

**Results of Unannounced
Inspections of
CBP Holding Facilities in
the Laredo Area**





OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

September 28, 2023

MEMORANDUM FOR: Troy A. Miller
Senior Official Performing the Duties of the
Commissioner
U.S. Customs and Border Protection

FROM: Joseph V. Cuffari, Ph.D. **JOSEPH V** Digitally signed by
Inspector General **CUFFARI** JOSEPH V CUFFARI
Date: 2023.09.28
12:51:08 -04'00'

SUBJECT: *Results of Unannounced Inspections of CBP
Holding Facilities in the Laredo Area*

Attached for your action is our final report, *Results of Unannounced Inspections of CBP Holding Facilities in the Laredo Area*. We incorporated the formal comments provided by your office.

The report contains three recommendations aimed at improving management of, and conditions in, CBP short-term holding facilities in the Laredo area of Texas. Your office concurred with all three recommendations. Based on information provided in your response to the draft report, we consider these recommendations open and resolved. Once your office has fully implemented the recommendations, please submit a formal closeout letter to us within 30 days so that we may close the recommendations. The memorandum should be accompanied by evidence of completion of agreed-upon corrective actions and of the disposition of any monetary amounts.

Please send your response or closure request to
OIGInspectionsFollowup@oig.dhs.gov.

Consistent with our responsibility under the *Inspector General Act*, we will provide copies of our report to congressional committees with oversight and appropriation responsibility over the Department of Homeland Security. We will post the report on our website for public dissemination.

Please contact me with any questions, or your staff may contact Thomas Kait, Deputy Inspector General for Inspections and Evaluations, at (202) 981-6000.

Attachment



DHS OIG HIGHLIGHTS

Results of Unannounced Inspections of CBP Holding Facilities in the Laredo Area

September 28, 2023

Why We Did This Inspection

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

What We Recommend

We made three recommendations to improve the management of and conditions in CBP short-term detention facilities in the Laredo area.

For Further Information:

Contact our Office of Public Affairs at (202) 981-6000, or email us at DHS-OIG.OfficePublicAffairs@oig.dhs.gov

What We Found

From February 28 to March 2, 2023, we conducted unannounced inspections of four U.S. Customs and Border Protection (CBP) facilities in the Laredo area, specifically three Border Patrol stations and one Office of Field Operations port of entry. Our inspection revealed instances of high time in custody in some Border Patrol holding facilities. We also found CBP faced challenges properly documenting and securing personal property. Three of the four facilities we inspected did not accurately track or record property on inventory logs or in the respective data systems. In addition, we found inaccurate data in detainee custody logs at all inspected CBP facilities. Detainee custody logs in Border Patrol and Office of Field Operations systems of record inaccurately recorded or did not properly account for amenities provided to detainees in custody. The facilities generally met *National Standards on Transport, Escort, Detention, and Search* standards for cleanliness, food and beverages, supplies and hygiene items, bedding, and medical care.

CBP Response

CBP concurred with our recommendations. We consider all three recommendations resolved and open.



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Table of Contents

Background 1

 CBP Standards for Detention at Short-Term Holding Facilities 2

 CBP Migrant Encounters along the Southwest Border..... 3

Results of Inspection..... 6

 Border Patrol’s Laredo Enhanced Centralized Processing Center
 Experienced High TIC 6

 CBP Faced Challenges with Properly Documenting and Securing
 Personal Property 9

 CBP Had Data Integrity Issues..... 12

 CBP Facilities and Processes Generally Met Other TEDS Standards 13

Conclusion..... 15

Recommendations..... 15

Management Comments and OIG Analysis 16

Appendixes

 Appendix A: Objective, Scope, and Methodology 18

 Appendix B: CBP Comments on the Draft Report..... 20

 Appendix C: Office of Inspections and Evaluations
 Major Contributors to This Report 25

 Appendix D: Report Distribution..... 26



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Abbreviations

| | |
|------|---|
| CBP | U.S. Customs and Border Protection |
| ECPC | Enhanced Centralized Processing Center |
| ERO | Enforcement and Removal Operations |
| ICE | U.S. Immigration and Customs Enforcement |
| OFO | Office of Field Operations |
| POE | port of entry |
| TEDS | <i>National Standards on Transport, Escort, Detention, and Search</i> |
| TIC | time in custody |
| UC | unaccompanied children |
| USEC | Unified Secondary |



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Background

U.S. Customs and Border Protection's (CBP) Office of Field Operations (OFO) manages U.S. ports of entry (POEs), where officers perform immigration and customs functions, inspecting people who present with or without valid documents for legal entry, such as visas or legal permanent resident cards, and goods permitted under customs and other laws. Between POEs, CBP's Border Patrol detects and interdicts people and goods suspected of entering the United States without inspection. OFO and Border Patrol are generally responsible for short-term detention of people who are inadmissible to or deportable from the United States or subject to criminal prosecution. The 2015 *National Standards on Transport, Escort, Detention, and Search* (TEDS)¹ guide how CBP should manage short-term detention. Because CBP facilities are only equipped for short-term detention, CBP may repatriate, release, or transfer detainees to other agencies, as appropriate. CBP coordinates with U.S. Immigration and Customs Enforcement's (ICE) Enforcement and Removal Operations (ERO) to place migrants in long-term detention facilities managed by ICE ERO or to release migrants while they await immigration hearing proceedings. CBP also coordinates with the U.S. Department of Health and Human Services' Office of Refugee Resettlement, the agency responsible for the placement of unaccompanied children (UC).

With short-term holding facilities in many of the Nation's 328 POEs and 135 Border Patrol stations, CBP's ability to meet TEDS standards and provide reasonable care for detainees in its facilities can vary greatly. Conditions can differ between facilities operated by Border Patrol versus OFO because of variances in mission, policies, and procedures of these two CBP sub-components. Facility conditions can also fluctuate considerably across Border Patrol sectors because of geography, infrastructure, and a variety of other factors.

The Laredo Border Patrol sector is responsible for 136 Southwest border miles along the Rio Grande River between Mexico and the United States. The area of responsibility stretches from the U.S. and Mexico border in Texas to the Oklahoma and Arkansas state lines.

Congress mandated² that the OIG conduct unannounced inspections of CBP holding facilities to assess conditions of detention. This report describes the

¹ TEDS standards govern CBP's interaction with detained individuals. CBP, [National Standards on Transport, Escort, Detention, and Search](#), Oct. 2015.

