



Highlights of [GAO-10-328](#), a report to congressional requesters

Why GAO Did This Study

Alien smuggling along the southwest border is a threat to the security of the United States and Mexico. Within the Department of Homeland Security (DHS), the Office of Investigations (OI)—part of U.S. Immigration and Customs Enforcement (ICE)—is the primary federal agency responsible for investigating alien smuggling along the southwest border. As requested, this report addresses, for the southwest border, (1) OI's efforts to counter alien smuggling since 2005, and opportunities, if any, for ICE to use its resources more effectively; (2) the progress DHS has made in seizing alien smugglers' assets since fiscal year 2005 and any promising techniques that could be applied to seize smugglers' assets; and (3) the extent to which ICE has objectives related to alien smuggling and measures to assess progress. GAO interviewed officials in all four OI offices along the southwest border and analyzed data on OI's cases and seizures, from fiscal years 2005 through 2009.

What GAO Recommends

GAO recommends, among other things, that DHS evaluate the feasibility of expanding the LEAR program, assess the Arizona Attorney General's investigations strategy, and develop performance measures for MIRP. DHS agreed with four of five recommendations in this report directed to DHS but disagreed with establishing MIRP performance measures because it did not believe such action was appropriate. GAO believes this recommendation is consistent with the program's intent.

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ALIEN SMUGGLING

DHS Needs to Better Leverage Investigative Resources and Measure Program Performance along the Southwest Border

What GAO Found

OI work years spent investigating alien smuggling increased from 190 to 197 from fiscal years 2005 through 2009, and an opportunity exists to better leverage resources. Officials from two of the four OI offices GAO visited said that in addition to conducting criminal investigations, OI has been tasked to respond to calls from state and local law enforcement to process and transport aliens for possible removal, which diverts OI resources from conducting alien smuggling and other investigations. In 2006, the Office of Detention and Removal Operations (DRO), another ICE subcomponent, took over responsibility for responding to state and local law enforcement calls in the Phoenix metropolitan area, through the Law Enforcement Agency Response (LEAR) program. For this program, officials from DRO, not OI, transport and process aliens for removal. From October 1, 2008, to May 24, 2009, the LEAR program processed 3,776 aliens, aliens who OI would have otherwise had to process. By studying the feasibility of expanding the LEAR program, ICE would be in a better position to determine if it could more efficiently direct its OI resources toward alien smuggling and other investigations.

OI's alien smuggling asset seizures have decreased since 2005; however, opportunities exist to leverage additional seizure and financial investigative techniques. According to OI data, alien smuggling seizures nationwide increased in value from about \$11.2 million in 2005 to about \$17.4 million in 2007, but declined to about \$12.2 million in fiscal year 2008 and to about \$7.6 million in fiscal year 2009. One opportunity to leverage financial techniques to disrupt alien smuggling and seize assets involves assessing the financial investigative techniques used by an Arizona task force. The task force seized millions of dollars and disrupted alien smuggling operations by following cash transactions flowing through money transmitters that serve as the primary method of payment to those individuals responsible for smuggling aliens. An overall assessment of whether and how these techniques may be applied in the context of disrupting alien smuggling could help ensure that ICE is not missing opportunities to take additional actions and leverage resources to support the common goal of countering alien smuggling.

ICE has established objectives for its alien smuggling-related enforcement programs, but could do more to better measure progress toward achieving program objectives. For example, one of its components, DRO, has defined the objective of the Mexican Interior Repatriation Program (MIRP) as to remove aliens who are apprehended during the hot and dangerous summer months from the United States to the interior of Mexico to deter them from returning in order to reduce loss of life and to help disrupt alien smuggling operations; however, DRO has not established performance measures to evaluate its progress in meeting its objective consistent with internal control standards. Thus, ICE does not know the effectiveness of its efforts related to MIRP at deterring individuals from illegally returning to the United States.