



U.S. DEPARTMENT OF HOMELAND SECURITY OFFICE OF INSPECTOR GENERAL

OIG-24-44

August 8, 2024

FINAL REPORT

Results of January 2024 Unannounced Inspections of CBP Holding Facilities in the Del Rio Area (REDACTED)





OFFICE OF INSPECTOR GENERAL

U.S. Department of Homeland Security

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

August 8, 2024

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

FROM: Joseph V. Cuffari, Ph.D. **JOSEPH CUFFARI**
Inspector General

SUBJECT: *Results of January 2024 Unannounced Inspections of CBP Holding Facilities in the Del Rio Area*

Digitally signed by JOSEPH V CUFFARI
Date: 2024.08.08 12:56:07 -0400

Attached for your action is our final report, *Results of January 2024 Unannounced Inspections of CBP Holding Facilities in the Del Rio Area*. We incorporated the formal comments provided by your office.

In the report we made three recommendations to improve management of and conditions in CBP short-term holding facilities in the Del Rio area. Your office concurred with the three recommendations. Based on information provided in your response to the draft report, we consider recommendations one and two resolved and open and recommendation 3 resolved and closed. 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 the Office of Inspections and Evaluations, at (202) 981-6000.

Attachment



DHS OIG HIGHLIGHTS

Results of January 2024 Unannounced Inspections of CBP Holding Facilities in the Del Rio Area

August 8, 2024

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 short-term holding facilities in the Del Rio area to evaluate CBP's compliance with applicable detention standards.

What We Recommend

We made three recommendations to improve management of and conditions in CBP short-term holding facilities in the Del Rio 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

In January 2024, we conducted onsite, unannounced inspections at four U.S. Customs and Border Protection (CBP) facilities in the Del Rio area, specifically three U.S. Border Patrol (Border Patrol) facilities and one Office of Field Operations (OFO) port of entry (POE). At the time of our onsite inspection, Border Patrol held 354 detainees in custody in the Eagle Pass Soft-Sided Processing Facility, Eagle Pass South station, and Del Rio station. In all three facilities, we found Border Patrol held detainees longer than specified in the *National Standards on Transport, Escort, Detention, and Search*, which generally limits detention to 72 hours. Overall, Border Patrol met other applicable standards to provide or make available amenities such as food, water, and medical care to detainees. However, we found temperatures below the minimum standard in one Border Patrol holding facility, instances where agents did not always provide clean sleeping mats to detainees, and insufficient medical staffing levels. In addition, we found data integrity issues with information in Border Patrol's electronic system of record, e3.

The Eagle Pass OFO POE did not hold any detainees in custody longer than 72 hours and met the standards we observed.

CBP Response

CBP concurred with our recommendations. We consider recommendations one and two resolved and open. We consider recommendation three resolved and closed.



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Abbreviations

CBP	U.S. Customs and Border Protection
CPC	Centralized Processing Center
COR	Contracting Officer's Representative
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>
UC	unaccompanied children



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Background

As mandated by Congress,¹ we conduct unannounced inspections of U.S. Customs and Border Protection (CBP) holding facilities. This report provides the results of our January 2024 inspections in the Del Rio area of Texas.

The U.S. Border Patrol (Border Patrol) Del Rio area of responsibility covers 55,063 square miles of Texas and reaches 300 miles into Texas from the United States-Mexico border. We inspected three Border Patrol holding facilities, including Eagle Pass Soft-Sided Processing Facility (SSPF), Del Rio station, and Eagle Pass South station; and the Eagle Pass Office of Field Operations (OFO) port of entry (POE), in the Del Rio area. We also walked through a small, 240-person capacity Centralized Processing Center (CPC)² at Del Rio station and the temporary outdoor migrant staging area Border Patrol established under Eagle Pass POE to manage a migrant surge in December 2023. We did not inspect the CPC at Del Rio station or the temporary outdoor staging area because they were not operational at the time of our visit. Figure 1 (on the next page) shows the locations of the four facilities and the staging area we visited.

Border Patrol and OFO, both components within CBP, are headed by Executive Assistant Commissioners and are both responsible for border security. OFO manages POEs, where officers perform immigration and customs functions. These functions include inspecting people who arrive at the port with or without valid documents for legal entry, such as visas or lawful permanent resident cards. Officers also inspect goods permitted under customs and other laws. Between POEs, Border Patrol's mission is to detect and interdict people and goods entering the United States without inspection. OFO and Border Patrol are responsible for short-term detention, generally consisting of people who are inadmissible, removable from the United States, or subject to criminal prosecution.³

Because CBP facilities are only equipped for short-term detention, CBP aims to repatriate, release, or transfer detainees⁴ to other partners quickly. As appropriate, CBP coordinates with U.S. Immigration and Customs Enforcement's (ICE) Enforcement and Removal Operations (ERO)

¹ Joint Explanatory Statement Accompanying H.R. 2882, *Further Consolidated Appropriations Act, 2024*, Div. C, *Department of Homeland Security Appropriations Act, 2024* (Pub. L. 118-47).