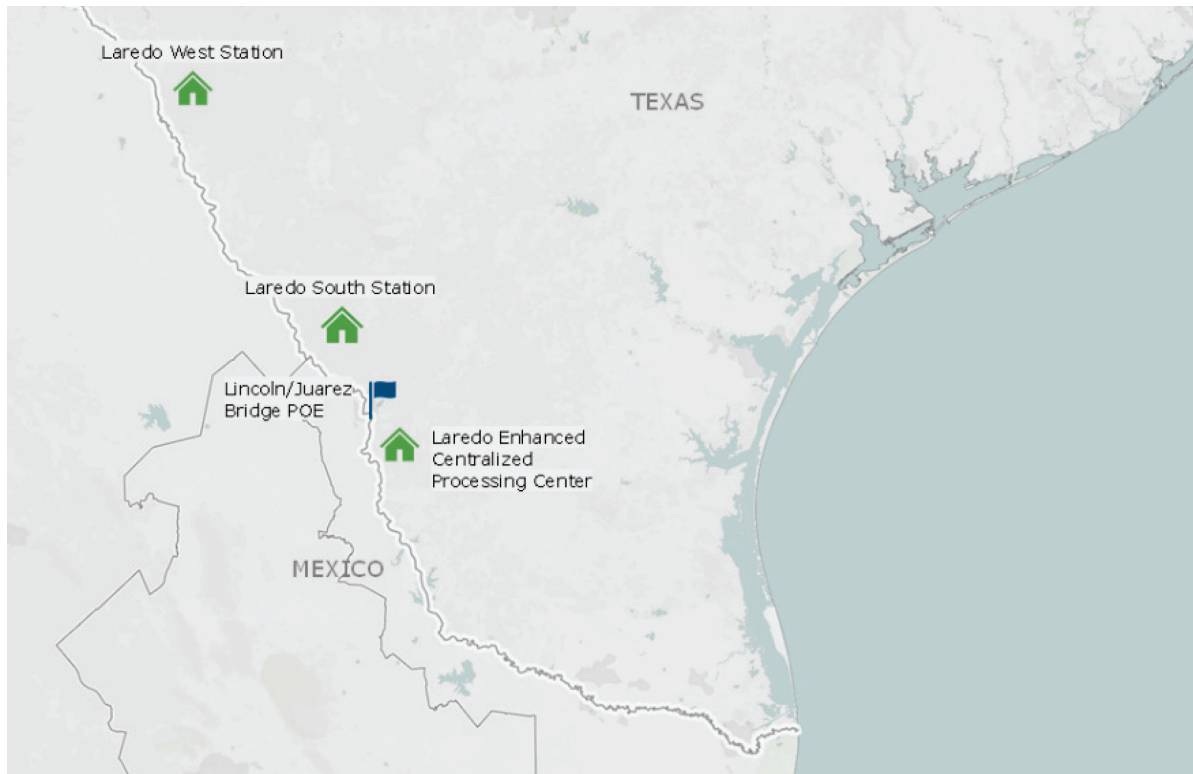
² The House Committee on Appropriations, in a report accompanying H.R. 8257, directed OIG to continue its program of unannounced inspections of immigration detention facilities and to publish the results of the inspections and other reports and notifications related to custody operations activities on a publicly available website. H.R. Rep. 117-396, at 18 (2022).



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

results of our February to March 2023 unannounced inspections of four CBP short-term holding facilities in the Laredo area, including three Border Patrol facilities – Laredo Enhanced Centralized Processing Center (ECPC), Laredo South station, and Laredo West station – and one OFO POE – Laredo Lincoln/Juarez Bridge.

Figure 1. Locations of CBP Facilities Visited in February and March 2023



Source: Department of Homeland Security Office of Inspector General

CBP Standards for Detention at Short-Term Holding Facilities

TEDS standards govern CBP’s interactions with detained individuals and specify how detainees should be treated while in CBP custody. According to TEDS, every effort must be made to promptly transfer, process, release, or repatriate detainees within 72 hours of being taken into custody, as appropriate and operationally feasible.³ CBP has an obligation to provide

³ TEDS 4.1, *Duration of Detention*. TEDS states that every effort must be made to hold detainees for the least amount of time required for their processing, transfer, release, or repatriation, as appropriate and as operationally feasible. TEDS standards generally limit detention in CBP facilities to 72 hours, with the expectation that CBP will transfer unaccompanied children to the Office of Refugee Resettlement and repatriate or release families



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

detainees in its custody with drinking water, meals and snacks, access to toilets and sinks, basic hygiene supplies, bedding, and under certain circumstances, showers.⁴ CBP must also ensure that holding facilities are kept clean, temperature controlled, and adequately ventilated.⁵

TEDS standards also outline general requirements for detainee access to medical care.⁶ In late December 2019, CBP enhanced these requirements by adopting CBP Directive No. 2210-004,⁷ which requires “deployment of enhanced medical support efforts to mitigate risk to and sustain enhanced medical efforts for persons in CBP custody along the Southwest Border.” To implement this directive, CBP introduced an *Initial Health Interview Questionnaire* (CBP Form 2500)⁸ and a *Medical Summary Form* (CBP Form 2501) to document detainee health conditions, referrals, and prescribed medications.

CBP Migrant Encounters along the Southwest Border

Our previous work on the Southwest border demonstrated that high migrant encounter numbers negatively affect CBP’s ability to meet TEDS standards for time in custody (TIC) and can lead to overcrowding.⁹ As shown in Tables 1 and 2, Border Patrol’s and OFO’s respective total encounters of migrant UCs, family

and single adults or transfer them to ICE ERO long-term detention facilities or other partners as appropriate. For DHS authority to detain individuals, see 6 U.S.C. § 211(c)(8)(B) and 6 U.S.C. § 211(m)(3).

⁴ TEDS 4.14, *Drinking Water*; TEDS 4.13, *Food and Beverage: Meal Timeframe and Snack Timeframe*; TEDS 5.6, *Detention: Meals and Snacks – Juveniles, Pregnant, and Nursing Detainees*; TEDS 4.15, *Restroom Facilities*; TEDS 5.6, *Detention: Hold Rooms – [Unaccompanied Children]*; TEDS 4.11, *Hygiene*; and TEDS 4.12, *Bedding*. Under TEDS standards, reasonable efforts must be made to provide showers to juveniles approaching 48 hours and adults approaching 72 hours in CBP custody; see TEDS 4.11, *Hygiene: Basic Hygiene Items*, and TEDS 5.6, *Detention: Showers – Juveniles*.

