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

OIG-25-49 September 29, 2025

FINAL REPORT

Review of DHS Preparation for the End of Title 42 Public Health Order Prohibiting Entry of Certain People to the United States



OFFICE OF INSPECTOR GENERAL

U.S. Department of Homeland Security

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

September 29, 2025

MEMORANDUM FOR: The Honorable Rodney S. Scott
Commissioner
U.S. Customs and Border Protection

FROM: Joseph V. Cuffari, Ph.D.
Inspector General

JOSEPH V CUFFARI
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Date: 2025.09.29 16:16:19 -04'00'

SUBJECT: *Review of DHS Preparation for the End of Title 42 Public Health Order Prohibiting Entry of Certain People to the United States*

Attached for your action is our final report, *Review of DHS Preparation for the End of Title 42 Public Health Order Prohibiting Entry of Certain People to the United States*. We incorporated the formal comments provided by your office.

The report contains four recommendations aimed at improving DHS and CBP responses to major events affecting CBP agents and officers and detainees in its custody, as well as to improve the management of and conditions in CBP short-term detention facilities. Your office concurred with two recommendations, and non-concurred with two recommendations. Based on information provided in your response to the draft report, we consider recommendation 1 open and unresolved. As prescribed by Department of Homeland Security Directive 077-01, *Follow-Up and Resolutions for the Office of Inspector General Report Recommendations*, within 90 days of the date of this memorandum, please provide our office with a written response that includes your (1) agreement or disagreement, (2) corrective action plan, and (3) target completion date for each recommendation. Also, please include responsible parties and any other supporting documentation necessary to inform us about the current status of the recommendation. Until your response is received and evaluated, the recommendations will be considered open and unresolved.

Based on information provided in your response to the draft report, we consider recommendations 2 and 4 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. Recommendation 3 is administratively closed.

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

OIG Project No. 23-021-ISP-CBP, DHS

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

Review of DHS Preparation for the End of Title 42 Public Health Order Prohibiting Entry of Certain People to the US

September 29, 2025

Why We Did This Review

We conducted this review to determine if DHS adequately prepared for the end of Title 42, particularly regarding CBP's ability to meet the *National Standards on Transport, Escort, Detention and Search* and other relevant policies and guidance for conditions of detention.

What We Recommend

We made four recommendations to improve DHS' planning for and responses to surge events, as well as improve the management of and conditions in CBP short-term detention facilities.

For Further Information:
Contact the OIG Office of Public Affairs at (202) 981-6000 or email:

DHS-IG.OfficePublicAffairs@oig.dhs.gov.

What We Found

We examined two of six pillars identified in the April 2022 *DHS Plan for Southwest Border Security and Preparedness* aimed at preparing for anticipated increases in migration after the end of Title 42, which prohibited introduction into the United States of certain people from foreign countries traveling from Canada or Mexico, regardless of their countries of origin. We found that the Department of Homeland Security generally implemented the two pillars we reviewed, which focused on surging resources to the Southwest border and increasing efficiencies for migrant processing.

- DHS and U.S. Customs and Border Protection (CBP) increased personnel resources through CBP agent and officer details, support from DHS components and Federal partners, contract support, and the DHS Volunteer Force.
- DHS also expanded ground and air transportation capacity through agreements and contracts, and CBP increased its holding capacity through expanded or new soft-sided facilities.
- CBP developed a medical support plan and added contract medical support personnel. To expedite the movement of aliens out of CBP custody, DHS co-located personnel, tested new technology, and streamlined and digitized alien processing.

We found the Department can prepare more efficiently and effectively for future alien surges. Although DHS and CBP preparations helped CBP generally meet detention standards, during our on-site inspections we found that two sectors experienced overcrowding in single adult male holding rooms. Although not specified in the DHS plan, CBP did not consistently use the designated system to manage resource requests, which resulted in unfulfilled requests.

Data Access: CBP denied us access to CBP One, Unified Secondary, and e3. CBP instead provided data extracts, which limited OIG's ability to perform comprehensive assessments and delayed the review.

