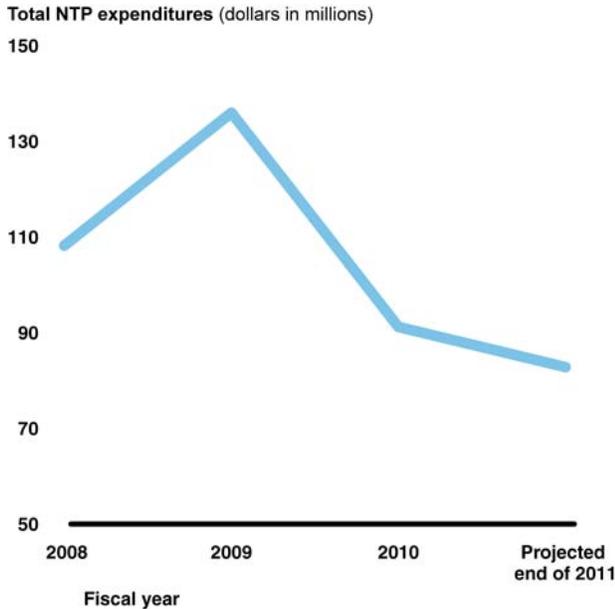
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Records and Enrollment Network (TRAEN), and the Academy Course Management System, a training scheduling and tracking system that OFO uses to monitor newly hired CBP officers' successful completion of basic training. Each year, OTD is to request that the CBP offices provide a list of specific training courses and the approximate number of participants they would like to send to training. OTD is to compile these requests and present them to TAB, which is to review and prioritize the courses to be delivered that year. In addition, TAB approves the total NTP budget amount for each fiscal year. On the basis of the Board's priorities, OTD is to develop the NTP budget for the fiscal year and is also responsible for monitoring the delivery of the training and managing the NTP budget during the year. The NTP budget funds the delivery of training for all CBP offices—including training for OFO—for a single fiscal year. In fiscal year 2009, CBP training expenditures peaked due, in part, to receipt of supplemental funding to hire and train CBP officers and Border Patrol agents. Since fiscal year 2009, CBP's NTP budget expenditures have declined due to increasing budget constraints. Figure 2 displays CBP's actual NTP budget expenditures from fiscal years 2008 through 2010 and its projected end-of-year expenditures for fiscal year 2011. OFO has also funded the development and delivery of its own training courses for CBP officers when they have not received funding from the NTP.<sup>13</sup>

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<sup>13</sup>In fiscal year 2007, OFO spent about \$1.1 million on the development of the fraudulent document examination course and other courses which, at the time, were not funded by the NTP. OFO's expenditures for training courses have declined as the courses have been funded by the NTP budget.

**Figure 2: National Training Plan Expenditures for CBP Employee Training, Fiscal Years 2008 to 2011 (projected)**



Source: CBP data.

IA has oversight authority for all aspects of CBP operations, personnel, and facilities. IA is responsible for ensuring compliance with all CBP-wide programs and policies and operates a covert test program to ensure compliance. Following the issuance of the results of our covert tests of border security in May 2008,<sup>14</sup> CBP initiated covert tests to evaluate CBP's capabilities to detect document fraud. Specifically, CBP focused its tests on evaluating CBP's detection of impostors, or individuals who attempt to enter the United States fraudulently by using a genuine, unaltered travel document that belongs to another person. CBP also continued covert tests to detect cargo containing illicit radioactive

<sup>14</sup>GAO, *Summary of Covert Tests and Security Assessments for the Senate Committee on Finance, 2003-2007*, [GAO-08-757](#) (Washington, D.C.: May 2008). This report summarizes our findings of covert test and security assessment work performed for the Senate Finance Committee and reported at hearings from January 2003 to September 2007. Specifically, we concluded that terrorists could use counterfeit identification to pass through most of the tested ports of entry with little chance of being detected.

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## CBP Officer Training

material, among others.<sup>15</sup> OFO uses these ongoing test results to identify potential training needs.

All newly hired CBP officers are required to complete a basic training program and demonstrate proficiency in CBP officer duties. Incumbent CBP officers are required to take mandatory courses such as information technology security, occupational safety, and human trafficking awareness, among others. CBP provides most mandatory courses on a one-time or annual basis via the VLC. OFO has mandatory course requirements, such as fraudulent document detection, and has also developed specialized courses for incumbent officers assigned to specialized teams. However, CBP does not require that all CBP officers assigned to specialized teams complete the specialized training developed for that team. According to OFO, management must balance the operational needs of the port with the availability of the training. Appendix II lists examples of mandatory and specialized courses for CBP officers for fiscal year 2011.

As we previously reported, in 2003, CBP initiated a multiyear cross-training program to equip new and legacy officers with the tools necessary to perform primary immigration and customs inspections, and sufficient knowledge to identify agricultural inspections in need of further examination.<sup>16</sup> CBP required all legacy customs officers complete three courses—covering immigration fundamentals, immigration law, and agriculture fundamentals—regardless of where they were assigned. All legacy immigration officers were required to complete three courses—customs fundamentals, customs law, and agriculture fundamentals—regardless of where they were assigned. Further, based on their assignment, legacy officers were required to complete additional courses specific to their assignment and port environment. In June 2011, CBP officially retired the cross-training courses and replaced them with revised modules. OFO instructed managers, supervisors, and training officers to use these new materials as refresher training for officers who transfer to a

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<sup>15</sup>CBP previously conducted covert tests of radioactive material detection from April 2007 through August 2008. CBP conducted 28 tests at 22 of the nation's busiest seaports of entry. CBP has designated the results of these tests as Sensitive Security Information (SSI).

<sup>16</sup>GAO, *Border Security: Despite Progress, Weaknesses in Traveler Inspections Exist at Our Nation's Ports of Entry*, [GAO-08-219](#) (Washington, D.C.: Nov. 5, 2007).

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new assignment or environment or who return to inspection duties after an extended absence.

## CBP Training Standards

CBP has prepared training development standards for all CBP training programs and courses to ensure that training delivered to CBP employees meets established quality standards of instruction and evaluation. OTD standards are based, in part, on federal laws and regulations, which require agencies to establish training programs that support their mission and meet specified standards, including identifying training needs, prioritizing these needs, and evaluating the results of training programs and plans.<sup>17</sup> Also, CBP develops and revises its basic training for new CBP officers to meet Federal Law Enforcement Training Accreditation (FLETA) standards, which provide law enforcement agencies with an opportunity to voluntarily demonstrate that they meet an established set of professional standards and receive appropriate recognition. Finally, Standards for Internal Control in the Federal Government provide criteria for the management and oversight of agency operations, including training programs.<sup>18</sup>

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## CBP Revised Its Training for Newly Hired CBP Officers Consistent with Its Training Standards

In 2009, CBP revised its training program for new officers in accordance with its training development standards. These standards are based on legal standards that guide the development of training in the federal government and standards that guide federal law enforcement training.<sup>19</sup> OTD standards also contain specific guidance related to the following phases: (1) planning, (2) analysis, (3) design, (4) development, (5) evaluation, and (6) delivery of the course curriculum, which CBP adhered to in revising its training program. Table 1 provides an overview of the

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<sup>17</sup>Relevant federal laws and regulations include the Government Employees Training Act (5 U.S.C. §§ 4101-4120); Executive Order No. 11,348, 32 Fed. Reg. 6335 (Apr. 20, 1967), as amended; and 5 C.F.R. pt. 410. See also 5 C.F.R. pt. 330 (providing general guidelines for federal agencies on recruitment, selection, and placement); 29 C.F.R. pt. 1607 (providing uniform guidelines for the federal government on developing employee selection procedures that comply with federal antidiscrimination laws).