² CPCs are typically temporary structures used by Border Patrol to hold migrants while they are processed, store migrant personal property, conduct medical evaluation and treatment, and provide basic amenities such as restrooms, showers, food service, and bedding. The holding capacity of a CPC varies by location, from 240 to 2,500 detainees. The Eagle Pass SSPF and Del Rio station were the CPCs in the Del Rio sector at the time of our inspection.

³ Short-term detention is defined as "detention in a U.S. Customs and Border Protection processing center for 72 hours or less..." See 6 United States Code (U.S.C.) § 211(m)(3).

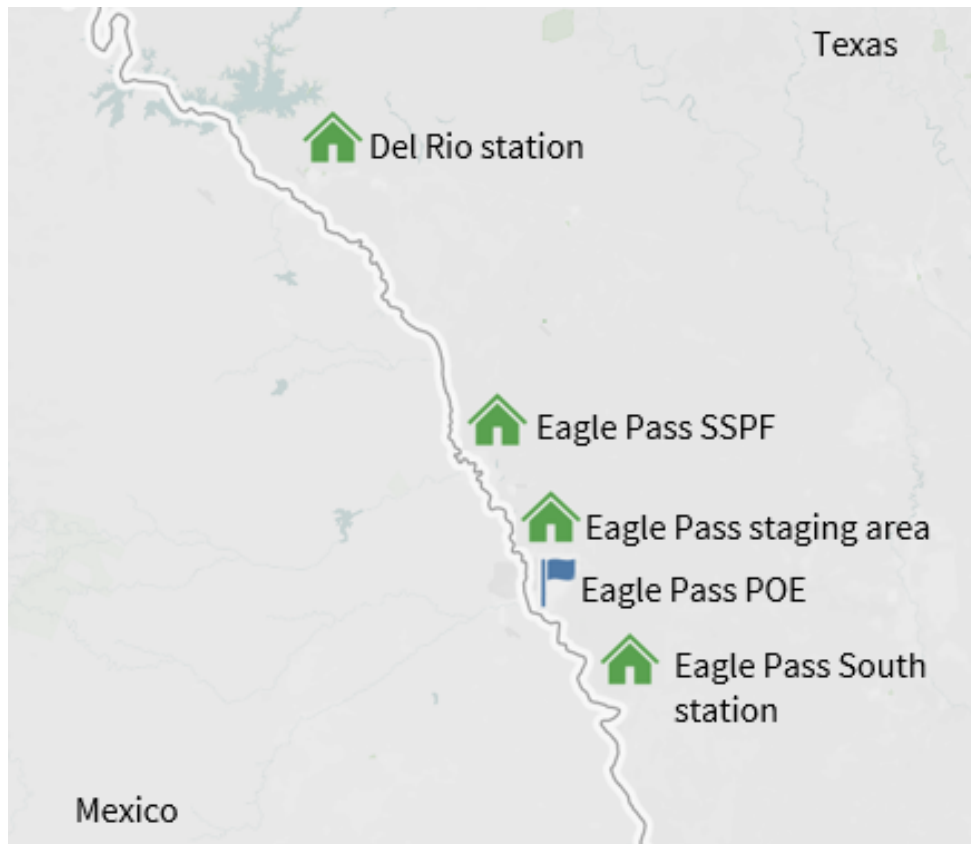
⁴ A detainee is defined as "any person detained in an immigration detention facility or holding facility." See 6 Code of Federal Regulations § 115.5, General Definitions.



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to place migrants⁵ in long-term detention facilities managed by ICE ERO or release migrants while they await immigration hearings. Border Patrol also coordinates with nongovernmental organizations to aid the migrants it releases. In the case of unaccompanied children (UC), CBP works with the U.S. Department of Health and Human Services’ Office of Refugee Resettlement, the agency responsible for the placement of UCs, to transfer UCs into Office of Refugee Resettlement’s custody.

Figure 1. Locations of CBP Facilities Visited in January 2024



Source: Department of Homeland Security Office of Inspector General

On January 12, 2023, DHS began permitting migrants to schedule appointments to present themselves for inspection at participating Southwest border POEs, through the CBP One™ mobile application.⁶ Migrants without visas or travel documents schedule an arrival time in

⁵ DHS defines a migrant as “a person who leaves [his or her] country of origin to seek temporary or permanent residence in another country.” See DHS, *Reporting Terminology and Definitions*, Aug. 2022.