CBP Response

CBP concurred with recommendations 2 and 4 (both are resolved and open), and non-concurred with recommendations 1 and 3. Recommendation 1 is unresolved and open; and we administratively closed recommendation 3 based on CBP's response.

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Abbreviations

BPPC	Border Patrol Processing Coordinator
BOP	Federal Bureau of Prisons
CBP	U.S. Customs and Border Protection
CPC	Central/Centralized Processing Center
ECPC	Enhanced Central Processing Center
EER	Enhanced Expedited Removal
ERO	Enforcement and Removal Operations
EOIR	Executive Office for Immigration Review
HHS	U.S. Department of Health and Human Services
HSI	Homeland Security Investigations
ICE	U.S. Immigration and Customs Enforcement
MERP	Mobile En Route Processing
NTA	Notice to Appear
OCMO	Office of the Chief Medical Officer
OFO	Office of Field Operations
ORR	Office of Refugee Resettlement

POE	port of entry
RAP	Review and Approval Portal
SCO	Senior Coordinating Official
SSF	Soft-sided Facility
SWB	Southwest border
SBCC	Southwest Border Coordination Center
SBEC	Southwest Border Executive Council
TEDS	*National Standards on Transport, Escort, Detention, and Search*
USCIS	U.S. Citizenship and Immigration Services
WebEOC	Web Emergency Operations Center

Background

The Department of Homeland Security is responsible for securing U.S. borders from illegal activity while facilitating travel and trade. Within DHS' U.S. Customs and Border Protection (CBP), two offices lead the border security mission: Office of Field Operations (OFO) and U.S. Border Patrol (Border Patrol). OFO manages operations at ports of entry (POEs). At POEs, officers perform immigration and customs functions, inspecting people who arrive at the port with or without valid documents for legal entry, such as visas or lawful permanent resident cards, and goods permitted under customs and other laws. Between POEs, Border Patrol is responsible for guarding more than 6,000 miles of Mexican and Canadian international land border, detecting and interdicting people and goods suspected of entering the United States without inspection.

OFO and Border Patrol are responsible for short-term detention of people deemed inadmissible or removable from the United States or subject to criminal prosecution.[1] The *National Standards on Transport, Escort, Detention and Search* (TEDS) govern CBP's interactions with detained individuals and specify how staff should treat and care for detainees[2] while in CBP custody. According to TEDS, CBP should generally not hold detainees longer than 72 hours (3 days) once in custody.[3] TEDS stipulates that "under no circumstances should the maximum [holding room] occupancy rate be exceeded,"[4] and that "[e]very effort must be made to ensure that hold rooms house no more detainees than prescribed by the operational office's policies and procedures."[5] TEDS standards also outline requirements for detainees' access to medical care.[6]