⁵ TEDS 4.7, *Hold Room Standards: Temperature Controls*; and TEDS 5.6, *Detention: Hold Rooms – [Unaccompanied Children]*.

⁶ TEDS 3.11, *Medical Treatment and Authority* and TEDS 4.10, *Medical*.

⁷ CBP Directive No. 2210-004, [Enhanced Medical Support Efforts](#), Dec. 30, 2019.

⁸ The questions on CBP Form 2500 are used to determine whether a detainee has any injury, symptoms of illness, known contagious diseases, or thoughts of harming self or others. For seven of the questions, a positive response would automatically prompt a more thorough medical assessment.

⁹ [Capping Report: CBP Struggled to Provide Adequate Detention Conditions During 2019 Migrant Surge](#), OIG-20-38, June 12, 2020, p. 8; [DHS’ Fragmented Approach to Immigration Enforcement and Poor Planning Resulted in Extended Migrant Detention during the 2019 Surge](#), OIG-21-29, Mar. 18, 2021, pp. 11-12.



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

units (FAMUs),¹⁰ and single adults on the Southwest border can vary widely by year.

Table 1. Border Patrol Encounters on the Southwest Border, FYs 2019-2023

| Fiscal Year | UC | FAMU | Single Adults | Total Encounters |
|--------------------|-----------|-------------|----------------------|-------------------------|
| 2019 | 76,020 | 473,682 | 301,806 | 851,508 |
| 2020 | 30,557 | 52,230 | 317,864 | 400,651 |
| 2021 | 144,834 | 451,087 | 1,063,285 | 1,659,206 |
| 2022 | 149,093 | 482,962 | 1,574,381 | 2,206,436 |
| 2023 to date* | 94,821 | 365,006 | 1,053,614 | 1,513,441 |

Source: CBP enforcement statistics

Note: Encounter numbers include Title 8 apprehensions, Title 8 inadmissibles, and from March 2020 to May 2023, Title 42 expulsions. (Under the U.S. Code, Title 42 is a public health authority and Title 8 is an immigration authority.)

* FY 2023 data are for October 2022 through June 2023.

Table 2. Office of Field Operations Encounters on the Southwest Border, FYs 2019-2023

| Fiscal Year | UC | FAMU | Single Adults | Total Encounters |
|--------------------|-----------|-------------|----------------------|-------------------------|
| 2019 | 4,614 | 54,381 | 67,006 | 126,001 |
| 2020 | 2,682 | 19,451 | 35,304 | 57,437 |
| 2021 | 2,091 | 30,749 | 42,640 | 75,480 |
| 2022 | 2,964 | 80,647 | 88,897 | 172,508 |
| 2023 to date* | 3,838 | 131,875 | 140,451 | 276,164 |

Source: CBP enforcement statistics

Note: Encounter numbers include Title 8 apprehensions, Title 8 inadmissibles, and from March 2020 to May 2023, Title 42 expulsions. (Under the U.S. Code, Title 42 is a public health authority and Title 8 is an immigration authority.)

* FY 2023 data are for October 2022 through June 2023.

¹⁰ TEDS 8.0, *Definitions*. A family unit is a group of detainees that includes one or more non-U.S. citizen juvenile(s) accompanied by his/her/their parent(s) or legal guardian(s), whom the agency will evaluate for safety purposes to protect juveniles from sexual abuse and violence.

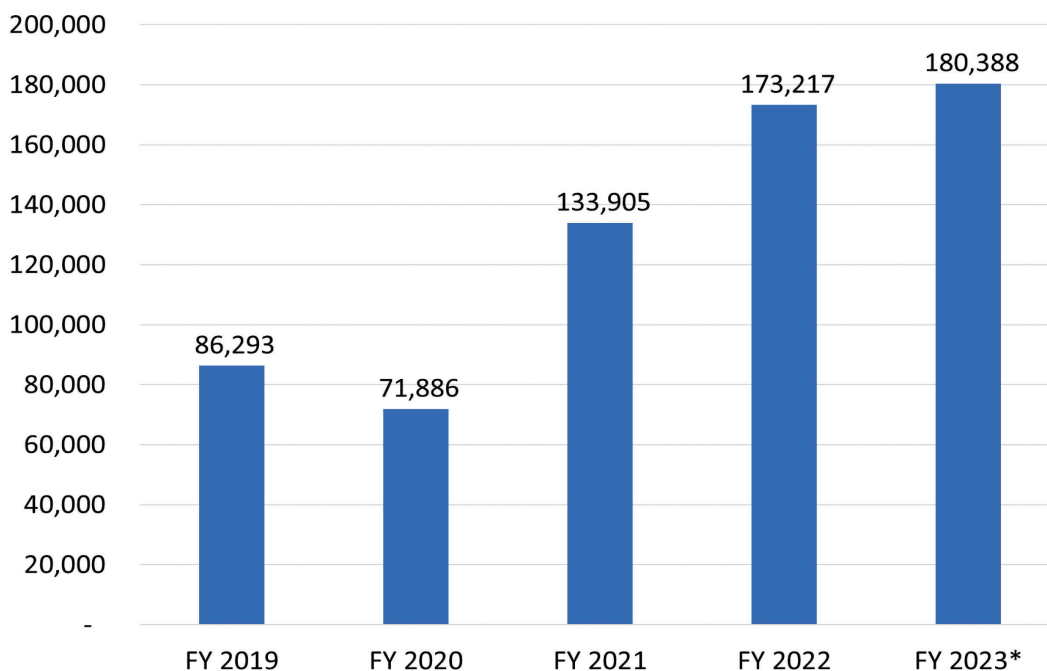


OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Border Patrol encounters on the Southwest border fluctuate annually. In fiscal year 2019, DHS faced one of the largest surges of migrants crossing from the Southwest border, until the COVID-19 outbreak caused a decline in FY 2020. In FY 2021, Border Patrol’s Southwest border encounters reached a new high of 1,659,206. This trend continued in FY 2022, increasing migrant encounters by approximately 33 percent compared to FY 2021.¹¹

CBP’s total encounters in the Laredo area of responsibility (Figure 2) have increased significantly between FY 2020 (71,886) and FY 2023 (180,388) through June 2023. For FY 2023 to date, Laredo encounters make up approximately 10 percent of overall encounters along the Southwest border. As of June 2023, CBP’s total encounters in the Laredo area of responsibility have more than doubled from FY 2020.