<sup>18</sup>Internal control standards provide a framework for agencies to achieve effective and efficient operations and ultimately to improve accountability. See GAO, *Standards for Internal Control in the Federal Government*, GAO/AIMD-00-21.3.1 (Washington, D.C.: November 1999).

<sup>19</sup>These standards include 5 C.F.R. pt. 410 and 29 CFR pt. 1607, and FLETA accreditation standards.

OTD training development phases and related standards and our assessment of how CBP efforts met these standards in revising its training for newly hired officers.

**Table 1: Overview of OTD Training Development Standards**

Training development phases and related standards	Was standard met?
<b>Planning</b> —This phase involves the development of required documents necessary to initiate a training effort that adheres to FLETA Standards, including updating and validating the curriculum every 3-5 years.	Yes
<b>Analysis</b> — This phase of curriculum development involves convening a panel of subject matter experts identifying the needs, evaluating content, defining the target audience, and identifying the critical job tasks.	Yes
<b>Design</b> —This phase requires the development of course goals, lesson objectives, and specific skills and knowledge the trainee will obtain. It also includes identifying the appropriate delivery method and location.	Yes
<b>Development</b> —This phase involves the process of creating and submitting draft and final course materials, including gathering and organizing course content by removing redundant or unnecessary information and dividing the content into a logical structure of lessons and topics.	Yes
<b>Evaluation</b> – This phase involves determining training effectiveness. This also includes delivering the pilot course in a controlled environment and ensuring that the curriculum is aligned with the agency mission.	Yes
<b>Delivery Considerations</b> – This phase involves the delivery of the pilot course as well as the final acceptance of training materials.	Yes

Source: GAO analysis of CBP information.

OTD standards state that the training curriculum should be current, valid, and updated once every 3 to 5 years. CBP began the process of revising its training for new officers in 2009 after the initial launch of the CBP Officer curriculum in 2004, consistent with OTD standards for updating the training curriculum every 5 years. OTD, as well as other federal law enforcement training standards, state that programs should first identify the critical tasks that the individual is expected to perform in order to determine what training is needed. Consistent with these standards, OTD convened a team of subject matter experts (SMEs) to identify and rank the tasks that new CBP officers are expected to perform.<sup>20</sup> The team

<sup>20</sup>The team of subject-matter experts consisted of CBP officers from field locations and the training unit staff from the CBP Field Office Academy, the U.S. Department of Agriculture, and the OFO and OTD Headquarters Offices, including the OTD Research and Evaluation Branch.

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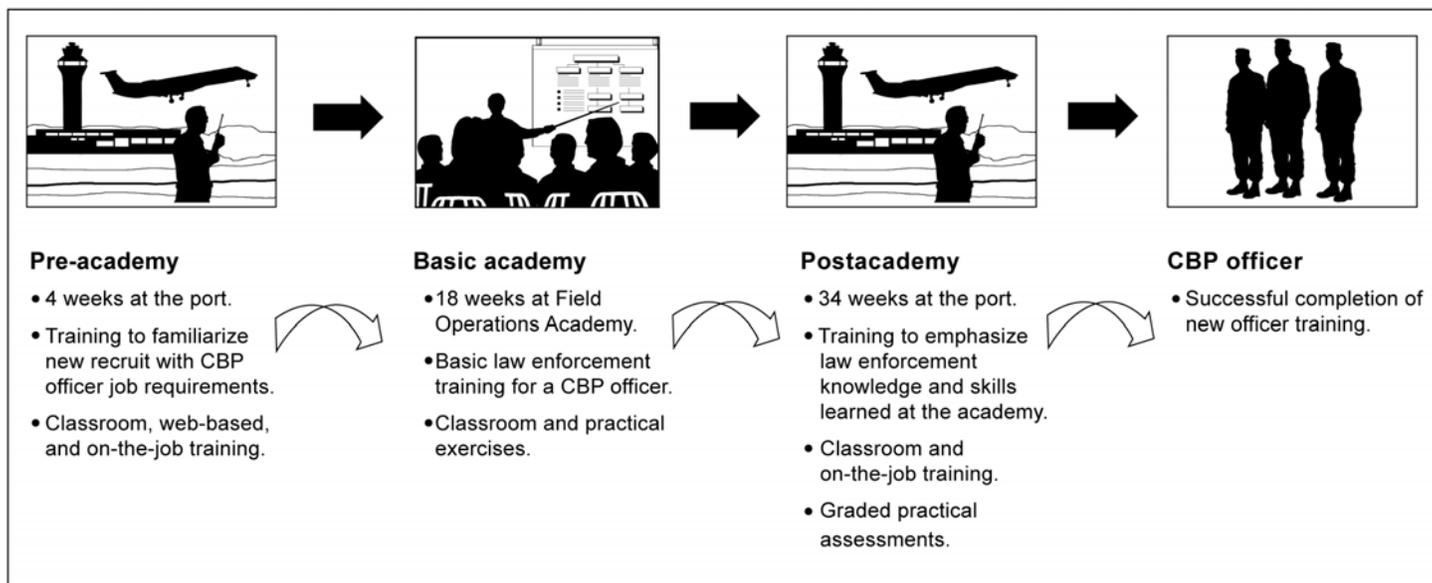
identified a total of 138 critical tasks that newly hired CBP officers are expected to perform within the first 2 years of employment. These included conducting thorough and accurate research to support inspections and investigations, and preparing thorough and accurate reports covering significant incidents and intelligence. Once the tasks were identified, the panel of SMEs compared the identified tasks to the tasks addressed in the existing curriculum to identify any skill gaps. OTD then developed specific courses with appropriate lessons and topics to ensure that these tasks were addressed in the new curriculum. For example, new modules on evidence preservation and secondary report writing were incorporated in the revised curriculum to address identified officer skill gaps in handling evidence and writing. Consistent with the OTD standard that requires a test run of a complete and approved course in a controlled environment by selected individuals representing the course's learning audience, the new CBP officer curriculum was piloted to test its content and delivery prior to its launch in February 2011. As a result, the new officer training program course was expanded from about 15 to 18 weeks and approximately 30 to 35 percent of the new officer curriculum is new or updated and expanded. Thus, the new officer training program complies with OTD's standards that state the training curriculum should be current and valid.