⁶ The initial release of the CBP One™ application on October 28, 2020, was designed to streamline appointments for inspection of imported goods. Beginning on January 12, 2023, CBP adapted the application to include immigration



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advance at participating POEs. Through this mobile application, migrants also submit biographic and biometric information to OFO prior to their appointment. Within CBP's Del Rio area of responsibility, OFO processes CBP One™ applicants who arrive for appointments in the Eagle Pass POE.

CBP Standards for Detention at Short-Term Holding Facilities

The *National Standards on Transport, Escort, Detention, and Search* (TEDS)⁷ govern CBP's interactions with detainees and specify how staff should care for detainees while in CBP custody. According to TEDS, CBP should generally not hold detainees longer than 72 hours (3 days) after being taken into custody.⁸

Other TEDS standards state that CBP must:

- provide to detainees or make available basic amenities such as drinking water, meals, access to toilets and sinks, hygiene supplies, and under certain circumstances, bedding and showers;⁹
- ensure that holding facilities are clean, temperature controlled, and adequately ventilated;¹⁰
- provide regularly scheduled meals and accommodate detainees with religious or dietary restrictions;¹¹ and
- maintain age-appropriate supplies and snacks such as diapers, baby wipes, baby formula, and baby food.¹²

appointments at participating POEs, including Brownsville, Eagle Pass, Hidalgo, Laredo, El Paso, Nogales, Calexico West, and San Ysidro. On August 31, 2023, we initiated a separate project, *Evaluation of CBP's Implementation of CBP One™ for Southwest Border Undocumented Noncitizens*, with the objective to assess whether CBP adequately planned and implemented the CBP One™ application to process undocumented noncitizens at the Southwest border.

⁷ CBP, [National Standards on Transport, Escort, Detention, and Search](#) (TEDS), Oct. 2015.

⁸ TEDS 4.1 *Duration of Detention* states detainees should generally not be held for longer than 72 hours in CBP hold 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. For DHS authority to detain individuals, see 6 U.S.C. § 211(c)(8)(B); and 8 U.S.C. § 1357(a)(2).

⁹ See TEDS 4.14 *Drinking Water*; 4.13 *Food and Beverage: Meal Timeframe and Snack Timeframe*; 5.6 *Detention: Meals and Snacks – Juveniles, Pregnant, and Nursing Detainees*; 4.15 *Restroom Facilities*; 5.6 *Detention: Hold Rooms – UAC*; 4.11 *Hygiene*; and 4.12 *Bedding*. Under TEDS standards, reasonable effort must be made to provide showers to juveniles approaching 48 hours and adults approaching 72 hours in CBP custody; see 4.11 *Hygiene: Basic Hygiene Items* and 5.6 *Detention: Showers – Juveniles*.

¹⁰ TEDS 4.7 *Hold Room Standards: Temperature Controls and Cleanliness*; and 5.6 *Detention: Hold Rooms – UAC*.

¹¹ TEDS 4.13 *Food and Beverage*.

¹² TEDS 4.11 *Hygiene: Basic Hygiene Items*; 5.6 *Detention: Age and Capabilities Appropriate Food*.



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TEDS standards also outline general requirements for detainees’ access to medical care.¹³ CBP Directive No. 2210-004¹⁴ 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.” CBP uses contracted medical personnel to provide medical support to detainees while in custody.

CBP Migrant Encounters on the Southwest Border

In fiscal year 2023, CBP encounters¹⁵ with migrants on the Southwest border reached a new high of 2,473,134. Table 1 shows total CBP encounters on the Southwest border as well as encounters for UCs, family units, and single adults from FYs 2021 to 2024.

Table 1. CBP Encounters on the Southwest Border, FYs 2021–2024

Fiscal Year	UCs	Family Units	Single Adults	Total
2021	146,925	479,728	1,105,925	1,732,578
2022	152,057	560,646	1,663,278	2,375,981
2023	137,275	821,537	1,514,322	2,473,134
2024*	90,030	699,322	1,031,077	1,820,429

Source: CBP enforcement statistics

*Border Patrol and OFO month ending reporting for FY 2024 as of July 5, 2024.

Results of Inspection

In January 2024, we conducted onsite, unannounced inspections of four CBP facilities in the Del Rio area, specifically three Border Patrol facilities and one OFO POE. Table 2 (on the next page) provides a summary of our findings.

¹³ TEDS 4.10 *Medical Care*.

¹⁴ CBP Directive No. 2210-004, [Enhanced Medical Support Efforts](#), Dec. 30, 2019.