Figure 2. CBP’s Total Encounters in the Laredo Area of Responsibility, FYs 2019-2023



Source: CBP enforcement statistics

Note: Encounter numbers include Title 8 apprehensions, Title 8 inadmissibles, and from March 2020 to May 2023, Title 42 expulsions. (Under the U.S. Code, Title 42 is a public health authority and Title 8 is an immigration authority.)

* FY 2023 data are for October 2022 through June 2023.

¹¹ CBP Stats and Summaries: [Southwest Land Border Encounters \(By Component\)](#), July and August 2023.



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

In March 2020, in response to the COVID-19 pandemic, the Centers for Disease Control and Prevention issued a public health emergency order known as Title 42. The order prohibited introduction into the United States of certain people from foreign countries traveling from Canada or Mexico, regardless of their countries of origin.¹² Subsequent orders continued the Title 42 expulsions, with some modifications such as an exemption for UCs. Many migrants encountered by CBP were not amenable to expulsion under Title 42. Migrants who could not be expelled under Title 42 were processed by CBP pursuant to applicable immigration laws, which resulted in their removal, placement in immigration proceedings, or referral for criminal prosecution. At the time of our inspection, Title 42 expulsions still occurred; however, on May 11, 2023, the Title 42 public health order was terminated, eliminating the use of Title 42 to expel migrants.

Results of Inspection

During our unannounced inspection in the Laredo area in February and March 2023, we observed instances of high TIC at one Border Patrol holding facility. Of the 1,008 detainees in custody during our site visits, CBP held 736 (or 73 percent) longer than prescribed by the TEDS standards, which generally limit TIC to 72 hours. CBP also faced challenges properly documenting and securing personal property. Three of the four facilities we inspected did not accurately track or record property on inventory logs or in the respective data systems. We also found inaccurate data in detainee custody logs at all CBP facilities. Detainee custody logs in Border Patrol and OFO systems of record inaccurately recorded or did not properly account for amenities provided to detainees in custody. The facilities generally met TEDS standards for cleanliness, food and beverages, supplies and hygiene items, bedding, and medical care.

Border Patrol's Laredo Enhanced Centralized Processing Center Experienced High TIC

During our inspection, we observed high TIC at Border Patrol's Laredo ECPC, and our follow-up with the facility, 2 weeks later, showed detainees remained at the ECPC for up to 9 days after our inspection. TEDS standards state detainees should generally not be held for longer than 72 hours after being taken into custody.¹³ To reduce overcrowding and facilitate Title 42 removal

¹² See Title 42 of the *Public Health Services Act* (42 U.S.C. § 265). Expulsions under Title 42 are a public health measure and not considered immigration enforcement.

¹³ TEDS 4.1, *Duration of Detention*. Detainees should generally not be held for longer than 72 hours in CBP holding rooms or holding facilities. Every effort must be made to hold detainees for the least amount of time required for their processing, transfer, release, or repatriation, as appropriate and as operationally feasible.



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

flights, Border Patrol stations along the Southwest Border and other sectors transferred detainees to ECPC. Those detainees' TIC started before they arrived at the ECPC.

At the time of our inspection, 736 (approximately 73 percent) of the 1,008 detainees in custody at the ECPC were held over 72 hours, with the longest TIC over 10 days. Our follow-up with the ECPC indicated the 736 detainees held over 72 hours during our inspection remained in custody at the Laredo ECPC for an additional 1 to 9 days, until their release from CBP.¹⁴ CBP's follow-up data also indicated that of the 1,008 detainees in custody at the time our inspection, 944 (almost 94 percent) were in custody over 72 hours, with the longest in custody for over 13 days.

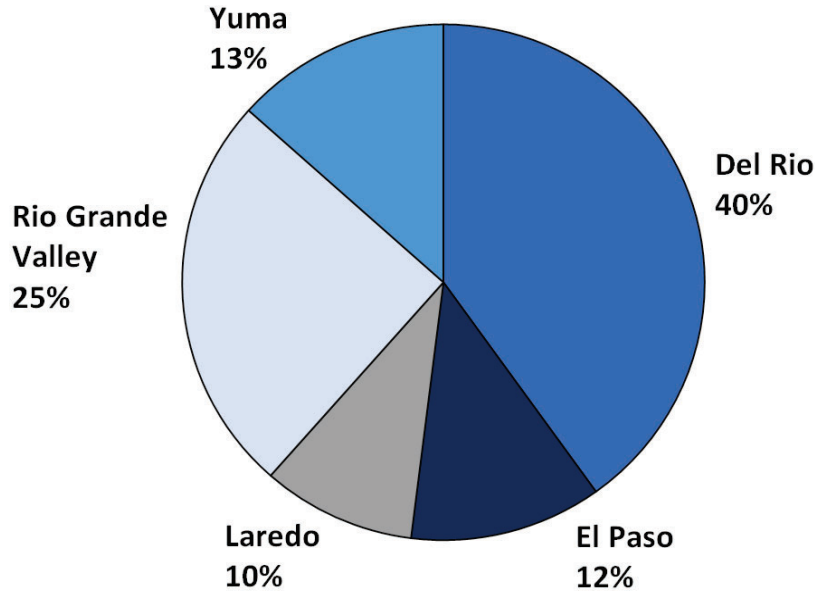
Border Patrol officials stated many detainees had been apprehended in other Border Patrol sectors and then transferred to the Laredo ECPC to ease overcrowding, thus contributing to high TIC. For example, only about 10 percent of detainees in custody at ECPC were apprehended in Laredo; the rest were detained in other sectors as shown in Figure 3. When detainees were transferred to the ECPC from other sectors, their time spent in custody to that point was also transferred to the ECPC, causing the detainees in ECPC to have an overall elevated TIC.

¹⁴ A release from the facility could mean the detainee was released with a Notice to Appear or other immigration pathway; transferred to ICE's ERO; or repatriated from the United States.



