



CBP Staff Professionalism

Fiscal Year 2015 Report to Congress
October 21, 2015



Homeland
Security

U.S. Customs and Border Protection

Message from the Deputy Commissioner of CBP

October 21, 2015

I am pleased to submit the following Report, "CBP Staff Professionalism," prepared by U.S. Customs and Border Protection (CBP).



This document has been compiled pursuant to a requirement in House Report 113-481 accompanying the *Fiscal Year 2015 Department of Homeland Security Appropriations Act* (P.L. 114-4). This report discusses CBP's work to strengthen professionalism across the Agency; its review of CBP's training manuals and coursework, incident reporting, and auditing; and complaint review processes.

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 Hoeven
Chairman, Senate Appropriations Subcommittee on Homeland Security

The Honorable Jeanne Shaheen
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 Under Secretary for Management and Chief Financial Officer, Chip Fulghum, at (202) 447-5751.

Sincerely,

A handwritten signature in black ink, appearing to read "K. McAleenan". The signature is fluid and cursive, with a long horizontal line extending to the right.

Kevin K. McAleenan
Deputy Commissioner
U.S. Customs and Border Protection

Executive Summary

As part of CBP's efforts to strengthen and promote staff professionalism, CBP has implemented changes in the training curriculum at its training academies and has enhanced scenario-based training. CBP has improved its incident reporting system – the Joint Intake Case Management System – to collect more data and provide greater analysis of incidents, to help CBP identify “best practice” responses to threats, and to better inform enhancements to policies, training, tactics, and equipment. CBP also has begun implementing the Complaints Management System that will improve coordination between component offices and the CBP Information Center, allowing for better tracking of complaints and more efficient responses.



CBP Staff Professionalism

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I. Legislative Language

This document was compiled pursuant to the legislative language set forth in the House Report 113-481 accompanying the *Fiscal Year 2015 Department of Homeland Security Appropriations Act* (P.L. 114-4).

House Report 113-481 states:

The Committee expects CBPOs and Border Patrol agents to act with the utmost professionalism with the public, and training is critical to success. Consequently, the Commissioner is instructed to review training manuals and coursework, incident reporting and auditing, and complaint review processes to ensure that staff is trained to perform at the highest levels of professionalism when working with and responding to the public and local communities. Not later than 60 days after the date of enactment of this Act, CBP shall provide an update to the Committee on the findings of this review.

II. Background

The Nation has placed its trust in the men and women of U.S. Customs and Border Protection (CBP) to act with professionalism, honor, and integrity. Ensuring that employees conduct themselves with professionalism as they carry out the critical duty of protecting and securing America's borders and facilitating lawful international trade and travel is among the Agency's highest priorities. Furthermore, an employee's responsibility to act with professionalism, honor, and integrity does not stop when his or her workday is over, but continues off duty as well. The American people will accept nothing less than 100-percent compliance with the highest standards of professionalism and the obligation to accept responsibility for one's actions.

Integrity is the foundation of professionalism for a law enforcement agency, especially CBP. CBP places great emphasis on the professionalism and integrity of its workforce. CBP constantly works to ensure that all employees understand and maintain the highest level of professional standards in their interactions with stakeholders, as well as with each other, in a manner consistent with law enforcement standards of performance and conduct.

As instructed by House Report 113-481, we reviewed training manuals and coursework, incident reporting and auditing, and complaint review processes to ensure that staff is trained to perform at the highest levels of professionalism when working with and responding to the public and local communities, and have found opportunities for improvement.

III. CBP Actions to Improve CBP Staff Professionalism

A. Training Manuals and Coursework

U.S. Customs and Border Protection (CBP) provides formal and standardized basic training programs designed to address the critical mission of CBP in safeguarding the homeland at and beyond our borders. All basic training is delivered in structured and disciplined environments at the Border Patrol Academy in Artesia, New Mexico, and at the Field Operations Academy in Glynco, Georgia, where both proficiency and conduct are emphasized as conditions for satisfactory completion of training.

CBP Basic Training reinforces the importance of professionalism to all employees and trainees according to the standards set forth in CBP's Integrity and Personal Accountability Strategy. Basic Training begins preparing trainees on day one of training for their role as professional law enforcement agents and officers. Trainees receive formal instruction and training in Law Enforcement Professionalism, Cultural Diversity, Civil Rights Awareness, Anti-Corruption, and Integrity Reinforcement.

The Border Patrol Academy and the Field Operations Academy each deliver to new recruits 12 hours and 10 hours, respectively, of courses that provide curricula specific to dealing with professional conduct during interactions with the public.

In addition to the specific structured curricula, law enforcement professionalism also is taught and reinforced throughout the use of scenario-based training conducted in realistic environments under simulated field conditions. Furthermore, CBP's Office of Training and Development offers more than 9 hours of professionalism training opportunities online via the DHS Performance and Learning Management System. All training courses and materials are reviewed and evaluated continuously to ensure alignment with all applicable laws and policies.