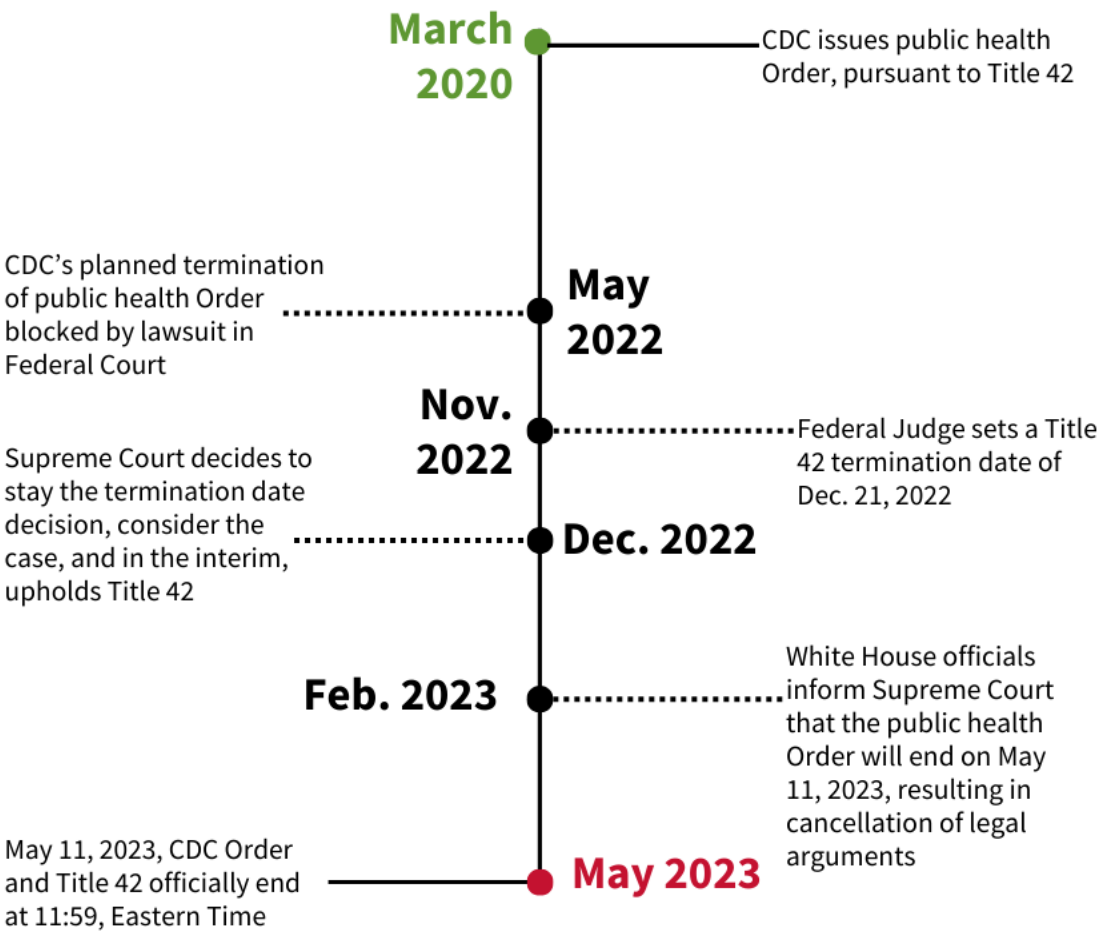
On March 20, 2020, in response to the COVID-19 pandemic,[7] the Centers for Disease Control and Prevention issued a public health Order pursuant to Title 42 of the United States Code (U.S.C.).[8] The Order prohibited introduction into the United States of certain people from foreign countries

[1] Short-term detention is defined as "detention in a U.S. Customs and Border Protection processing center for 72 hours or less..." See 6 U.S.C. § 211(m)(3).
[2] TEDS 8.0, DEFINITIONS. A detainee is defined as "any person, regardless of citizenship or nationality, under arrest, restrained, or confined by CBP."
[3] TEDS 4.1, *Duration of Detention*. 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 e.g., 6 U.S.C. § 211(c)(8)(B); and 8 U.S.C. § 1357(a)(2).
[4] TEDS 4.7.
[5] TEDS 4.7, *Hold Room Standards.* "Capacity: Every effort must be made to ensure that hold rooms house no more detainees than prescribed by the operational office's policies and procedures. Capacity may only be exceeded with supervisory approval. However, under no circumstances should the maximum occupancy rate, as set by the fire marshal, be exceeded."
[6] TEDS 4.10, *Medical*.
[7] The World Health Organization declared COVID-19 a pandemic on March 11, 2020.
[8] Notice of Order Under Sections 362 & 365 of the Public Health Service Act Suspending Introduction of Certain Persons from Countries Where a Communicable Disease Exists, 85 Fed. Reg. 17060 (Mar. 26, 2020).

traveling from Canada or Mexico, regardless of their countries of origin.[9] Subsequent orders continued the Title 42 expulsions, with some modifications such as an exemption for unaccompanied alien children.