OTD internal training standards also state that the training should be aligned with the current agency mission and current threats. According to OFO and OTD officials, the previous CBP officer curriculum focused primarily on preparing the officer to serve in the primary inspection function at a port. The SME panel recommended that the new officer curriculum be revised to produce a law enforcement officer capable of supporting CBP's expanding antiterror mission. As a result, the new curriculum is designed to produce a professional law enforcement officer capable of protecting the homeland from terrorist, criminal, biological, and agricultural threats. Specifically, the new curriculum states that the CBP officer is expected, among other tasks, to draw appropriate conclusions and take appropriate action to identify behavioral indicators displayed by criminals and terrorists, effectively interview and analyze travelers to identify potential threats, expertly identify altered and counterfeit documents and impostors, and use technology in support of the

inspection process.<sup>21</sup> Upon completion of training, the newly hired CBP officer is expected to be able to perform the primary inspection function, as well as some aspects of the secondary inspection function.

OTD standards also state that it is important to identify the appropriate delivery method and location. In accordance with these standards, CBP determined that the training for new CBP officers would be divided into three components as shown in figure 3.

**Figure 3: Overview of Revised Training Program for Newly Hired CBP Officers**



Source: GAO analysis of CBP data; images from Art Explosion.

Pre-academy—According to OFO officials, the pre-academy component helps educate incoming CBP officers of job responsibilities before the agency commits the funds to send them to the Field Operations Academy in Glynco, Georgia, for basic training. OFO officials also stated that the

<sup>21</sup>Specifically, the CBP officer is to correctly apply relevant laws to travelers and merchandise entering and leaving the country; employ nonintrusive technology to detect and deter terrorist and criminal activity; conduct thorough and accurate research to support inspections and investigations; prepare thorough and accurate reports covering significant incidents and intelligence; and use intelligence information and trends to identify high-risk travelers and cargo, among other duties.

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pre-academy curriculum is structured because it recommends that a fixed curriculum be completed in a specific amount of time. Also, it contains a mix of classroom instruction and web-based courses to familiarize incoming CBP officers with the specific requirements of the law enforcement and inspections job, thereby helping to ensure that the pre-academy training is consistent throughout the nation.

Basic academy—The SME panel recommended that the curriculum include intensified training to enhance officer vigilance and awareness through interview training, behavior analysis training to discern passenger behavior, report writing training, and training to detect fraudulent documents, among others. In addition, CBP increased the amount of time devoted to practical exercises in response to comments made by newly hired officers during pilot testing. For example, exercises in the passenger processing module increased from 11 hours in the old curriculum to 33 hours in the revised curriculum. The revised curriculum was designed to enhance an officer's ability to

- identify behavioral indicators displayed by terrorists and criminals;
- effectively interview and analyze travelers to identify potential threats;
- expertly identify altered and counterfeit documents and impostors; and
- use technology (including computers and other resources) in support of the inspection process.

Postacademy—In 2007, we reported that although CBP had issued guidance for on-the-job training of new CBP officers, CBP had difficulty in providing the training in accordance with the guidance.<sup>22</sup> We recommended that CBP incorporate the following into its on-the-job training program: (1) specific tasks that CBP officers must experience during on-the-job training and (2) requirements for measuring officer proficiency in performing those tasks. In response to our recommendations, CBP revised its postacademy training program by identifying specific tasks and developing a plan for measuring officer proficiency in those tasks. The revised postacademy training program combines classroom and on-the-job training and incorporates ongoing testing and evaluation of officer proficiency. The evaluations are tied to the critical tasks and competencies that a new officer must perform. In accordance with the new postacademy training program, prior to being

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<sup>22</sup>[GAO-08-219](#).

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able to perform primary inspections independently, a training officer must certify that the officer is proficient to perform the task. The revised postacademy training began in June 2011. Consistent with OTD training standards that call for measuring the effectiveness of training, CBP plans to ask new officers to evaluate their basic academy and postacademy training. In addition, CBP plans to survey both new officers and their supervisors several months after a new officer completes on-the-job training to determine the effectiveness of the training. Consistent with OTD standards that its training meets federal law enforcement standards, OTD officials stated that the curriculum received its federal law enforcement training accreditation in November 2011.

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## CBP Has Taken Steps to Identify and Address Incumbent Officer Training Needs but Could Do More to Improve Oversight

CBP has taken steps to identify the training needs of its incumbent officers, by for example, conducting covert tests to assess vulnerabilities and systemic weaknesses at ports of entry and identifying possible officer training needs, but could do more to analyze the tests' results. In response to its covert tests, CBP has delivered two required training courses for incumbent officers, but it has not evaluated the effectiveness of these courses. Also, OFO officials stated that supervisors identify CBP officer training needs. However, CBP faces challenges in establishing policies and procedures to guide its component offices' efforts to implement and oversee training, and ensuring that it has reliable training data. Moreover, CBP has not conducted an analysis of possible skill gaps that may exist between identified critical skills all incumbent officers should possess and incumbent officers' current skills.

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## CBP Uses Covert Tests to Help Identify Possible Training Needs, but Further Evaluation Could Enhance Their Usefulness

To identify vulnerabilities and weaknesses at U.S. ports of entry, CBP IA conducts covert tests in which undercover inspectors attempt to enter the United States with genuine documents used fraudulently. The tests are designed to provide a snapshot of the level of a port's performance related to the testing objectives on a particular day. We examined CBP's results of covert tests conducted over more than 2 years and found significant weaknesses in the CBP inspection process at the ports of entry that were tested.<sup>23</sup> Although the results are not fully generalizable to all ports, OFO officials stated that the tests are useful to identify possible

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<sup>23</sup>Certain details regarding the test results were omitted because DHS considered them to be Sensitive Security Information.

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weaknesses and vulnerabilities. Following each covert test, IA prepared a written post-test summary of the tests and outcomes, debriefed with senior port management and headquarters officials, and provided data to OFO on the test outcomes. In some of the summaries, IA inspectors identified what they observed to be the key factors that contributed to successful outcomes, as well as potential vulnerabilities.

In response to initial test results, OFO developed and mandated an updated annual fraudulent document course in August 2009.<sup>24</sup> Also, in March 2010, OFO developed and mandated a “Back to Basics” course that emphasized the basic inspection duties that all CBP officers are required to perform during a primary inspection. In July 2011, OFO began implementing a follow-on course which includes more specific instruction. CBP administers postcourse evaluations to CBP officer trainees to obtain their feedback on the “Back to Basics” course but does not have plans to fully evaluate the effectiveness of this course by checking the extent to which the officers have retained the information over time. OTD officials stated that they conduct these types of evaluations for the newly hired CBP officer basic training but do not do so for this one for incumbent officers, due to time and cost constraints. However, we have previously reported that agencies should assess the extent to which training and development efforts contribute to improved performance and results to help ensure that the agency is not devoting resources to training that may be ineffective.<sup>25</sup> An evaluation of the impact of these training courses on CBP officer performance could help CBP know the extent to which such training is a sufficient response to the covert test results or whether adjustments to the training or other management actions are needed.