¹⁵ DHS defines a “CBP encounter” as an encounter by CBP with a noncitizen who is apprehended by Border Patrol or determined to be inadmissible by OFO.



Table 2. Summary of Findings

	Border Patrol held some detainees in custody longer than the 72-hour TEDS standard due to various contributing factors, such as insufficient bedspace at ICE facilities, prioritization of ICE detainees for removal flights, and Border Patrol’s processing prioritization of family units and UCs over single adults.
	CBP generally complied with other applicable standards, such as providing hygiene items, food and beverages, drinking water, and restroom facilities. CBP facilities also had access to telephonic interpretation services for staff to communicate with non-English-speaking detainees.
	One Border Patrol station did not meet standards requiring facilities to maintain temperatures at or above the minimum of 66 degrees Fahrenheit.
	CBP’s medical contract staffing levels were below the contract requirements at all four facilities inspected in the Del Rio area.
	Staff at the Border Patrol facilities we inspected did not maintain accurate custody logs, leading to data integrity issues.

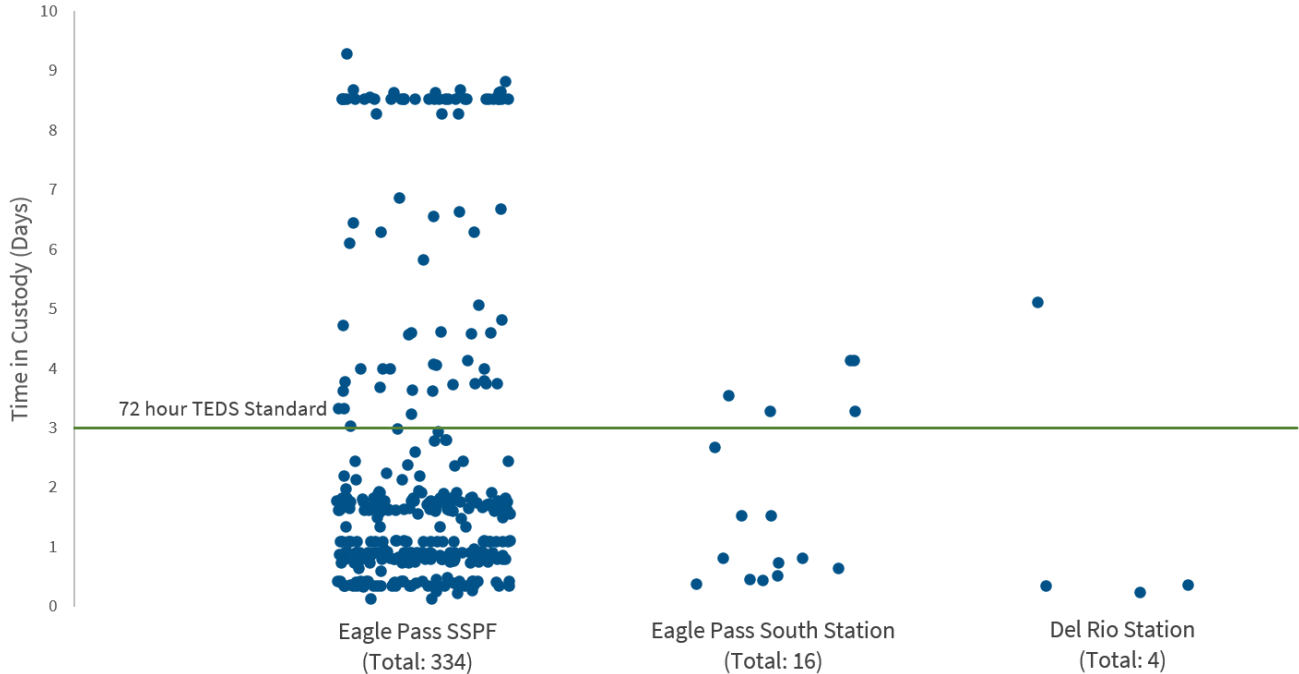
Border Patrol Held Some Detainees in Custody Longer Than the 72-hour Standard

During our inspection, Border Patrol held 354 detainees in the three facilities we inspected in the Del Rio area. Border Patrol held 77 of the 334 detainees (23 percent) at the Eagle Pass SSPF, 5 of 16 detainees (31 percent) at the Eagle Pass South station, and 1 of 4 detainees (25 percent) at the Del Rio station for longer than the 72-hour (3-day) standard. Figure 2 (on the next page) shows the time these detainees spent in Border Patrol custody by facility.



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Figure 2. Time Detainees Spent in Del Rio Border Patrol Custody by Facility, January 2024
Each dot represents one detainee.