Title 42 was scheduled to end in May 2022 and December 2022.[10] Ultimately, the Centers for Disease Control and Prevention Order pursuant to Title 42 officially ended at 11:59 p.m. Eastern Time on May 11, 2023 (see Figure 1 for a detailed timeline).

Figure 1. Timeline of Scheduled End Dates of Title 42 from Inception to Conclusion



Source: DHS Office of Inspector General analysis

[9] See 85 Fed. Reg. 17067 (Mar. 26, 2020). Expulsions under Title 42 are a public health measure and not considered immigration enforcement.
[10] As used in this report, "end of Title 42" is a colloquial expression that means termination of the public health order issued on Mar. 20, 2020.

When the Order was in effect, DHS expelled nearly 3 million aliens encountered at the Southwest border (SWB) pursuant to the Title 42 authority. During this same timeframe, CBP processed more than 3.3 million aliens not subject to Title 42 under Title 8 of the U.S.C,[11] which resulted in their expedited removal, placement in immigration court proceedings, or referral for criminal prosecution. Table 1 below reflects these CBP encounters.

Table 1. CBP Encounters on the SWB, Title 42 Expulsions and Title 8 Removals, Fiscal Years 2020–2023

FY	Title 42 Expulsions	Title 8 Removals	Total
2020*	204,787	51,682	256,469
2021	1,063,526	671,160	1,734,686
2022	1,079,507	1,299,437	2,378,944
2023*	564,380	1,080,556	1,644,936
Total	2,912,200	3,102,835	6,015,035,

Source: OIG analysis of CBP Encounters data

*Title 42 expulsions began during March 2020 and ended in May 2023. Accordingly, Table 1 includes encounter data covers March through September for FY 2020, and October 2022 through May 2023 for FY 2023.

Expelling aliens under Title 42 significantly diminished the processing burden for CBP agents and officers, compared to Title 8 enforcement actions, because Title 42 does not require a formal order of deportation or consideration of post-apprehension enforcement consequences or avenues of relief. We previously found[12] that Border Patrol sectors applied Title 42 to expel thousands of aliens from Mexico, Honduras, El Salvador, and Guatemala within hours of apprehension.

[11] 8 U.S.C. §§ 100 through 239 (Chapter 6 - Immigration) and § 1182 (Chapter 12 – Immigration and Nationality). Title 8 provides the authority for CBP to enforce border security and immigration laws to promptly remove aliens who cross the border without legal authorization and are unable to establish a legal basis to remain in the United States. Under expedited removal (8 U.S.C. § 1225), CBP processes aliens for removal from the United States without additional hearings or proceedings before an immigration judge unless the alien expresses a fear of persecution or torture, or an intent to apply for asylum.

[12] *U.S. Border Patrol Faces Challenges Administering Outcomes Consistently Across Sectors,* OIG-22-68, September 13, 2022.

According to various DHS planning documents,[13] DHS anticipated a potential daily influx of more than 15,000 migrants[14] across the SWB once Title 42 ended. Starting in May 2021, DHS and CBP developed several preparation and planning documents to address the anticipated surges. On February 17, 2022, the DHS Secretary issued a memorandum[15] appointing a Senior Coordinating Official (SCO) to lead the planning and preparation for the end of Title 42.

The SCO was also responsible for establishing and leading the Southwest Border Coordination Center (SBCC) to facilitate a whole-of-government response to the anticipated increase in border encounters with the end of Title 42. The DHS Secretary directed components and offices to provide their full and prompt cooperation, resources, and assistance to the SCO, and to participate in and support the SBCC.

On April 26, 2022, the DHS Secretary issued a memorandum, *DHS Plan for Southwest Border Security Preparedness* (DHS plan), which documented a whole-of-government effort to prepare for and manage increased encounters of aliens at the SWB. The DHS plan identified six major areas, or pillars, the Department stated it was prepared to implement once Title 42 ended.