CBP has not conducted an analysis of all the possible causes or systemic issues that may be contributing to the test results. The protocols for covert tests state that IA will provide a comprehensive report at the conclusion of all cover tests that will summarize test results and identify systemic issues. As of August 2011, neither IA nor OFO have conducted such an analysis due to staffing and time constraints, according to IA and OFO officials. However, this type of analysis would help CBP identify any

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<sup>24</sup>CBP developed and mandated its first annual fraudulent document detection course for all CBP officers in May 2004.

<sup>25</sup>GAO, *Human Capital: A Guide for Assessing Strategic Training and Development Efforts in the Federal Government*, [GAO-04-546G](#) (Washington, D.C.: Mar. 1, 2004).

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patterns or trends that indicate the extent to which CBP officer training, performance, or other systemic issues may contribute to the issues identified in the covert tests. Without a comprehensive assessment, it is difficult for CBP to identify the systemic issues underlying the test results.

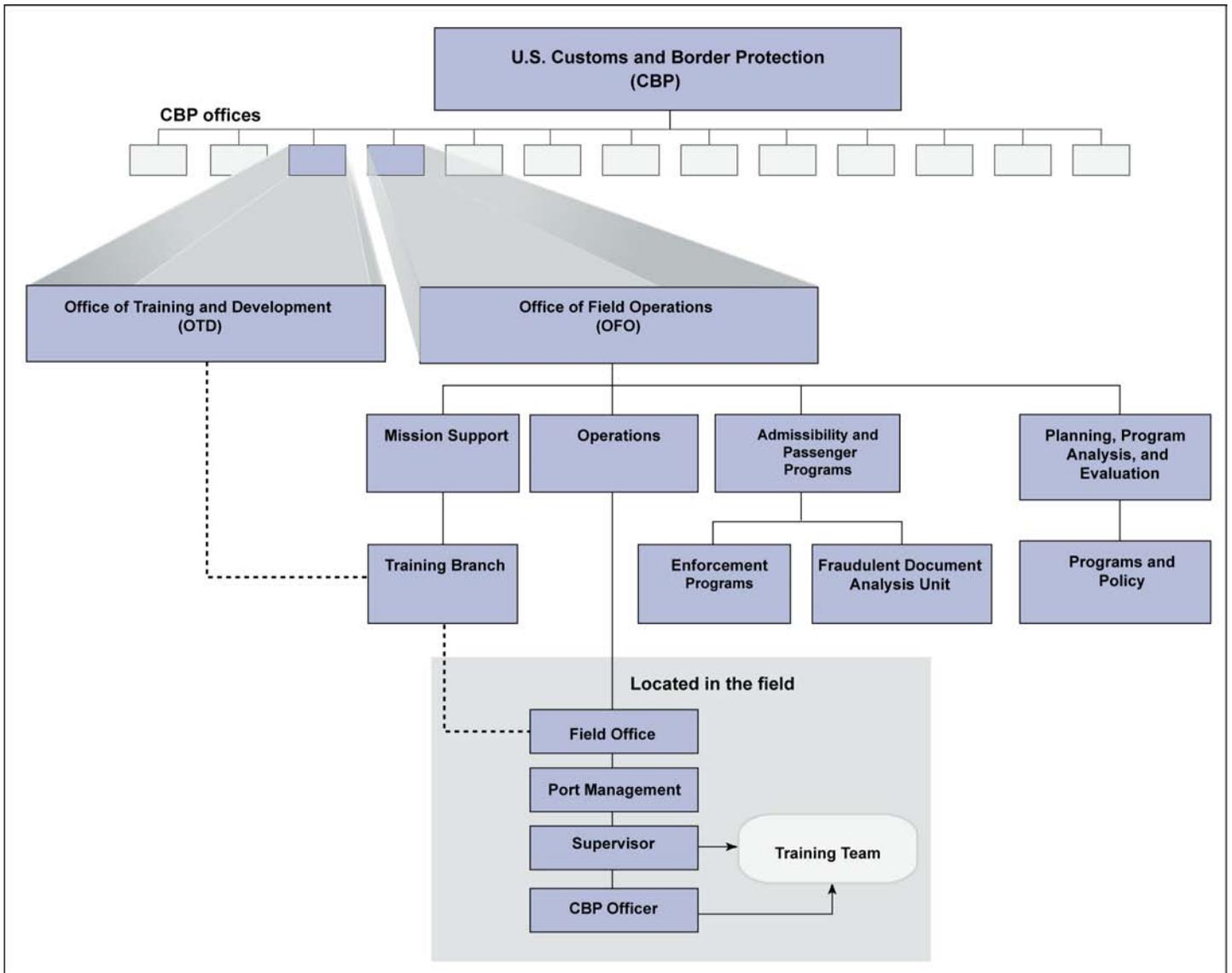
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### CBP Faces Challenges in Identifying and Addressing Training Needs

#### CBP Lacks Policies and Procedures to Ensure Incumbent CBP Officers Complete Training

In December 2008, CBP issued a directive assigning general roles and responsibilities for training to OTD and other CBP offices, such as identifying OTD as the centralized leader for all CBP training. However, CBP has not established policies or procedures to guide component offices' efforts to implement and oversee training. Figure 4 illustrates the key offices and positions that OFO identified as responsible for incumbent CBP officer training.

**Figure 4: Key CBP Offices and Positions Involved in Incumbent CBP Officer Training**



----- Coordination between OTD and OFO  
 —————> May be assigned to

Source: GAO.

OFO does not have a policy that specifies the roles and responsibilities of each of these offices and positions for training implementation and oversight. Federal regulations require that agencies establish policies

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governing employee training, including a statement of the alignment of employee training and development with agency strategic plans, the assignment of responsibility to ensure the training goals are achieved, and the delegation of training approval authority to the lowest appropriate level.<sup>26</sup> In addition, internal control standards state, in a good control environment, areas of authority and responsibility are clearly defined and appropriate lines of reporting are established.<sup>27</sup> Internal control standards also require that responsibilities be communicated within an organization. According to OFO, the OFO Programs and Policy branch is responsible for overseeing and coordinating the development of policy to govern incumbent officer training, including policy that assigns roles and responsibilities.<sup>28</sup> According to the OFO officials, a policy would be useful because it helps clearly define the responsibilities of all offices involved in incumbent CBP officer training. Specifically, a policy outlining the roles and responsibilities of offices and positions for training would help clarify which offices and positions are responsible for ensuring incumbent officer training needs are identified and addressed. However, the acting branch chief of the OFO Programs and Policy branch stated staffing constraints have limited the branch's ability to initiate the process of developing a policy that clearly assigns responsibility for all offices involved in CBP officer training. According to OFO officials, supervisors are responsible for identifying officer training needs and requesting training to meet these needs. For example, in June 2011, CBP instructed supervisors to identify training needs and use the post academy modules to address those needs.