Source: DHS OIG analysis of Border Patrol data

Border Patrol agents told us various factors contributed to the prolonged detention in the Del Rio sector. For example, Border Patrol relies on ICE ERO to transfer detainees out of Border Patrol short-term holding facilities and into ICE ERO long-term detention facilities. At the time of our inspection, ICE ERO could not receive and house the number of detainees Border Patrol required to transfer. In addition, the transfer of Border Patrol detainees to ICE ERO for removal on flights gets delayed when ICE ERO prioritizes removal flights for detainees already in ICE ERO detention facilities. At the Del Rio SSPF, for example, Border Patrol held a group of 36 detainees for over 8 days because they were awaiting an ICE ERO removal flight. Border Patrol agents also explained they have limited capacity to process all detainees quickly, which results in prolonged detention. For example, time in custody for single adults was generally longer than 72 hours at the time of our inspection because agents prioritized the processing of family units and UCs.

The Eagle Pass OFO POE was not holding detainees at the time of our inspection and met the standards we observed.



CBP Generally Complied with Other Applicable Standards

CBP generally complied with other applicable standards at all four facilities we inspected in the Del Rio area. All four facilities we inspected were clean and adequately ventilated. CBP provided regularly scheduled meals and snacks (including accommodations for those with religious and dietary needs), water, and other beverages. The facilities had age-appropriate supplies and snacks such as baby bottles, diapers, baby formula, and baby food. Detainees had access to toilets, sinks, and showers as necessary. CBP facilities in the Del Rio area had access to telephonic interpretation services for staff to communicate with non-English-speaking detainees. However, we found Border Patrol did not always meet standards related to temperature controls or bedding. Additionally, CBP's medical contract staffing levels were below the contract requirements at all four facilities we inspected in the Del Rio area; and staff at Eagle Pass SSPF, Eagle Pass South station, and Del Rio station did not maintain accurate custody logs leading to data integrity issues.

Temperature Controls and Bedding

At Eagle Pass South station, we found Border Patrol did not meet standards requiring facilities to maintain temperatures at the minimum 66 degrees Fahrenheit.¹⁶ We measured the temperature at 64.5 degrees Fahrenheit. On February 28, 2024, Border Patrol provided documentation confirming it fixed the temperature controls at the station.

Border Patrol at Eagle Pass South and Del Rio stations did not always provide clean sleeping mats to detainees during their time in custody.¹⁷ We observed holding rooms with damaged and soiled mats, which created a potential health and safety risk for detainees. The Eagle Pass South station and Del Rio station did not have enough mats to replace damaged and soiled mats. Figure 3 (on the next page) shows detainees sleeping on soiled mats at Eagle Pass South station. On February 28 and March 13, 2024, Border Patrol provided documentation showing they acquired new mats for both stations.

¹⁶ Memorandum From: Michael J. Fisher, Chief U.S. Border Patrol, For: All Chief Patrol Agent, All Directorate Chiefs, All Directorate Executive Directors; Subject: *Reno v. Flores* Compliance; Oct. 16, 2015.

¹⁷ Border Patrol, *Hold Rooms and Short-Term Custody Policy*, Jan. 31, 2008, Section 6.11, *Bedding*, states, "[d]etainees requiring bedding will be given clean bedding. Only one detainee will use this bedding between cleanings. This bedding will be changed every three days and cleaned before it is issued to another detainee. Vinyl or rubber-coated mattresses will be disinfected before being reissued."



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Figure 3. Detainees Sleeping on Soiled Mats at Eagle Pass South station, Observed January 10, 2024



Source: DHS OIG photo

Medical Staffing

All four facilities had contract medical staff onsite to provide medical screening and care to detainees. Contract medical providers at CBP facilities generally include advanced practice providers (nurse practitioner or physician assistant) who can diagnose medical conditions and prescribe medication and assistant-level providers (emergency medical technician, certified nursing assistant, certified medical assistant, or paramedic) who provide medical support. Contract medical staff at Del Rio station and Eagle Pass SSPF told us they are generally understaffed to deal with the number of detainees encountered. Border Patrol agents shared the same observations. Our analysis of staffing records, which CBP's Office of the Chief Medical Officer provided in March 2024, confirmed the contract medical service provider did not meet the staffing requirements under CBP's medical contract¹⁸ at the Del Rio station, Eagle Pass South

¹⁸ *Statement of Work (SOW) for Medical Services Contract (MSC) Bridge II, Nov. 15, 2023.*



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station, Eagle Pass SSPF,¹⁹ and Eagle Pass POE during the week of our inspection. The medical services contract statement of work states, “Onsite staff for each site location are expected to maintain a 95% adherence to schedule, not including planned/scheduled absences. Certain locations may tolerate a lower (for instance, 90%) adherence to schedule at the discretion of the COR and/or the OCMO [Office of the Chief Medical Officer] Program Manager based upon constraints and operational priority shifts.” Table 3 shows CBP’s medical contract staffing levels (expressed as a percentage of the contracted medical staff required to be onsite) were below the medical services contractor’s scheduled staffing requirements.