On October 27, 2023, the DHS Secretary directed the transition of the SBCC into a permanent Southwest Border Executive Council (SBEC) after determining the SBCC had served its purpose as a temporary structure to respond to the end of Title 42.[16] The SBEC was established to provide oversight, strategic direction, and resource solutions to address the evolving SWB challenges and support the needs of frontline staff. In his memorandum establishing the SBEC, the DHS Secretary directed the SBEC to develop:

> a Departmental migration resource and response plan to memorialize a flexible framework for coordinating efforts and implementing activities in response to steady-state, surge, and mass irregular migration along the Southwest Border.

According to DHS officials, the SBEC stood down following the change in administrations.

On January 22, 2025, DHS established a National Incident Command Center (NICC) to ensure federal unity of effort in support of the Administration's border security and immigration

[13] *Concept of Operations Report for Illegal Migration Surge 21,* May 9, 2021; *DHS Southwest Border Mass Irregular Migration Contingency Plan*, February 17, 2022; *Southwest Border Strategic Concept of Operations*, March 28, 2022; and *Draft CBP Integrated Southwest Border Mass Irregular Migration Contingency Plan* (Version 7.4.5.), March 2022.
[14] 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*, August 2022, https://ohss.dhs.gov/glossary.
[15] *Establishment of a DHS SWB Coordination Center and Designation of Matthew J. Hudak as the DHS Senior Coordinating Official in Support of Border Management Efforts at the U.S. Southwest Border*, February 17, 2022.
[16] *Transition of the DHS Southwest Border Coordination Center (SBCC) Functions to the Southwest Border Executive Council (SBEC) and Functional Working Groups*, Memorandum for Agency and Office Leadership, October 27, 2023.

enforcement goals. The NICC documented its goals and implementation efforts in "Operation Homeland Resolve Strategic Approach," dated March 4, 2025.

Based on the anticipated migrant surge and the findings in our prior oversight reports,[17] we reviewed whether DHS adequately prepared for the end of Title 42, particularly regarding CBP's ability to meet certain TEDS standards and other relevant policies and guidance for conditions of detention. We evaluated DHS' efforts to implement Pillars 1 and 2 in the DHS plan,[18] as these pillars addressed the Department's efforts related to conditions of detention in CBP short-term holding facilities covered by TEDS standards. Specifically, the preparations outlined in Pillars 1 and 2 included:

> Pillar 1: Surging resources, including personnel, transportation, medical support, and facilities to support border operations.
>
> Pillar 2: Increasing CBP processing efficiency and moving with deliberate speed to mitigate potential overcrowding at Border Patrol stations and to alleviate the burden on the surrounding border communities.

We also observed operations at multiple Border Patrol and OFO short-term holding facilities along the SWB.[19]

To determine if CBP had adequately prepared for a potential surge of aliens, during our site visits, we:

- observed preparations for and operations immediately following the end of Title 42;

[17] *Yuma Sector Border Patrol Struggled to Meet TEDS Standards for Single Adult Men but Generally Met TEDS Standards for Other Population*, OIG 22-38, April 14, 2022; *El Paso Sector Border Patrol Struggled with Prolonged Detention and Consistent Compliance with TEDS Standards*, OIG 22-57, August 9, 2022; *U.S. Border Patrol Faces Challenges Administering Post-Apprehension Outcomes Consistently Across Sectors,* OIG 22-68, September 13, 2022.
[18] The remaining four pillars identified in the DHS Plan are Pillar 3: Administering consequences for unlawful entry, including removal, detention, and prosecution; Pillar 4: Bolstering the capacity of non-governmental organizations to receive noncitizens after they have been process by CBP and are awaiting the results of their immigration removal proceedings and ensuring coordination with and support for state, local, and community leaders to help mitigate increased impacts to their communities; Pillar 5: Targeting and disrupting the transnational criminal organizations and smugglers who take advantage of and profit from vulnerable migrants, and who seek to traffic drugs into our country; and, Pillar 6: Deterring irregular migration south of our border, in partnership with the Department of State, other federal agencies, and nations throughout the Western Hemisphere, to ensure that we are sharing the responsibility throughout the region. While we did not review Pillar 3 in its entirety, we did review the Enhanced Expedited Removal (EER) program as it relates to conditions of detention and streamlining processing efficiencies.
[19] See Appendix A for further details.