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Figure 3. Origin of Apprehensions for Detainees in Custody at the Laredo ECPC, February 28, 2023



Total Detainees in Custody 1,008

Source: DHS OIG analysis of custody data at the ECPC

The ECPC also served as a hub for flights for Ecuadorian and Honduran migrants expelled under the Title 42 public health emergency order. Of the 1,008 detainees in custody, 938 (about 93 percent) were single adults and FAMU from Ecuador and Honduras, with the majority of them pending Title 42 flights. The frequency of Title 42 flights was dependent on the total number of detainees in custody under Title 42 authority and the need to ensure full flights. Border Patrol officials also explained that Ecuador and Honduras waited until the flight manifest was created to verify detainees' citizenship, which meant detainees were required to be on the manifest for 2 or 3 days before the flight. This delay also contributed to higher TIC at the ECPC.



CBP Faced Challenges with Properly Documenting and Securing Personal Property

We found several large sums of currency were not stored in locked containers, as required by station policy or in alignment with station practices. Additionally, two of the three Border Patrol stations did not accurately track or record personal property on the CBP Form 6051-R, *Receipt for Property*, or in the e3¹⁵ system of record. At the POE, we found property was not appropriately stored, inventoried, or tracked in the Unified Secondary (USEC)¹⁶ system of record. TEDS standards¹⁷ specify that detainee personal property discovered during law enforcement actions must be safeguarded, itemized, and documented. Failing to secure and document property can result in detainee possessions being mishandled, improperly retained, or discarded; violate existing policies; and lead to complaints filed against the agency.

At two Border Patrol stations, we found unsecured property bags containing large sums of currency, exceeding \$500, which were not stored in a property safe. At one station, one property bag held \$4,500 (Figures 4 and 5) and another property bag held \$502. Neither property bag was secured in the safe. An official at the station stated he did not know the threshold to secure monetary items in a secured container and said there was no policy or guidance on the amount. Another official later clarified that the station has a practice of separating large amounts of currency. At the second Border Patrol station, one property bag contained \$820 but was not secured in a safe. Even though this station's standard operating procedures for detainee personal property requires currency over \$500 be stored in a safe, the property bag was located with other general property.

¹⁵ The e3 system is Border Patrol's primary system for collecting biographic, encounter, and biometric data for migrants encountered or apprehended. Additionally, Border Patrol agents use e3 to log detainee custodial actions and amenities, including health interviews, meals, snacks, clean clothing, hygiene products, sleeping mats, blankets, showers, and welfare checks.

¹⁶ The USEC system is OFO's primary system for providing officers with a consolidated view of all travelers who are being held in custody. Additionally, OFO Officers use the custody log to track people in custody and ensure they are receiving meals, medications, or other necessities as appropriate.

¹⁷ Per TEDS 7.1, *General: Personal Property*, all detainee personal property discovered during apprehension or processing and not deemed to be contraband must be safeguarded, itemized according to the operational office's policies and procedures, and documented in the appropriate electronic system(s) of record.



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Figures 4 and 5. Property Inventory Sheet and Property Bag Containing \$4,500, Observed March 2, 2023

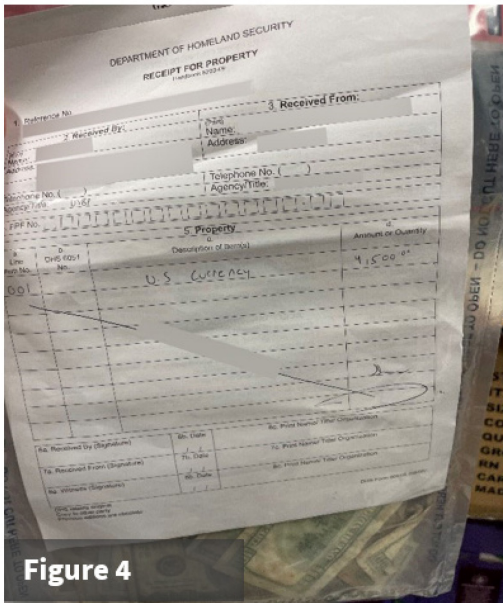


Figure 4



Figure 5

Source: DHS OIG

Further, at the second station, a safe used to store high-value detainee property was left open with items inside (Figures 6 and 7).



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Figures 6 and 7. Detainee Personal Property Safe in the Property Room Left Open, Observed March 1, 2023



Source: DHS OIG

We also found that two Border Patrol stations did not annotate detainee personal property correctly on the CBP Form 6051-R. Border Patrol is required to describe and inventory detainee property on the form, placing the form with the property and providing a receipt to the detainee. Personal items in detainee property bags were missing from the form, or items were documented on the form but were missing from the property bag. For example, one form listed a “personal” item and the description as “10,” however, the bag contained a cellphone and paperwork. In another property bag, a wallet was not listed on the form but was in the property bag. Other property bags were missing rings, identification cards, and debit and/or credit cards that were listed on the inventory form.

Finally, the POE did not have a standardized practice for tracking property and did not inventory all detainee property items. The POE used a paper log in a binder to record when items were signed in and out of the property room but there was no correlation between information in USEC and the hard copy form. USEC should contain an itemized inventory of property, along with the 6051-R property identification number. While the binder contained information regarding the property identification number, we were unable to associate it with property in the room nor in USEC. We observed purses, backpacks, and suitcases without property tags attached. A detainee’s purse was tagged with a property ticket, but the purse also contained items such as medicine and a



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

wallet with currency, credit cards, and a driver's license, which had not been inventoried and properly secured.

CBP Had Data Integrity Issues

We found inaccurate data in detainee custody logs at all four CBP facilities. Detainee custody logs maintained in Border Patrol's e3 and OFO's USEC databases inaccurately recorded or did not properly account for amenities provided to detainees in custody. According to TEDS, "[a]ll custodial actions, notifications, and transports that occur after the detainee has been received into a CBP facility must be accurately recorded in the appropriate electronic system(s) of record as soon as practicable."¹⁸ Having accurate, complete, and consistent data is critical for CBP to monitor care of detainees in custody and ensure compliance with TEDS and other applicable standards.

In the 42¹⁹ custody logs reviewed, we noted data integrity issues, including:



Meals

Custody logs omitted meals and included duplicate meals. For example, of the 42 total custody logs reviewed, 38 logs did not document meals or had extended periods of time between meals. Also, at one Border Patrol station, 30 of 30 custody logs had duplicate meals annotated; all 30 detainees had breakfast at 5:21 a.m. and a second breakfast logged at 5:21 a.m.



Medical

Thirteen logs did not document an initial intake medical assessment or CBP Form 2500, *Alien Initial Health Interview Questionnaire*.



