



Online Detainee Locator System

December 4, 2017

Fiscal Year 2017 Report to Congress



Homeland
Security

U.S. Customs and Border Protection

Message from the Acting Deputy Commissioner of CBP

December 4, 2017

I am pleased to present the following report, “Online Detainee Locator System,” which has been prepared by U.S. Customs and Border Protection (CBP).

The report has been compiled pursuant to language set forth in House Report 114-668, which accompanies the Fiscal Year 2017 Department of Homeland Security Appropriations Act (P.L. 115-31). The report details the feasibility, cost, and benefits of developing and deploying an online detainee locator system.

Pursuant to congressional requirements, this report is being provided to the following Members of Congress:

The Honorable John R. Carter
Chairman, House Appropriations Subcommittee on Homeland Security

The Honorable Lucille Roybal-Allard
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable John Boozman
Chairman, Senate Appropriations Subcommittee on Homeland Security

The Honorable Jon Tester
Ranking Member, Senate Appropriations Subcommittee on Homeland Security

I would be pleased to respond to any questions you may have. Please do not hesitate to contact my office at (202) 344-2001 or the Department’s Deputy Chief Financial Officer, Stacy Marcott, at (202) 447-5751.

Sincerely,



Ronald D. Vitiello
Acting Deputy Commissioner
U.S. Customs and Border Protection



Executive Summary

This report provides an overview regarding the feasibility, cost, and benefits of developing and deploying an online detainee locator system (ODLS) within CBP. The intent of creating an ODLS is to provide the general public with an accessible system that would allow the public to conduct online Internet-based queries to locate persons detained by CBP for administrative and/or criminal violations.

CBP has reviewed the possibility of such a system and determined that an ODLS is not operationally feasible and should not be utilized within its short-term holding facilities. Individuals in CBP custody are held temporarily in short-term holding facilities, and this report will provide an overview of the operational tempo and the challenges of creating such a system.



Online Detainee Locator System

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I. Legislative Language

This document was compiled pursuant to the legislative language set forth in House Report 114-668, which accompanies the Fiscal Year (FY) 2017 Department of Homeland Security Appropriations Act (P.L. 115-31).

House Report 114-668 states:

Within 90 days of enactment of this Act, CBP shall report to the Committees on the feasibility, cost, and benefits of developing and deploying an online detainee locator system.

II. Discussion

CBP serves as the premier law enforcement agency enhancing the Nation's safety, security, and prosperity through collaboration, innovation, and integration. Additionally, CBP ensures proper care of those in its custody by taking measures to protect the health, welfare, security, and safety of all detainees within its short-term holding facilities.

CBP has taken under consideration the feasibility and benefit of obtaining an online detainee locator system (ODLS), to include cost, accuracy, and operational risks. On the basis of this assessment, CBP has determined that an ODLS is not feasible operationally and should not be utilized within its short-term holding facilities.

A. Short-Term Holding Facilities

Any data entered into an ODLS would become outdated quickly because of the ever-changing operational tempo within CBP. CBP short-term holding facilities operate on a 24/7 basis, and individuals generally are detained for the minimum amount of time necessary for interviewing, processing, and repatriation or transfer of custody to appropriate agencies. Because of the fact that some individuals may be transferred rapidly from one station to another, it may be difficult to reflect such a transfer accurately. Therefore, an ODLS may reflect inaccurately the length of time that an individual remains in custody. This may represent a particular problem with regard to unaccompanied alien children (UAC), who must, under the Trafficking Victims Protection Reauthorization Act, be transferred to the U.S. Department of Health and Human Services within 72 hours of determining that a child is, in fact, a UAC. Therefore, if an ODLS mistakenly reflected that a UAC remained in a U.S. Border Patrol (USBP) facility for more than 72 hours, CBP could be scrutinized incorrectly for violating the Trafficking Victims Protection Reauthorization Act.

Additionally, any indication that an individual remained in CBP custody for an extended period of time (even if such information was inaccurate) could subject CBP to litigation.

B. Operations

The location of detained persons and of CBP activities constitutes law enforcement-sensitive information that should not be made public. Dangerous narcotic and alien smugglers utilize several methods in an attempt to learn of the apprehension or seizure of people and/or contraband. CBP is committed to the privacy and security of those in its custody. By creating a public ODLS, smugglers would be better able to determine whether smuggled individuals have been apprehended and/or if narcotics have been seized; consequently, smugglers would have an additional method to assist the individuals in their illicit activity and potentially continue the smuggling cycle. In addition, an ODLS could help smugglers to determine the exact location of targeted apprehensions, thereby allowing them to adjust their targeted routes to avoid these areas.

For example, Station A apprehended 30 illegal aliens, and because of what smugglers have learned through the ODLS, they know that all the processing is done in Station B. Therefore, they would rather cross narcotics in Station B because agents are concentrating on processing.

The short-term nature of CBP detention entails either processing the subject, administratively or criminally, or waiting for the subject to be transferred from the station. CBP does not allow for relatives or other people to come and visit aliens while they are being processed or held at a station. Therefore, members of the public generally will not have a legitimate reason to locate these individuals (in contrast to U.S. Immigration and Customs Enforcement’s (ICE) ODLS, in which an individual may want to know the location of his or her family member, or attorneys may need to learn the location of their clients, for purposes of preparing for an immigration hearing).

C. Cost Feasibility

In addition to the time and additional personnel needed to operate an ODLS, the cumulative costs associated with developing and maintaining the system within CBP would be substantial. The table below reflects the FY 2017 actual cost and the FY 2018 through FY 2020 projected costs for operations and maintenance support of the ICE ODLS only.

ODLS	FY 2017	FY 2018	FY 2019	FY 2020
Operations and maintenance support	\$362,000	\$369,000	\$377,000	\$371,000

CBP has not completed an analysis to determine the costs that would incur to provide ODLS. CBP’s cost would be similar to the costs incurred by ICE because of the need to provide a CBP interface to the ICE system.

D. Alternate Internal System Already in Place

USBP’s e3 Detention Module is an internal system that captures all custodial actions and transportation for all detainees. It provides subject tracking capabilities from point of arrest to release. The module facilitates ease-of-detention management operations through transfer manifest creation, as well as detainee care documentation. A search via e3DM allows agents to locate any subject down to the cell number if needed for emergency purposes. This system can be updated to meet any compliance actions and/or to capture best practices. Therefore, an ODLS largely would duplicate these capabilities for agents.

III. Conclusion

CBP treats all individuals with respect, dignity, and in a professional manner. CBP also recognizes its responsibility for the safety of individuals in its holding facilities. CBP executes the mission to secure the Nation's border, while also being good stewards of taxpayer dollars. CBP remains committed to a safe and secure atmosphere within its short-term hold rooms, and utilizes existing databases to track the period of time that each individual is in CBP custody.

In reviewing CBP's unique operational environment and its current best practices, CBP has determined that an ODLS would not be operationally feasible nor would it provide enough benefit, and it likely would be an inefficient use of funding.

Appendix – List of Acronyms

Acronym	Definition
CBP	U.S. Customs and Border Protection
FY	Fiscal Year
ICE	U.S. Immigration and Customs Enforcement
ODLS	Online Detainee Locator System
UAC	Unaccompanied Alien Children
USBP	U.S. Border Patrol