Table 3. CBP Contract Medical Staffing Levels by Facility Inspected, January 8–12, 2024

Facility	Contract Medical Advanced Practice Providers	Contract Medical Assistant-Level Providers	Percent Adherence to Schedule (All Contract Medical Positions Combined)
Del Rio station	██████%	██████%	██████%
Eagle Pass South station	██████%	██████%	██████%
Eagle Pass SSPF (Alpha)	██████%	██████%	██████%
Eagle Pass SSPF (Bravo)	██████%	██████%	██████%
Eagle Pass POE	██████%	██████%	██████%

Source: CBP’s medical services contract provider vacancy report data
 *Percentages reflect level of adherence to scheduled staffing requirements.

CBP’s inability to ensure the contract medical service provider meets the staffing requirements under CBP’s medical contract could reduce the quality of medical support provided to detainees while in CBP custody. In two letters to the contract medical service provider, CBP’s Office of the Chief Medical Officer stated that “Insufficient staffing places the health and welfare of those in CBP custody at risk...” and that staffing challenges “present a risk to the health and welfare of those in CBP custody.” A Border Patrol agent at Eagle Pass SSPF explained the remote location of the facility and sector makes it difficult to recruit and retain medical staff.

¹⁹ During our inspection of the Eagle Pass SSPF, Border Patrol was holding family units and single adult detainees in the Alpha wing and UCs in the Bravo wing of the facility. The Bravo wing had a fully staffed medical unit.



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Inaccurate Custody Logs

We reviewed 14 custody logs for detainees at the Eagle Pass SSPF, Eagle Pass South station, and Del Rio station.²⁰ We found data integrity issues in some custody logs we collected from Border Patrol's electronic system of record, e3. For example:

- Border Patrol agents told us detainees receive three meals per day at the facilities, but in 13 of the 14 custody logs reviewed, staff did not always record meals they said detainees received.
- Border Patrol told us the welfare check²¹ policy in Del Rio sector occurs every 2 hours for the general population in custody and every 15 minutes for at-risk detainees, but in all 14 custody logs, staff did not accurately record the required welfare checks, as indicated by 6-hour to 9-hour gaps in entries; one custody log had 12-hour gaps in entries.
- Staff completed duplicate entries at the same time or within minutes in 13 logs for "Roll Call was Completed via APIP [Amenities, Property, and Identification Program]" and in 12 logs for "Property was Inventoried via APIP."

Having accurate, complete, and consistent data is critical for Border Patrol to monitor care of detainees in custody and to ensure compliance with TEDS and other applicable standards.

Eagle Pass OFO POE did not hold any detainees in custody at the time of our visit; therefore, we did not review custody logs.

Conclusion

While Border Patrol held some detainees in custody longer than the 72-hour standard, interdependencies among CBP and ICE ERO limited its ability to unilaterally address prolonged detention in its short-term holding facilities. While CBP facilities in the Del Rio area generally met other standards for providing amenities to detainees in custody, we observed instances of noncompliance. Border Patrol should ensure agents meet standards related to providing bedding and maintaining temperatures, the contract medical service provider meets contract staffing requirements, and staff maintain accurate logs in e3.

²⁰ TEDS 5.3 Documentation requires all custodial actions, notifications, and transports that occur after a detainee has been received in a CBP facility to be accurately recorded in the appropriate electronic system of record as soon as practicable.

²¹ Border Patrol, *Hold Rooms and Short-Term Custody Policy*, Jan. 31, 2008, Section 6.5.1, *Hold Room Monitoring* states, "holding cells must be physically checked regularly."



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Recommendations

Recommendation 1: We recommend the Del Rio Sector Chief, Border Patrol, CBP, in coordination with partner agencies, continue to refine current strategies and identify new strategies to manage delays in detainee transfers to partners to minimize detainees' time in custody and implement throughout the Del Rio sector.

Recommendation 2: We recommend to the Deputy Executive Assistant Commissioner, Operations Support, Office of Chief Medical Officer, CBP, ensure the number of onsite contract medical staff at short-term holding facilities in the Del Rio sector meets contract requirements to provide quality care to all detainees in custody.

Recommendation 3: We recommend the Del Rio Sector Chief, Border Patrol, CBP oversee a data integrity review at the Eagle Pass SSPF, Eagle Pass South and Del Rio stations to verify custodial actions are recorded accurately. If the problem we identified persists, develop and implement a quality assurance plan, and continue to monitor data integrity.