Showers

At one Border Patrol station, 30 of 30 custody logs indicated the detainee received a shower within the required 48 hours (juveniles) or 72 hours (adults), but we determined this was not wholly accurate. More specifically, three of the custody logs we reviewed were for members of a FAMU. We spoke with the family and noticed the mother and daughter had soiled clothing and dirty hands and feet. The mother stated that she and her daughter had

¹⁸ TEDS 4.5, *Electronic System(s) of Record*.

¹⁹ We collected a judgmental sample of 30 custody logs from the ECPC. We selected the sample based on detainees with the longest TIC, as well as FAMU and UC in custody over 72 hours. At the other CBP facilities, we obtained all available detainee custody logs: five custody logs at the POE, six at Laredo South, and one at Laredo West.



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

not received a shower or clean clothing since arriving at the Laredo facility, about 5 days prior.

Inaccurate data have been a recurring issue for CBP. We observed unreliable data in detainee custody logs in our prior inspections, which we reported on most recently in June 2023 for the Yuma and Tucson areas of Arizona,²⁰ the Rio Grande Valley area of Texas,²¹ the El Centro and San Diego areas of California,²² and the Del Rio area of Texas.²³

CBP Facilities and Processes Generally Met Other TEDS Standards

The CBP facilities generally met TEDS standards for cleanliness, food and beverages, supplies and hygiene items, bedding, and medical care. All four facilities were mostly clean and had meals, snacks, and water available for detainees. CBP provided access to bottled and potable water, microwaveable meals with vegetarian or dietary restriction options, snacks for all ages, and infant formula, and each facility had the flexibility to purchase additional food as needed. Snacks, water, and juice were freely available to detainees in holding areas (Figures 8 and 9).

²⁰ *Results of Unannounced Inspections of CBP Holding Facilities in the Yuma and Tucson Areas*, [OIG-23-29](#), June 23, 2023.

²¹ *Results of Unannounced Inspections of CBP Holding Facilities in the Rio Grande Valley Area*, [OIG-23-28](#), May 24, 2023.

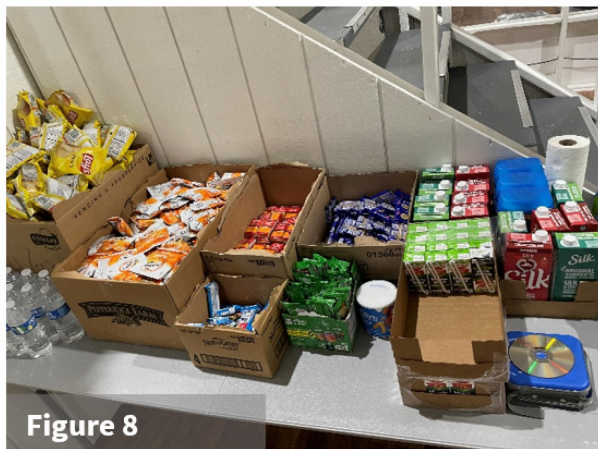
²² *El Centro and San Diego Facilities Generally Met CBP's TEDS Standards but Struggled with Prolonged Detention and Data Integrity*, [OIG-23-03](#), Dec. 20, 2022.

²³ *Del Rio Area Struggled with Prolonged Detention, Consistent Compliance with CBP's TEDS Standards, and Data Integrity*, [OIG-22-80](#), Sept. 29, 2022.



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Figures 8 and 9. Snacks, Juice, and Water Available to Detainees in Holding Rooms at Border Patrol Facilities, Observed February 28 and March 1, 2023



Source: DHS OIG

All four facilities were well stocked with supplies and hygiene items, such as diapers in various sizes and wipes, and clean clothing and shoes for adults and children. Personal hygiene items, including toiletry kits (with shampoo/body wash, body lotion, toothpaste, and deodorant), paper shower wipes, and feminine hygiene products, were also available. In addition, the facilities had Mylar blankets and mats.

Detainees had access to initial medical screenings and medical care from contract medical staff. All four facilities had contracted medical staff to conduct initial health interviews and medical screenings for all detainees (Figures 10 and 11). Initial health interviews are used to collect medical history and assess current medical conditions. At all facilities, if the interview indicated additional screening was necessary, medical staff initiated a more in-depth medical assessment. In addition, the contract medical staff said that at-risk populations, which include juveniles, pregnant woman, and LGBTQI+ individuals, received a more in-depth medical assessment. All four facilities had procedures in place to respond to medical emergencies.



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Figures 10 and 11. Contract Medical Staff Conducting Medical Screenings of Detainees, Observed February 28, 2023

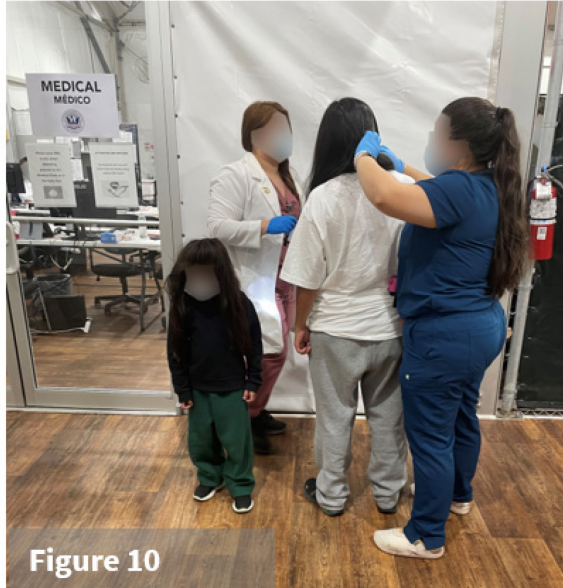


Figure 10



Figure 11

Source: DHS OIG

Conclusion

Despite significant increases in migrant encounters, CBP facilities and processes in the Laredo area generally met TEDS standards. However, detainees apprehended in other Border Patrol sectors and then transferred to the Laredo ECPC to ease overcrowding and facilitate Title 42 flights, have led to higher TIC. In addition, CBP property practices did not comply with TEDS, and CBP continues to experience data integrity issues. CBP's unreliable data could result in inaccurate information about conditions in detention.

Recommendations

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

Recommendation 1: Refine current, and identify new, strategies and solutions to minimize delays in detainee transfers to partner agencies and communicate those improvements throughout the Laredo sector.



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

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

Recommendation 2: Conduct mandatory annual refresher training on handling, recording, and safeguarding property to ensure consistent implementation of all policies and guidance for property.