- examined the CBP short-term holding facilities, focusing on Centralized Processing Centers (CPC) as they provide additional capacity for processing aliens into Border Patrol custody; and
- assessed the impact preparations had on CBP and its ability to meet TEDS and other relevant policies and guidance for conditions of detention.

Results of Review

Overall, DHS adequately prepared for the end of Title 42 in May 2023 by implementing most elements of Pillars 1 and 2 in the DHS plan. DHS and CBP surged personnel resources through CBP agent and officer details, intra- and interagency support from DHS components and Federal partners, hiring Border Patrol Processing Coordinators (BPPCs), contract support, and the DHS Volunteer Force. To increase transportation capacity, DHS expanded ground and air transportation capacity through agreements and contracts. CBP also increased its holding capacity through expanded or new soft-sided facilities (SSF).[20] CBP developed a medical support plan and surged additional contract medical support to prepare for the end of Title 42. To expedite the movement of aliens out of CBP custody, DHS co-located personnel, tested new technology, and streamlined and digitized alien processing.

However, DHS and CBP faced some challenges implementing the plan. Albeit not specified in the plan, CBP did not consistently comply with SBCC direction to use the Web Emergency Operations System (WebEOC)[21] to manage resource requests. Finally, although these preparations helped CBP generally comply with TEDS, we observed Border Patrol facilities with overcrowding in single adult male holding rooms.

Pillar 1 Efforts: CBP and DHS Surged Personnel, Transportation, Facility, and Medical Support Resources to the SWB

As outlined in Pillar 1, Border Patrol and OFO surged agents and officers to the SWB through details from around the country. DHS also obtained support from its various components and five Federal agencies. It hired additional BPPCs, increased contracted staff to provide administrative support to SWB facilities, and solicited personnel to join the DHS Volunteer Force. To expand its capacity for movements of aliens within and between Border Patrol sectors, it increased its transportation capabilities (ground and air) through reimbursable agreements and

[20] An SSF is a temporary Border Patrol holding facility that provides additional processing capacity for aliens in custody in a safe and expeditious manner. Border Patrol sectors use different naming conventions, calling individual facilities SSFs, CPCs, or Enhanced Central Processing Centers (ECPCs).
[21] WebEOC is a crisis information management system that assists with coordinating responses to disasters or events and allows for transparent communication and coordination across all echelons.

preexisting or new contracts. In addition, CBP developed a medical support plan and surged additional contract medical support to prepare for the end of Title 42.