Management Comments and OIG Analysis

In response to our draft report, CBP officials concurred with our three recommendations and provided corrective actions to address the issues we identified. We consider recommendations one and two resolved and open. We consider recommendation 3 resolved and closed. Appendix B contains CBP's management response in its 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 noted actions taken addressing this recommendation, such as embedding ICE ERO personnel in the Eagle Pass SSPF to assist with the movement of detainees as well as coordination with the Movement Coordination Cell at Border Patrol Headquarters to prioritize transfer of detainees with high time in custody to ICE ERO detention space. Del Rio Border Patrol also coordinate with Laredo Border Patrol to transfer detainees to Laredo sector for removal on international flights.

OIG Analysis: We consider these actions responsive to the recommendation, which is resolved and open. We will close the recommendation when CBP submits documentation identifying new strategies to manage delays in detainee transfers to partners to minimize detainees' time in custody.

CBP Response to Recommendation 2: Concur. CBP noted actions taken addressing this recommendation, such as OCMO's weekly efforts to validate and adjust medical staffing requirements and advise the contracted service provider of Del Rio sector locations where



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staffing levels are a concern. OCMO also noted actions such as site visits and data analysis of medical staffing levels to ensure staffing levels improve. Estimated completion date: August 30, 2024.

OIG Analysis: We consider these actions responsive to the recommendation, which is resolved and open. We will close the recommendation when CBP submits documentation verifying OCMO's weekly efforts to assess and adjust medical staffing levels based on the requirements at each CBP Del Rio sector location.

CBP Response to Recommendation 3: Concur. CBP noted actions taken addressing this recommendation, including the Data Integrity Management Team's development of a welfare check audit report for managers to identify and address data integrity issues. Border Patrol also released an update to e3 to provide customize displays for users to monitor the status of welfare checks and functionality to prevent duplication of APIP entries. Del Rio Border Patrol provided training to staff and updated guidance on conducting welfare checks.

OIG Analysis: We consider these actions responsive to the recommendation, which is resolved and closed. We will continue to monitor data integrity in our inspection work and may issue similar recommendations in the future as appropriate.



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Appendix A: Objective, Scope, and Methodology

DHS OIG 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 inspection 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 both current and future inspection, evaluation, and audit schedules from internal and external organizations. We monitored ongoing conditions in the field and considered location, historical apprehension numbers, facility capacity, and facility type (e.g., temporary processing centers, permanent stations, and POEs).

Our objective was to determine whether CBP complied with TEDS standards and, when applicable, with other standards, policies, and directives related to conditions of detention for those in custody at CBP short-term holding facilities in the Del Rio area of Texas. From January 9 to 11, 2024, we inspected three Border Patrol facilities (Eagle Pass SSPF, Eagle Pass South station, and Del Rio station) and one OFO POE (Eagle Pass). We also walked through a small CPC at Del Rio station and the temporary outdoor migrant staging area Border Patrol established under Eagle Pass POE. We did not inspect the CPC at the Del Rio station or the temporary staging area because they were not operational at the time of our visit.

Our inspections were unannounced. We did not inform CBP we were in the area until we arrived at the first facility. At each facility inspected, 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 instances of compliance and noncompliance with TEDS and other standards.

We requested electronic roll calls (spreadsheets containing demographic and CBP encounter data) for all individuals in custody in the Eagle Pass SSPF, Eagle Pass South station, and Del Rio station. We did not request roll calls at the Eagle Pass POE because no one was in custody. Following our onsite inspections, we requested book-out dates for detainees from each facility's roll calls from Border Patrol. We calculated time in custody for each detainee as the time between the "Arrest Date/Time" field and the "Book Out Date/Time" field in the data provided by Border Patrol.

With the number of detainees arriving and departing each day, conditions at facilities could vary daily. Our conclusions are, therefore, largely limited to what we observed and information we



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obtained from detainees, CBP staff, and medical contractors at the time of our inspections and site visits. We requested additional documentation after our inspections and site visits.

We conducted this review under the authority of 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 information we requested.



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Appendix B:
CBP Comments on the Draft Report

1300 Pennsylvania Avenue, NW
 Washington, DC 20229



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

July 26, 2024

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

7/26/2024
 x 

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

SUBJECT: Management Response to Draft Report: “Results of January
 2024 Unannounced Inspections of CBP Holding Facilities in the
 Del Rio Area” (Project No. 24-001-ISP-CBP(b))

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 inspections found these CBP facilities in the Del Rio area generally met the National Standards on Transport, Escort, Detention, and Search (TEDS), specifically, those related to food, water, hygiene items, and availability of bedding, toilets, sinks, showers, and medical support. CBP remains committed to complying with TEDS and related policies and procedures by providing reasonable and appropriate care for persons in its custody.