Recommendation 3: Conduct mandatory annual refresher training on recording information in custody logs, highlighting the importance of accurately accounting for all actions completed by CBP and contract personnel, such as medical screenings, meals, and showers.

Management Comments and OIG Analysis

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

CBP Response to Recommendation 1: Concur. CBP described current strategies and actions to address the recommendation. For example, CBP stated that it uses the Case Acceptance System to facilitate reviews of transfer documentation with ICE ERO, coordinates with ICE ERO partners embedded at Border Patrol facilities, and has detailed additional staff to the sector. In addition, CBP explained that the Laredo sector serves as a “decompression” center for southwest and coastal sectors, receiving detainees from other sectors. CBP requested the closure of this recommendation.

OIG Analysis: We consider these actions responsive to the recommendation, which we consider resolved and open. CBP provided documentation confirming the Laredo sector serves as a decompression center for other sectors. We will close this recommendation when CBP submits documentation showing its efforts helped to manage delays transferring detainees out of Border Patrol custody.

CBP Response to Recommendation 2: Concur. CBP identified actions Border Patrol and OFO will take to address the recommendation, such as providing additional training on the proper handling of detainee property and amending the annual “Personal Search Handbook Re-certification” training requirements. Estimated completion date: March 29, 2024.



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

OIG Analysis: We consider these actions responsive to the recommendation, which we consider resolved and open. We will close this recommendation when CBP submits documentation showing it implemented corrective actions described in its management response across the Border Patrol sector and OFO field office.

CBP Response to Recommendation 3: Concur. CBP noted actions Border Patrol and OFO will take to address the recommendation. For example, Border Patrol will conduct refresher training on recording information in custody logs and create a Data Integrity Management Team to review custodial action logs, while OFO will update and provide specific training courses. Estimated completion date: March 29, 2024.

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



Appendix A

Objective, Scope, and Methodology

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

We initiated this work at Congress' direction to conduct unannounced inspections at CBP short-term holding facilities. We analyzed various factors to determine which facilities to inspect. We reviewed prior inspection reports, and current and future inspection, evaluation, and audit schedules from internal and external organizations. We also considered information from media outlets to determine which facilities may pose the greatest risks to the health and safety of detainees. Finally, to ensure we review facilities with higher detainee populations, we considered location, historical apprehension numbers and facility capacity, and facility type (e.g., centralized processing centers, hard-side stations, and temporary facilities).

Our objective was to determine whether CBP complied with the TEDS standards and other relevant policies and procedures related to length of detention and conditions of detention at CBP short-term holding facilities in the Laredo area of Texas. Prior to our inspection, we reviewed relevant background information from congressional mandates, nongovernmental organizations, and media reports.

Between February 28 and March 2, 2023, we conducted unannounced inspections of three Border Patrol stations (Laredo ECPC, Laredo South, and Laredo West) and one OFO POE (Laredo Lincoln/Juarez Bridge).

Our inspections were unannounced. We did not inform CBP we were in the sector or field office area of responsibility until we arrived at the first facility. At each facility, we observed conditions and reviewed electronic records and paper logs as necessary. We also interviewed CBP personnel and medical contractors. We interviewed detainees using language assistance services to provide interpretation. We photographed examples of compliance and noncompliance with TEDS standards. For example, we took photographs to document the storage of detainee personal property and the conditions of holding rooms.

Our conclusions are limited to what we observed and information we obtained from CBP staff at the time of our inspections.

Regarding TEDS standards for medical care, we reviewed provisions to:



OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

- ensure medical records and medications accompany detainees during transfer (TEDS 2.10);
- ask detainees about, and visually inspect for, any sign of injury, illness, or physical or mental health concerns (TEDS 4.3);
- take precautions to protect against contagious diseases (TEDS 4.3);
- identify the need for prescription medicines (TEDS 4.3);
- provide medical care (TEDS 4.10); and
- take precautions for at-risk populations (TEDS 5.0).

This review describes CBP’s process for providing access to medical care but does not evaluate the quality of medical care provided to those in CBP custody.

We conducted this inspection in February and March 2023 pursuant to the *Inspector General Act of 1978*, 5 U.S.C. §§ 401-424, and in accordance with the *Quality Standards for Inspection and Evaluation* issued by the Council of the Inspectors General on Integrity and Efficiency.

DHS OIG’s Access to DHS Information

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



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Appendix B
CBP Comments on the Draft Report

1300 Pennsylvania Avenue, NW
Washington, DC 20229



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

September 21, 2023

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

9/21/2023

X

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

Signed by: HENRY A MOAK JR

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

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

CBP is pleased to note the OIG’s unannounced inspection found that the CBP facilities in the Laredo area generally met the National Standards on Transport, Escort, Detention, and Search (TEDS) standards for cleanliness, food, and beverages, supplies and hygiene items, bedding, and medical care. CBP remains committed to complying with TEDS and related policies and procedures by providing reasonable and appropriate care for persons in its custody.

It is important to note, however, that while CBP faces challenges in managing detainee transfers to partner agencies due to an unparalleled surge in migration, CBP also utilizes every available resource and option to ensure detainees are processed, served a final disposition, and released within 72 hours to meet CBP’s TEDS. For example, the U.S. Border Patrol (USBP) Laredo Sector (LRT) coordinates the movement of non-citizens out of its temporary custody, including collaboration with multiple agencies to mobilize resources to facilitate lateral transfers and with local government and non-governmental organizations that assist with released populations. In addition, LRT works to find efficiencies by utilizing government and contracted staff to process migrants and reduce time in custody (TIC) times, whenever possible.

The draft report contained three recommendations with which CBP concurs. Enclosed find our detailed response to each recommendation. CBP previously submitted technical comments addressing several accuracy, contextual and other issues under a separate cover for OIG’s consideration.



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Again, thank you for the opportunity to review and comment on this draft report. Please feel free to contact me if you have any questions. We look forward to working with you again in the future.

Enclosure



OFFICE OF INSPECTOR GENERAL Department of Homeland Security

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

OIG recommended that the Laredo Sector Chief, USBP, CBP:

Recommendation 1: Refine current, and identify new, strategies and solutions to minimize delays in detainee transfers to partner agencies and communicate those improvements throughout the Laredo sector.