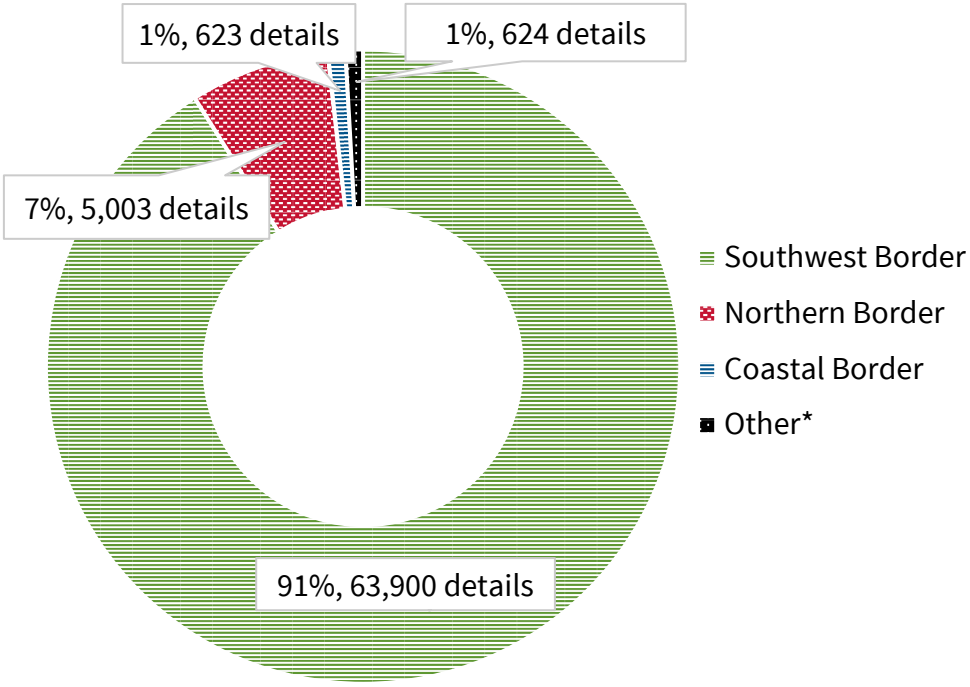
Although CBP increased holding capacity through expanding or building temporary SSFs, during our on-site inspections we found overcrowded areas in several of the facilities visited. Separately, although not specifically mentioned in the plan, we found that sectors did not consistently submit resource requests through WebEOC, the SBCC-directed electronic system, which resulted in some requests going unfulfilled.

CBP Detailed Agents and Officers to the SWB

When DHS released the plan in April 2022, it reported CBP had 23,000 agents and officers working along the SWB. To mitigate a potential influx of aliens, the plan called for CBP to "augment [its] operations by bringing in law enforcement agents and officers from other parts of the country as needed." As a result, CBP detailed Border Patrol agents from northern border sectors, other SWB sectors, CBP headquarters, and coastal border sectors,[22] and OFO officers from around the country to the SWB short-term holding facilities (see Figure 2).

[22] Two coastal sectors, Miami and New Orleans, provided Border Patrol agents to the SWB.

Figure 2. Border Patrol and OFO Details from Northern, Coastal, and SWB Regions and Other Locations to the SWB, April 2022 to July 2023



Source: DHS OIG analysis of CBP data

*"Other" includes details from the Border Patrol Special Operations Group,[23] Border Patrol Headquarters, and Federal Law Enforcement Training Center.

In total, from April 2022 to July 2023, CBP completed 68,100 Border Patrol agent and 2,050 OFO officer details to support increased apprehensions and preparations for the end of Title 42.[24] As we observed at the Calexico-West POE, the detailed officers from the northern border facilitated incoming traffic, which enabled Calexico-West officers to process CBP One™[25] appointments.[26]