However, OFO could not provide a policy document outlining how supervisors would identify training needs and coordinate training. Also, according to the OFO officials, port management and field office directors are responsible for ensuring that CBP officers complete mandatory and other training related to their job duties. However, OFO officials in headquarters and at the ports stated that no policy exists that assigns these responsibilities to port management or field offices. In addition, senior CBP officials stated that Field Training Officers help ensure that CBP officers are receiving the training they need to perform their

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<sup>26</sup>See 5 C.F.R. § 410.201(b).

<sup>27</sup>[GAO/AIMD-00-21.3.1](#).

<sup>28</sup>The Programs and Policy branch is located within the OFO Office of Planning, Program Analysis and Evaluation and was established in 2009.

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CBP Lacks Reliable Data to Track Training

assigned duties, and that internal measures are in place to assess training needs and accomplishments nationwide. However, officials from the OFO Training branch stated that Field Training Officers are assigned to help deliver training to the ports but are not required to oversee the completion of required training by CBP officers at their respective ports. Further, OFO could not provide documentation confirming the roles and responsibilities of the Field Training Officer. A policy outlining the roles and responsibilities of offices and positions for training could help eliminate such confusion and clarify which offices and positions are responsible for identifying and addressing training needs and for holding these offices and individuals accountable for their responsibilities.

CBP currently lacks reliable training completion records to ensure CBP officers received required training or other training relevant to their assigned duties. According to OTD and OFO officials, the training completion records maintained in TRAEN, CBP's official record of training, are incomplete or contain inaccurate information, such as the dates of training completion. As a result, officials from OTD's Office of Operations, which plans and manages the annual National Training Plan (NTP) budget, stated they developed their own records of training completions that consist of TRAEN records supplemented with data they gather from e-mail archives. Also, officials from two of the three ports we visited stated they rely on locally developed databases or data sources other than TRAEN to track CBP officers' training records.

We found, based on our analysis of TRAEN records, more than 4,000 onboard legacy customs officers have not completed the immigration fundamentals, immigration law, and agricultural fundamentals courses although they were required to complete them during the cross-training program.<sup>29</sup> According to OFO officials, the training completion records maintained in TRAEN are incomplete, and it is unlikely that legacy officers did not complete required cross-training. Nevertheless, without reliable training records, CBP cannot provide reasonable assurance that all legacy customs officers completed required cross-training courses. OTD stated that CBP offices are responsible for recording their employees' training records in TRAEN. However, CBP does not have a policy that assigns the responsibility for entering records to its offices or that assigns oversight responsibility to port management to ensure that their staff enter

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<sup>29</sup>The cross-training program took place from 2003 to June 2011.

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data into TRAEN completely and accurately. CBP is currently in the process of transferring the TRAEN system to the VLC and training CBP officials on how to properly enter training records in the new system. However, OFO and OTD officials stated that even trained employees sometimes do not enter training records completely or in a timely manner. Internal control standards state control activities—such as policies, procedures and management supervision—help to ensure that all transactions are completely and accurately recorded.<sup>30</sup> Further, having reliable data could enable agency managers to compare actual performance to planned or expected results throughout the organization and analyze differences. Moreover, having reliable data to measure the degree to which CBP officers have completed required or recommended training for their assigned positions would put CBP in a better position to gauge the results of its cross-training program and other CBP officer training and measure its progress towards achieving CBP officer training goals.

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### CBP Has Not Fully Identified and Addressed Potential Incumbent Officer Training Needs

CBP has taken steps to identify training needs among incumbent CBP officers but has not conducted a comprehensive training needs assessment to identify and address potential gaps in incumbent officers' current skills and competencies. Under executive order and federal regulations, agencies are to review, not less than annually, programs to identify training needs, establish priorities for training, and allocate resources in accordance with those priorities.<sup>31</sup> Further, OTD training development standards state that a training needs assessment is needed to identify knowledge or skill gaps and suggest material for new or follow-on training. Specifically, the analysis stage of training development includes conducting a training needs assessment to identify skill or knowledge gaps, conducting a job task analysis to identify critical competencies required for the target audience, and analyzing the target audience to develop appropriate training, among other steps.

CBP has taken some steps to identify and analyze incumbent officer training needs. In 2008, CBP initiated the first job task analysis for the CBP officer position since 2003 by identifying nearly 300 job tasks and

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<sup>30</sup>GAO/AIMD-00-21.3.1.

<sup>31</sup>See Exec. Order No. 11,348, § 303, 32 Fed. Reg. 6335, 6335 (Apr. 20, 1967); 5 C.F.R. § 410.201(c)-(d).

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about 100 competencies that all incumbent CBP officers are expected to perform regardless of their currently assigned duties or port environment. In 2011, CBP also completed a curriculum gap analysis, which compared the newly revised basic academy curriculum with the previous basic academy training to identify new skills or material that incumbent CBP officers may not have learned in their basic academy training. For example, the previous curriculum trained CBP officers to perform 75 critical tasks while the newly revised curriculum trains newly hired officers to perform 138 critical tasks. According to OTD officials, the curriculum gap analysis identified a shift in the training philosophy and delivery methods and some changes in course content. For example, the revised training for newly hired officers aims to instill a law enforcement mindset by adding new courses in weapons training, evidence preservation, and courtroom testimony, among others, and by expanding courses that are designed to increase situational awareness and anti-terrorism vigilance among the CBP officers. It also increases physical conditioning and the number of hours of practical exercises related to conducting primary inspections and examining documents as well as course content to reflect new laws related to immigration processing and operating new equipment. The revised curriculum also adds more training in skills that CBP officers need to perform in secondary processing, including using appropriate computer systems and following procedures to verify passenger admittance.

However, CBP has not conducted a training needs assessment or analyzed the target audience to determine what training is needed. For example, it has not evaluated potential gaps between the skills and competencies of current incumbent officers to identify appropriate training needs and possible gaps between (1) the nearly 300 job tasks and 100 competencies that all incumbent officers are expected to perform and (2) any additional skills and knowledge that are currently taught in the revised basic academy curriculum. In addition, CBP has not reviewed incumbent CBP officers' previous training and experience, including cross-training or any on-the-job training, to identify what training they may have completed. OTD training standards state that it is important to review the previous experience and training to better identify the training needs for particular audiences. In 2007, we recommended that CBP develop data on cross-training programs to determine whether officers received required training so the agency may measure progress toward achieving its training goals. As of September 2011, CBP has not developed these data or measured the extent to which officers completed required cross-training. In June 2011, CBP retired the cross-training courses and replaced the courses with new postacademy modules that

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contain updated content. However, CBP could review the previous training records of its legacy and other incumbent officers to help identify what training they have completed and to identify which postacademy modules or other training they may need to take to perform their assigned duties.