Response: Concur. CBP USBP continues to engage in current strategies that minimize delays in detainee transfers, including: (1) using the Case Acceptance System that facilitates electronic file reviews of transfer documentation between U.S. Immigration and Customs Enforcement (ICE) Enforcement Removal Operations (ERO) and USBP and minimizes ICE ERO delays accepting detainees from USBP; (2) coordinating with ICE ERO partners that are embedded in USBP facilities to create coordination efficiencies; (3) working daily with non-government organizations and local stakeholders to help assist processed detainees once released from USBP custody; and (4) leveraging virtual processing capabilities from other USBP sectors to ensure detainees are processed, served a final disposition, and released within 72 hours to meet CBP's TEDS.

During typical operations when USBP LRT is not experiencing migratory surges these four strategies are effective. However, during migratory surges, USBP LRT adds additional temporary staffing, as necessary, to perform care and custody operations and mitigate delays in detainee transfers. For example, within the last six months USBP LRT detailed 60 agents and 8 supervisors to the sector to assist with managing the most recent surge.

In addition, on or about July 9, 2023, USBP implemented multiple strategies and solutions to decompress the most impacted sectors, to include lateral detainee transfers via ground and air transport to sectors that are not experiencing high numbers of detainees. The USBP LRT serves as the main "decompression" center for all southwest and coastal sectors. Due to the lateral decompression strategies used in other sectors, USBP LRT receives hundreds of detainee transfers from the most impacted sectors, which may cause an increased TIC. USBP continues to assess all sectors and will make operational decisions based on the individual needs of each sector.

Further, the Southwest Border Coordination Center, Movement Coordination Cell (MCC), provides support to sectors through coordination with ICE ERO to minimize delays in air and ground movement of non-citizens into ICE ERO custody. Currently there are regularly scheduled air and ground transfers to ICE ERO custody that support the LRT.



OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

On September 6, 2023, CBP provided supporting documentation evidencing these completed actions. CBP requests that the OIG consider this recommendation resolved and closed, as implemented.

OIG recommended that the Laredo Sector Chief, USBP, CBP, and Director of Field Operations, Laredo Field Office, Office of Field Operations (OFO), CBP:

Recommendation 2: Conduct mandatory annual refresher training on handling, recording, and safeguarding property to ensure consistent implementation of all policies and guidance for property.

Response: Concur. The LRT Enhanced Centralized Processing Center (ECPC) limits access to the property room and assigns dedicated border patrol agents (BPA) and border patrol processing coordinators (BPPC) who perform daily inventories. The LRT ECPC will conduct refresher training for all GS-1896 BPA and GS-1802 BPPC on handling, recording, tracking, and safeguarding property to ensure consistent implementation of all policies and guidance for property. Further, LRT leadership will evaluate and provide additional training, such as via emails and muster modules, as needed to ensure all BPAs and BPPCs are confident in the proper handling of detainee property.

The CBP OFO, in collaboration with the Office of Training and Development (OTD), will amend the mandatory annual “Personal Search Handbook Re-certification” training requirements to include handling of detainee personal property and the recording requirements listed in TEDS. In addition, OFO will develop and distribute a muster reiterating the TEDS requirement that personal property belonging to detainees be properly recorded in the electronic system of record.

Estimated Completion Date (ECD): March 29, 2024.

Recommendation 3: Conduct mandatory annual refresher training on recording information in custody logs, highlighting the importance of accurately accounting for all actions completed by CBP and contract personnel, such as medical screenings, meals, and showers.

Response: Concur. Unprecedented migratory surges often result in prolonged detention times and a greater number of subjects at holding facilities within the LRT. These surges also strain employees and support staff, resulting in data integrity issues related to logging and tracking actions taken as required by CBP’s National TEDS. Accordingly, LRT will conduct refresher training on recording information in custody logs, which will highlight the importance of accurately accounting for all actions completed by CBP and contract personnel, such as medical screenings, meals, and showers.



OFFICE OF INSPECTOR GENERAL Department of Homeland Security

To better ensure data integrity, the LRT ECPC will also form a Data Integrity Management Team that will consistently review custodial action logs for non-citizens in custody to verify that the appropriate custodial actions are provided, recorded in the system of record, and discrepancies are identified and rectified quickly. In addition, the LRT ECPC will hold training and/or guidance via emails and muster modules, as needed. LRT leadership will evaluate and provide additional training (e-mails and muster modules), as needed, to ensure all BPAs and BPPCs are confident in the proper handling of detainee property.

In addition, CBP OFO will collaborate with USBP and OTD to update and provide the following required training courses: (1) “TEDS: Duration, Conditions, and Monitoring of individuals in custody” and (2) “TEDS: Medical Care of Individuals in Custody” for all CBP Officers, BPAs, and BPPCs. For BPAs and BPPCs, completion is due by November 21, 2023. CBP OFO will collaborate with OTD to update and provide the required training course, “Personal Search Handbook Re-Certification” for all CBP Officers. All three courses are available online within the Acadis Learning Management System (LMS).

ECD: March 29, 2024.



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Appendix C
Office of Inspections and Evaluations Major Contributors to
This Report

Seth Winnick, Chief Inspector
Donna Ruth, Lead Inspector
Ryan Nelson, Senior Inspector
Anthony Crawford, Intelligence Officer
Eleanor Sullivan, Inspector
Brett Cheney, Independent Reference Reviewer



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Appendix D
Report Distribution

Department of Homeland Security

Secretary
Deputy Secretary
Chief of Staff
Deputy Chiefs of Staff
General Counsel
Executive Secretary
Director, Departmental GAO-OIG Liaison Office
Under Secretary, Office of Strategy, Policy, and Plans
Assistant Secretary for Office of Public Affairs
Assistant Secretary for Office of Legislative Affairs
Commissioner, U.S. Customs and Border Protection

Office of Management and Budget

Chief, Homeland Security Branch
DHS OIG Budget Examiner

Congress

Congressional Oversight and Appropriations Committees

Additional Information and Copies

To view this and any of our other reports, please visit our website at:
www.oig.dhs.gov.

For further information or questions, please contact Office of Inspector General
Public Affairs at: DHS-OIG.OfficePublicAffairs@oig.dhs.gov.
Follow us on Twitter at: @dhsoig.



OIG Hotline

To report fraud, waste, or abuse, visit our website at www.oig.dhs.gov and click on the red "Hotline" box. If you cannot access our website, call our hotline at (800) 323-8603, or write to us at:

Department of Homeland Security
Office of Inspector General, Mail Stop 0305
Attention: Hotline
245 Murray Drive, SW
Washington, DC 20528-0305