B. U.S. Border Patrol and OFO Professionalism Activities

To bolster what agents and officers learn at their respective academies, both the U.S. Border Patrol (USBP) and the Office of Field Operations (OFO) have taken extra steps to reinforce professionalism throughout the agents' and officers' careers.

The U.S. Border Patrol

USBP takes a holistic and comprehensive approach to integrity and professionalism that begins during the hiring process, continues throughout the Academy, and is reinforced by

a multitude of ancillary educational services and awareness throughout an agent's career. Of particular note is USBP's Integrity Advisory Committee (IAC). Established in September 2008, the IAC provides recommendations to limit the agency's vulnerability to corruption, as well as awareness of other integrity issues and specific recommendations to address those issues. Operating under a formal charter, the IAC is comprised of a cross-section of managers, from first-line supervisors to Chief Patrol Agents, from all regions of the country.

At the sector level, ethics and integrity committees exist throughout USBP. These committees address insights unique to their local work environments. These committees provide local perspective to USBP's national effort to limit vulnerability to corruption and reinforce standards of professionalism. While the programs vary from sector to sector, the professionalism messaging is consistent with and reinforces the intent of CBP's *Integrity and Personal Accountability Strategy*.

The Office of Field Operations

In 2014, the OFO Operations Directorate launched an OFO-wide Professionalism Initiative. This initiative sets out to transform the law enforcement culture and philosophy within OFO. The initiative focuses on engaging and empowering the workforce while promoting its integrity and professionalism values and principles.

In support of the OFO Professionalism Initiative, the successful Passenger Service Manager program, formerly part of the Model Ports initiative, was expanded and renamed the Professionalism Service Manager (PSM) program. The roles and responsibilities of the PSM were refined to encompass a focus on professionalism standards and customer service within all OFO environments. As part of this expansion, the PSM role has shifted from solely focusing on customer service to also promoting OFO's standards of professionalism, both within OFO as well as with the public and our external stakeholders. As an ambassador for the agency, the PSM promotes awareness of the CBP mission and is responsible for oversight, tracking, managing, and responding to all compliments, complaints, and other feedback entered at the field level.

This initiative helps to enhance OFO's pride, honor, esprit de corps, accountability, and professionalism along with CBP's Core Values of Vigilance, Service to Country, and Integrity. The initiative stresses pride, appearance, ethical behavior, and respectful interactions with employees, the public, and CBP external stakeholders. The Professionalism Initiative is about supervisory leadership, individual responsibility, good management, and the overall CBP family. Specifically, the initiative focuses on refining communication and engagement; the culture and environment of our workforce; principles surrounding training, education and development; union engagement; and leveraging compliments and complaints.

The professionalism initiative in OFO is reinforced in all field locations by senior port leadership in the form of three management Professionalism Engagement Dialogs and two workforce Professionalism Engagement Dialogs that are delivered annually. Furthermore, Port Directors develop Professionalism Engagement Plans in coordination with their respective Field Operations Directors to promote professionalism inside and outside the organization.

C. Incident Reporting and Auditing

The DHS Office of Inspector General (OIG) Hotline and the Joint Intake Center (JIC), operated by CBP and U.S. Immigration and Customs Enforcement (ICE), receive internal allegations of misconduct by DHS employees. The JIC serves as the central clearinghouse for receiving, processing, and tracking allegations of misconduct involving personnel and contractors employed by CBP and ICE. The JIC provides CBP and ICE with a centralized and uniform system for processing reports of alleged misconduct. All reports of misconduct are coordinated with DHS OIG and are referred to the appropriate office for investigation, fact-finding, or immediate management action. All reports receive prompt and complete attention, and employees are subject to disciplinary action for failing to report allegations of misconduct.

The OIG Hotline and JIC staffs enter the details into their respective case management systems – the Enterprise Data System or the Joint Integrity Case Management System (JICMS). Regardless of whether the complaint initially is reported directly to the OIG Hotline or to the JIC, the OIG Office of Investigations first has the option to investigate or decline to investigate an allegation. If OIG declines, then the CBP Office of Internal Affairs decides whether to investigate the CBP complaints. Most complaints pertaining to professionalism are categorized as administrative actions (i.e., noncriminal misbehavior) and referred to the appropriate CBP component office (e.g., OFO or USBP) for investigation, inquiry, or review. Upon completion of the investigation, inquiry, or review, the findings are transmitted to Labor and Employee Relations (LER), a component of the Office of Human Resources Management, which is responsible for the overall administration of discipline within CBP. Office management, in consultation with the servicing LER, determines what corrective action, if any, is warranted. LER is responsible for ensuring that the final action is appropriate and that any action taken is consistent with other similar and like cases. Under this protocol, office management cannot close a case without the assistance and consent of LER. This process provides checks and balances that promote accountability and transparency.