Conducting a comprehensive training needs assessment could help CBP analyze and identify potential skill gaps and training needs for incumbent officers—including legacy officers—and better position it to develop training to meet these needs, thus ensuring its officers are equipped to meet the operational demands at the border. OTD criteria state that CBP training managers may use a variety of techniques during a training needs assessment to gather and analyze information about the necessary training content for proposed training, including:

- interviews with SMEs;
- focus groups (moderated group interviews) involving SMEs and representatives of the learning audience;
- observation of and interviews with those performing a particular job or task in the field;
- review of course critiques, test results, and performance evaluations;
- instructional review, course audit, or content review of existing training; and
- review of field incident reports, critical factors identified, and lessons learned.

OFO officials stated that a training needs assessment would be useful, but they have been unable to conduct one due to budget constraints and may not be able to undertake a comprehensive training needs assessment until fiscal year 2013, at the earliest. However, CBP could begin the initial steps of planning for a training needs assessment for incumbent officers in fiscal year 2012. Office of Personnel Management (OPM) guidance states that a training needs assessment should include a plan that sets goals or objectives for the training needs assessment; evaluates the agency readiness and identifies key roles; evaluates prior or other relevant needs assessments; prepares a project plan; and clarifies success measures and program milestones. This plan could be similar to the preparation of a project plan. Specifically, elements of a project plan include (1) establishing clear and achievable training goals; (2) balancing the competing demands for quality, scope, time, and cost; (3) adapting the specifications, plans, and approach to the different concerns and expectations of the various stakeholders involved in the project; and (4) developing milestone dates to identify points throughout

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the project to reassess efforts under way to determine whether project changes are necessary. OFO officials stated that such a plan could be helpful in initiating the process for conducting a training needs assessment. Project management standards also call for assigning responsibility and accountability for ensuring the results of program activities are carried out. Developing a project plan could also help CBP ensure that it is well-positioned to conduct a comprehensive training needs assessment in 2013 for its incumbent officers—while allowing for monitoring and oversight of the staff efforts through the completion of interim milestones to ensure progress in being made as intended.

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## Conclusions

CBP has designed its training program for newly-hired CBP officers to comply with its standards. Such compliance can contribute to ensuring that newly-hired officers are prepared to accomplish CBP's mission of securing the border and simultaneously facilitating the cross-border movement of millions of legitimate travelers and billions of dollars in international trade. However, CBP faces challenges in ensuring that the training needs of its nearly 20,000 incumbent CBP officers are properly identified and addressed. The results of its covert tests are not generalizable to the entire CBP officer population. However, they reveal a consistent pattern of weaknesses among the officers tested in their ability to perform basic tasks and these weaknesses have not been corrected. CBP has no plans for assessing the effectiveness of its "Back to Basics" course and subsequent follow-on training developed in response to the covert tests. Assessing the effectiveness in improving incumbent officer performance could help CBP management know if the training is a sufficient response to the weaknesses identified by the covert tests or if additional adjustments are needed.

In addition, CBP has not established policies and procedures to guide OFO's implementation and oversight of incumbent officer training, including entry of complete and accurate data into TRAEN. Having policies and procedures to ensure that managers are fulfilling their oversight responsibilities, including maintaining accurate and complete training records, could help improve CBP's knowledge of whether incumbent CBP officers have been properly trained.

Given CBP's commitment to reinforcing the law enforcement mindset among all CBP officers, evaluating the training needs of the current CBP officers so that they can be addressed in a timely and cost-efficient manner is important. In addition, given budget constraints on training resources throughout the government, planning accordingly to ensure

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that skill needs of the incumbent CBP officers are assessed could help ensure that a road map is in place for conducting such an assessment thereby ensuring that CBP's officer workforce is equipped to meet the operational demands at the border.

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## Recommendations for Executive Action

To improve CBP training efforts, we recommend that the CBP Commissioner take the following four actions:

- (1) Conduct an evaluation of the effectiveness of the "Back to Basics" and subsequent follow-on training,
- (2) Conduct a comprehensive assessment of its covert test results to identify the causes of and systemic issues underlying the results,
- (3) Establish a policy that specifies roles and responsibilities for CBP officer training implementation and related oversight, including oversight responsibilities to ensure that training records are entered in TRAEN completely and accurately and
- (4) Develop a plan for conducting a training needs assessment to address any skill gaps for incumbent CBP officers and then implement that plan.

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## Agency Comments and Our Evaluation

We provided a draft of the sensitive version of this report to DHS for comment. DHS provided written comments which are reprinted in appendix III. In commenting on the sensitive version of this report, DHS, including CBP, agreed with the recommendations. Specifically, DHS stated that CBP is taking action or has taken action to address each recommendation.

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DHS agreed with the first recommendation that CBP conduct an evaluation of the effectiveness of the training course and subsequent follow-on training, and stated that the Office of Field Operations and the Office of Training and Development will work in partnership to determine if the Back to Basics and follow-on training had an effect on overall CBP officer performance by conducting a study and obtaining the results of any further covert tests by March 30, 2012. Regarding the second recommendation that CBP conduct a comprehensive assessment of its covert test results, DHS agreed and stated that the Office of Internal Affairs plans to conduct a comprehensive assessment of its covert test results for fiscal year 2011 by December 30, 2011. DHS agreed with the

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third recommendation that CBP establish a policy that specifies roles and responsibilities for CBP officer training implementation and related oversight, and stated that a policy will be developed by March 30, 2012, to clarify the training roles and responsibilities at all national and local levels to include the responsibility for maintaining accurate training records. Regarding the fourth recommendation that CBP develop a plan for conducting a training needs assessment to address any skill gaps for incumbent CBP officers and then implement that plan, DHS stated that OFO is coordinating with OTD to evaluate current training to identify any existing training gaps, and plan to address any identified needs through formal training by December 31, 2012. If effectively implemented, these actions should address the intent of the recommendations.

DHS raised an issue regarding the report's characterization of the DHS covert test results. Specifically, DHS stated that the covert tests were deliberately designed to test only a specific aspect of the overall primary inspection process within the wide range of inspectional duties that CBP officers perform and are not a valid measure of overall officers' performance and capabilities or reliability of the entire admissibility process. The report noted that the test results are not generalizable to all ports of entry. However, OFO officials emphasized that the tests are informative in that they can help management identify possible weaknesses and vulnerabilities in the inspection process and in the CBP officer ability to perform basic tasks. Specifically, the tests are designed to provide a snapshot of the level of a port's performance related to the testing objectives. Further, according to the protocols, the tests are designed to test and challenge CBP officers on their abilities, adherence to policies and procedures, and use of technologies to detect and prevent individuals attempting to enter the United States through the use of document fraud. OFO also developed and mandated an annual fraudulent document course based on the initial response to the covert test results. Nevertheless, we incorporated language throughout the report to clarify the objectives and the scope of the covert tests. We believe that this report presents a valid characterization of the covert test results and their potential uses.