The Del Rio Sector (DRT) continues to pursue new avenues and strategies to manage delays in detainee transfers to partner agencies and organizations, resulting in minimized time in custody (TIC) of detainees. DRT has adopted a joint processing strategy embedding U.S. Immigrations and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) personnel at DRT facilities to leverage partner assets and increase overall efficiencies.

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 the OIG’s consideration.

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

Enclosure



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Enclosure: Management Response to Recommendations
Contained in Project No. 24-001-ISP-CBP(b)

OIG recommended that the Del Rio Sector Chief, Border Patrol, CBP:

Recommendation 1: In coordination with partner agencies, continue to refine current strategies and identify new strategies to manage delays in detainee transfers to partners to minimize detainees' time in custody and implement throughout the Del Rio Sector.

Response: Concur. The Del Rio Sector (DRT) has continued to pursue new avenues and strategies to manage delays in detainee transfers to partner agencies and organizations, resulting in minimized time in custody (TIC) of detainees. The DRT Soft-Sided Processing Facility (SSPF) has U.S. Immigration Customs Enforcement (ICE), Enforcement Removal Operations (ERO) personnel embedded at the facility, who assist with movement of subjects. When DRT identifies detainees, whose TIC is increasing, DRT notifies ICE ERO via email and requests priority placement for these detainees. Additionally, the ICE ERO transportation contractor is embedded at the facility with the Unaccompanied Children (UC) Program. Coordination for the movement of UC occurs via email, with the in-house contractors handling any movement to mitigate UC being held in USBP custody over the 72-hour window.

DRT is also partnering with Laredo Sector to anticipate traffic trends and coordinate international removal flights through the Movement Coordination Cell at USBP Headquarters. This coordination provides a primary pathway for flight eligible detainees, providing non-governmental organizations and ICE ERO as alternates. All subjects amenable to repatriation to Mexico are processed by a focused team and immediately returned to Mexico, upon completion of processing, creating a fast pathway for these demographics.

On July 26, 2024, CBP sent the OIG documentation corroborating these actions and requested that the OIG consider this recommendation resolved and closed as implemented.

OIG recommended that the Deputy Executive Assistant Commissioner, Operations Support, Office of Chief Medical Officer, CBP:

Recommendation 2: Ensure the number of onsite contract medical staff at short-term holding facilities in the Del Rio Sector meets contract requirements to provide quality care to all detainees in custody.

Response: Concur. The CBP Office of the Chief Medical Officer (OCMO) manages the Medical Services Contract for all Medical Priority Facilities where detainees are held by



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OFO and USBP. OCMO mitigates staffing issues by ensuring the Medical Services Contract operational requirements at all locations are valid and continually re-validates and adjusts requirements to provide the appropriate level of support for the CBP custody operational mission space. The contracted service provider is advised weekly of locations where staffing levels are a concern. OCMO conducts site visits and monitors these adjustments by regularly conducting data analysis of medical staffing levels and detainee levels at all medical unit locations to ensure that staffing levels improve, and the level of staff meets the need to provide quality care to all detainees. ECD: August 30, 2024.

OIG recommended that the Del Rio Sector Chief, Border Patrol, CBP:

Recommendation 3: Oversee a data integrity review at the Eagle Pass SSPF, Eagle Pass South and Del Rio stations to verify custodial actions are recorded accurately. If the problem we identified persists, develop and implement a quality assurance plan, and continue to monitor data integrity.

Response: Concur. Following the OIG's January 9, 2024, unannounced inspection, the Data Integrity Management Team developed a welfare check audit report, which counts the number of times welfare checks are conducted during certain time blocks. The report also distinguishes between At-Risk and normal populations, as the welfare check requirements differ. The new report went live in April 2024 and provides Centralized Processing Center managers with a more comprehensive view for identifying and addressing specific issues. Also, USBP Headquarters released an update to the Border Patrol's electronic system of record e3 Detention Module, which allows users to customize the displayed status checks. DRT has been providing training to employees on using the status checks effectively to maintain data integrity. Further, DRT has provided employees with updated guidance on conducting welfare checks on subjects during processing.

In addition, on March 28, 2024, USBP released code to resolve the duplication issue (on the Amenities, Property, and Identification Program (APIP) manifest validation page) identified during the OIG's unannounced inspection, which was documented in the April APIP release notes.

On July 26, 2024, CBP sent the OIG documentation corroborating these actions and requested that the OIG consider this recommendation resolved and closed as implemented.



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