Commissioner Kerlikowske directed an overhaul of CBP's complaint system to provide "cradle to grave" tracking of complaints, regardless of origin or nature, and an ability to account for Agency actions on complaints. In January 2014, CBP, in conjunction with ICE, updated JICMS to enhance the system's data collection and reporting capabilities. For the first time, JICMS will allow the Agency to conduct comparative analyses of how agents and officers respond to assaults, help CBP to identify "best practice" responses to threats, and better inform enhancements to policies, training, tactics, and equipment.

D. Complaint Review Processes

The CBP INFO Center (CIC) is CBP's single point-of-contact for reviewing, responding to, tracking, and addressing all customer complaints related to CBP interaction with the general public, travelers, industry, Congress, and other government entities. On CBP.gov, there is an email portal to the software system that the CIC currently uses to receive all inquiries and complaints. The CIC uses this portal to create a record of every phone call received and to scan all written correspondence, creating a single unified database of contacts handled by the CIC. The system's robust reporting capabilities enable analysis of contact trends. The CIC receives on average more than 73,295 phone calls and 183,200 emails per year. Of these, five percent (13,473) fall into the category of complaints regarding CBP staff professionalism.

The CIC tracks and records complaint or compliment information in an automated tracking system referred to as the Complaint Management System (CMS) to ensure a proper review of all issues raised by the complainant. When the CIC receives a complaint from the public, it determines how the complaint should be processed for the most efficient response, oftentimes forwarding the complaint to OFO or USBP. At present, there is no formal requirement for the operational office's management to report back to the CIC with any information regarding the outcome or handling of complaints concerning CBP staff professionalism. CBP recognizes this is a serious deficit and will implement revised policies and procedures in the first quarter of FY 2016 to ensure that all complaints received by the agency are recorded in a unified database along with information about agency findings and final resolution.

CBP's intent is to leverage the CIC's system in a pilot program to consolidate complaint management throughout CBP. The CMS is currently accessed by more than 10 million people a year to find information and to submit an inquiry or complaint to the CIC. Earlier this year, in coordination with the CIC, OFO expanded the use of the CMS in all operational environments and will utilize the CMS for inputting, managing, and tracking service-related feedback, including any compliments, complaints, or other feedback beyond general inquiries about operational procedures. Respectively, the CIC and the Tucson Sector of USBP completed a pilot program using the CMS and have progressed to the implementation phase. The pilot program was an extremely successful test for the field in utilizing a standard agencywide CMS to electronically log and manage complaints for CBP. The pilot now will be extended to other components within CBP to test the CMS's ability to intake and manage complaints received by all offices in CBP.

IV. Next Steps

U.S. Customs and Border Protection (CBP) is committed to transparency, responsiveness, and an open productive dialogue with civil society, advocacy groups, faith-based organizations, and others. Maintaining a constructive engagement process enhances CBP's understanding of the public's concerns related to its operations and policies.

Recognizing that professionalism is the bedrock of a world-class law enforcement agency, CBP will continue to look for opportunities to refine its professionalism profile.

CBP addresses staff professionalism with a "cradle to grave" perspective, providing training opportunities at various points in an agent or officer's career. The U.S. Border Patrol (USBP) and the Office of Field Operations (OFO) have developed professionalism programs tailored to their particular operational environments. These programs, based on the *CBP Integrity and Personal Accountability Strategy*, will be updated as circumstances warrant.

CBP will identify best practices via comparative analyses of how agents and officers respond to assaults. These best practices will be used to enhance policies, training, tactics, and equipment related to threat response and mitigation.

The Complaint Management System capabilities continue to be expanded. Both OFO and USBP continue to engage in pilot programs to improve how they receive and process complaints. Results of the pilot programs will inform and modify CBP's processes further, resulting in greater transparency.

V. Conclusion

Over the past few years, U.S. Customs and Border Protection (CBP) has improved its basic training venues, curriculum, and programs concerning professionalism, and will continue providing new agents and officers with real-life scenarios in which to practice engagement with the public. Continuing education training in the topic area of Professionalism is available online to CBP employees at all career levels and positions via the DHS Performance and Learning Management System. At the direction of the Commissioner, the internal complaint system, the Joint Integrity Case Management System, has been updated to allow for better collection and reporting capabilities. The external complaint system, the CBP INFO Center, is expanding within CBP, allowing component offices better management and tracking of complaints. CBP will continue to refine its policies and practices in order to protect America's borders and to facilitate trade and travel while maintaining the utmost professionalism.

VI. Appendix – List of Acronyms and Abbreviations

Acronym/Abbreviation	Definition
CBP	U.S. Customs and Border Protection
CIC	CBP Information Center
CMS	Complaints Management System
DHS	Department of Homeland Security
FY	Fiscal Year
IAC	Integrity Advisory Committee
ICE	U.S. Immigration and Customs Enforcement
JIC	Joint Intake Center
JICMS	Joint Intake Case Management System
LER	Labor and Employee Relations
USBP	U.S. Border Patrol
OIG	Office of Inspector General
OFO	Office of Field Operations
PSM	Professionalism Service Manager