DHS also provided technical comments, which we incorporated into the report as appropriate.

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We will send copies of this report to the Department of Homeland Security, the Commissioner of U.S. Customs and Border Protection, the appropriate congressional committees and other interested parties. In

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addition, the report will be available at no charge at GAO's website <https://www.gao.gov>.

If you or your staff members have any questions about this report, please contact me at (202) 512-8816 or [stanar@gao.gov](mailto:stanar@gao.gov). Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. Other GAO contacts and staff acknowledgments are listed in appendix IV.

*Richard M. Stana*

Richard M. Stana  
Director, Homeland Security and Justice Issues

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*List of Requesters*

The Honorable Susan M. Collins  
Ranking Member  
Committee on Homeland Security and Governmental Affairs  
United States Senate

The Honorable Peter King  
Chairman  
The Honorable Bennie Thompson  
Ranking Member  
Committee on Homeland Security  
House of Representatives

The Honorable Gus Bilikaris  
House of Representatives

The Honorable Paul Broun  
House of Representatives

The Honorable Charlie Dent  
House of Representatives

The Honorable Mike McCaul  
House of Representatives

The Honorable Candice Miller  
House of Representatives

The Honorable Mike Rogers  
House of Representatives

The Honorable Lamar Smith  
House of Representatives

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# Appendix I: Customs and Border Protection Officer Staffing Policy and Specialized Teams

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In February 2009, Customs and Border Protection (CBP) management and the union that represents CBP officers reached an agreement to allow CBP officers the opportunity to bid and rotate to a new work unit, specialized team, or port location every 1 or 2 years.<sup>1</sup> This bid-and-rotation system for CBP officers is based on seniority and is designed to increase officer morale and retain CBP officers. The system also provides port management the ability to assign CBP officers to units based on immediate, changing workload demands.

The following list includes specialized teams that operate at all U.S. air, land, and sea ports of entry. Ports may have additional CBP officer specialized teams depending on their size, environment, and mission demands.

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## Passenger Enforcement Roving Team/Counter-Terrorist Response

These are the passenger work units charged with the interdiction of high-risk passengers attempting to facilitate surreptitious entry of contraband or who may be associated with terrorist activities.

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## Passenger Analysis Unit/Tactical Analysis Group

These are the work units charged with the use of automated systems to target high-risk passengers, conduct threat analysis, or using after-action reports to identify threats.

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## Passenger Control Secondary

This work unit is charged with processing violations to the Immigration and Nationality Act (INA) which may result in adverse actions, such as determination of inadmissibility to the United States.

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## Outbound

This work unit is charged with targeting and examining outbound commercial cargo for violations of law, rules or regulations.

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<sup>1</sup>CBP officers who bid and rotate to most work units or specialized teams must only commit to working in that unit for one bid cycle, or for 1 fiscal year. As of 2010, CBP officers who bid and rotate to the Passenger Enforcement Roving Team or Counter-Terrorist Response Team, the Passenger Analysis Unit or Tactical Analysis Group, and the Training team are required to serve in that unit for two bid cycles, or fiscal years, due to the specialized training officers in these units may receive.

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**Advance Targeting Unit** This work unit is charged with the use of automated systems to target high-risk commercial shipments, conduct analysis, or use after-action reports to identify threats.

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**Anti-Terrorism Contraband Enforcement Team** This work unit is charged with the inbound and/or outbound interdiction of narcotics and other contraband, including currency, arms and ammunition, as well as terrorist related materials in the cargo and/or passenger environments.

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**Training** This work unit is charged with providing nationally mandated and locally designed training including, but not limited to pre-academy, postacademy, virtual learning center, and unification training.

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**Scheduling** This work unit is charged with the scheduling of all regular day and overtime assignments, as well as the administration of the Customs Officers Pay Reform Act, including, but not limited to, overtime cap compliance and annuity integrity.

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**Firearms** This work unit is charged with developing and conducting local firearms programs, including but not limited to, conducting required firearms qualifications and use of force training, maintaining quantities of firearms-related supplies and equipment, and conducting annual firearms inventory.

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# Appendix II: Mandatory and Specialized Courses for CBP Officers

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The following mandatory courses are required either on a one-time basis or annually for all nonsupervisory Customs and Border Protection (CBP) officers. The specialized courses were developed to enhance incumbent nonsupervisory CBP officer skills in specific areas and are not mandatory.

## **Mandatory Training Courses for All CBP Officers**

- Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No Fear Act) Training<sup>1</sup>
- IT Security Awareness and Rules of Behavior Training
- CBP Safeguarding Classified National Security Information
- U.S. Constitution
- DHS Suspicious Activity Report Training
- DHS Together Employee and Organizational Resilience Safety Stand Down Training<sup>2</sup>
- New Employee Safety Training
- Occupant Emergency Plan
- New Employee Orientation Program
- Hazard Communication
- Understanding Sensitive But Unclassified Information
- Emergency and Disaster Preparedness Training
- Federal Emergency Management Agency Independent Study Program: IS-546 Cooperative Program
- Personal Search Handbook Annual Certification – Officer
- Human Trafficking Awareness & Unaccompanied Alien Children
- Basic Records Management 2010
- CBP Suicide Prevention
- Confined Spaces Entry Training<sup>3</sup>
- Hearing Conservation
- Blood Borne Pathogens & Tuberculosis Prevention
- First Responder Awareness Level Training

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<sup>1</sup>This law requires federal agencies to train employees on their rights and remedies under antidiscrimination and whistleblower protection laws. (Pub. L. No. 107-174, § 202(c), 116 Stat. 566, 569 (2002).

<sup>2</sup>In September 2009, DHS created an employee resilience and wellness program called “DHS Together: Building a More Resilient Workforce.” The DHS Employee and Organizational Resilience training is part of an initiative to improve the health and resilience of the entire DHS workforce. The training discusses the tools and resources DHS employees have at their disposal to balance work and life issues.

<sup>3</sup>This training is mandatory only for CBP officers assigned to perform searches in confined spaces.

- Hazardous and Dangerous Cargo
- Fire Safety
- Fraud Prevention Program Document Training
- Border Search of Electronic Information
- Firearms Proficiency and Qualification
- Firearms Night Fire
- Intermediate Use of Force Device Re-Certification
- Control and Arrest Techniques
- Edged Weapons Defense
- Defensive Tactics

**Nonmandatory Specialized Training Courses for CBP Officers**

- Advanced Admissibility Secondary Processing
- Air or Sea Cargo Targeting Training
- Air or Sea Passenger Analysis Unit
- Anti-Terrorism Contraband Enforcement Team – Air, Land, or Sea
- Automated Air Cargo Manifest System
- Automated Export System Targeting
- Bonded Warehouse Training
- Counter Terrorism Response Rover Training
- Custody and Management of Seized Property Alternate
- Detecting Deception and Eliciting Responses
- Driver Training Program
- Driver Instructor Training Program
- Electronic Control Device Instructor Training Program
- Fines Penalties and Forfeitures Basic and Advanced
- Firearms Instructor Training Program
- Firearms Instructor Recertification Training Program
- Firearms Maintenance Armorer Training
- Foreign Trade Zone Class
- Hazardous Materials Training
- Incident Command System Training Program
- Instructional Presentation Skills
- Intermediate Force Instructor Training Program
- Master Exercise Practitioner Training Program<sup>4</sup>
- Outbound Currency Interdiction Training

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<sup>4</sup>This is a 3-week program conducted by the Federal Emergency Management Agency (FEMA) to train Air and Marine Interdiction Agents, CBP Officers, and Border Patrol Agents to be able to design, develop, and conduct tabletop exercises for their field locations. Upon completion of program, the participants will be certified to develop and conduct training exercises unique to their field locations.

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**Appendix II: Mandatory and Specialized  
Courses for CBP Officers**

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- Radiation Interdiction Academy
  - Training Registration and Enrollment Network
  - Vehicle and Cargo Imaging System – Operator
  - Weapons of Mass Effect Training

# Appendix III: Comments from the Department of Homeland Security

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



**Homeland  
Security**

December 5, 2011

Richard M. Stana  
Director, Homeland Security and Justice Issues  
441 G Street, NW  
U.S. Government Accountability Office  
Washington, DC 20548

Re: Draft Public Report GAO-12-269, "BORDER SECURITY: Additional Steps Needed to Ensure that Officers Are Fully Trained"

Dear Mr. Stana:

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

As America's frontline border agency, U.S. Customs and Border Protection (CBP) is responsible for securing America's borders against threats, while facilitating legal trade and travel. CBP is the largest uniformed, federal law enforcement agency in the country. The Department is pleased to note GAO's acknowledgement of the critical mission the CBP officers perform and the responsibility placed upon them to counter threats posed by terrorists and others attempting to enter the country through document fraud. The report also recognizes that CBP has revised its training program for newly hired officers and taken steps to identify and address training needs of its incumbent officers.

While we agree with the report's recommendations, GAO's characterization of the outcomes of CBP's covert testing at various ports of entry in the passenger processing environment require clarification. Specifically, the covert testing conducted by the Office of Internal Affairs (IA) was deliberately designed to test specific and distinctive aspects of the overall primary inspection process within the wide range of inspectional duties officers perform. Since it addressed only a small spectrum of CBP's inspection processes, the test results do not provide data that can be used to assess the overall inspection process.

In addition, DHS notes that GAO's review was limited to training provided to all CBP officers who serve in the passenger environment at ports of entry with an emphasis on admissibility. The review did not include customs procedures and radiation detection in the passenger environment or training provided to those CBP officers who serve as canine specialists or in the cargo environment. Also, while the testing identified areas in which the primary inspection process can be improved, it did not address the overall strengths and

weaknesses in CBP officers' ability to perform tasks. For instance, the testing was limited both in scope and to the types of travel documents used. Most of the tests involved the use of genuine documents that were fraudulently used. Furthermore, the documentation used in the majority of these tests was specifically selected so that the automated systems used by CBP would not provide any assistance to the officer in detecting fraudulent activity. Since the tests only addressed a specific subset of CBP enforcement concerns, the testing results are not a valid measure of overall officers' performance and capabilities or reliability of the entire admissibility process.

The draft report contained four recommendations directed at CBP, with which the Department concurs. Specifically, GAO recommended that the Commissioner, U.S. Customs and Border Protection:

**Recommendation 1:** Conduct an evaluation of the effectiveness of the Back to Basics and subsequent follow-on training.

**Response:** Concur. CBP will continue to emphasize overall critical inspectional skills to ensure that CBP officers are fully prepared to meet all security concerns and respond appropriately and effectively. CBP has established a yearly instructor-driven fraudulent document examination program containing eight modules, to include impostor detection. This is mandatory training for all officers and agriculture specialists. The most recent update to this training was disseminated in March 2011 and is due for annual completion by March 30, 2012.

Additionally, the Office of Field Operations (OFO) and the Office of Training and Development (OTD) will work in partnership to determine the expected outcomes of the Back-to-Basics and follow-on training programs. OFO and OTD will coordinate to determine if the Back-to-Basics and follow-on training have had an effect on overall performance using the Level III Study conducted by OTD. OFO and OTD will obtain the results of any further testing by IA to determine what significant performance gains were achieved and identify any additional requirements for training. Estimated Completion Date (ECD): March 30, 2012.

**Recommendation 2:** Conduct a comprehensive assessment of its covert test results to identify the root causes of and systemic issues underlying officers' failures to pass those tests.

**Response:** Concur. IA plans to complete its comprehensive report on covert test results for Fiscal Year 2011 by December 30, 2011.

**Recommendation 3:** Establish a policy that specifies roles and responsibilities for CBP officer training implementation and related oversight, including oversight responsibilities to ensure that training records are entered in Training Records and Enrollment Network in a complete and accurate manner.

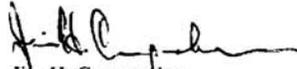
**Response:** Concur. Policy will be developed to clarify training roles and responsibilities at all national and local levels to include the responsibility for maintaining accurate training records. ECD: March 30, 2012.

**Recommendation 4:** Develop a plan for conducting a training needs assessment to address any skill gaps for incumbent CBP officers and then implement that plan.

**Response:** Concur. OFO is coordinating with OTD to evaluate current training to identify any existing training gaps on the basis of the CBP officer job task analysis. As the report mentions, the newly revised curriculum for basic academy training now covers 138 critical tasks that newly hired officers need to perform. By June 2012, existing specialized training courses will be reviewed to identify additional job tasks that are covered by current training other than basic training courses. The review will allow for the identification of training gaps and the subsequent plan to address any identified needs for formal training.  
ECD: December 31, 2012.

Again, thank you for the opportunity to review and comment on this draft report. General, technical, and sensitivity comments were previously provided under separate cover. We look forward to working with you on future Homeland Security issues.

Sincerely,



Jim H. Crumacker  
Director  
Departmental GAO-OIG Liaison Office

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# Appendix IV: GAO Contact and Staff Acknowledgments

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## GAO Contact

Richard M. Stana, (202) 512-8816 or [stanar@gao.gov](mailto:stanar@gao.gov)

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## Staff Acknowledgments

In addition to the contact named above, Michael Dino, Assistant Director, Kathryn Bernet, Assistant Director, and Nanette J. Barton, Analyst-in-Charge, managed this assignment. Jennifer Bryant and Edith Sohna made significant contributions to the work. Stanley Kostyla assisted with design and methodology. Frances Cook provided legal support. Katherine Davis provided assistance in report preparation.

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