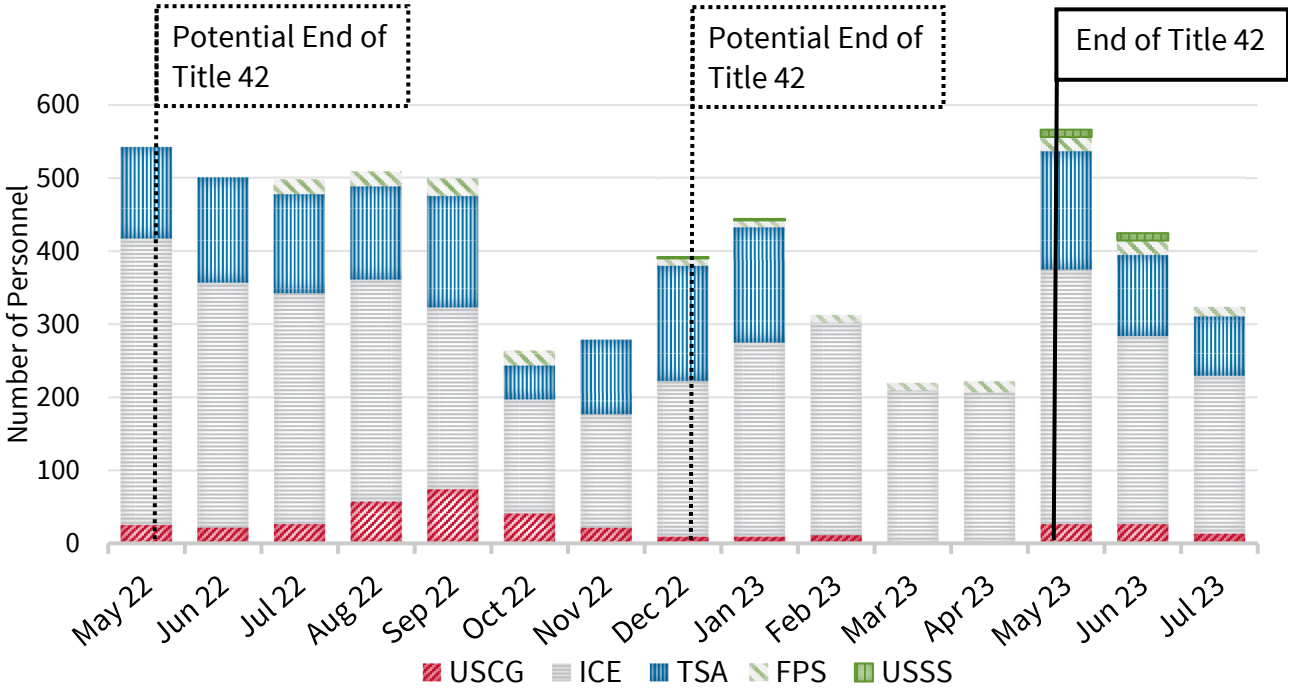
[23] The Special Operations Group provides DHS, CBP, and Border Patrol with specially trained and equipped teams capable of rapid response to emergent and uncommon law enforcement situations requiring special tactics and techniques, search and rescue, and medical response capabilities.
[24] CBP agent and officer details to the SWB are typically for 30 to 60 days, with the option to extend, and 60 days between rotations.
[25] We reported on CBP challenges implementing CBP One™ in *CBP Did Not Thoroughly Plan for CBP One™ Risks, and Opportunities to Implement Improvements Exist*, OIG-24-48, dated August 19, 2024.
[26] In October 2020, CBP developed the CBP One™ mobile and web application to serve as a single portal for a variety of CBP services. On January 12, 2023, CBP implemented the CBP One™ Advance Submission and Appointment Scheduling functionality allowing aliens to schedule appointments at select SWB POEs. Effective January 20, 2025, the functionalities of CBP One™ that previously allowed undocumented aliens to submit advance information and schedule appointments at eight SWB POEs are no longer available, and existing appointments have been canceled.

While detailing agents and officers assists with the short-term demand for resources at the SWB, details also take essential personnel away from other Border Patrol stations and POEs, negatively impacting staffing and operations. As identified in previous OIG reports,[27] CBP details negatively impact the health and morale of agents who already feel overworked and unable to perform their law enforcement duties. Border Patrol officials stated mandatory details to the SWB, which started early in 2021, have negatively affected recruitment, retention, and morale.

DHS Components Detailed Personnel to the SWB

As outlined in the plan, DHS solicited support from components to prepare for and manage the potential increase of alien encounters with the end of Title 42. In coordination with the SBCC, CBP requested and received support from U.S. Immigration and Customs Enforcement (ICE), Transportation Security Administration, the Federal Protective Service, U.S. Secret Service, and the U.S. Coast Guard (see Figure 3).

Figure 3. DHS Component Support to CBP, May 2022 to July 2023



Source: DHS OIG analysis of Border Patrol data

[27] *Intensifying Conditions at the Southwest Border Are Negatively Impacting CBP and ICE Employees' Health and Morale,* OIG-23-24, May 3, 2023, and *CBP Facilities in Vermont and New York Generally Met TEDS Standards, but Details to the Southwest Border Affected Morale, Recruitment, and Operations*, OIG-23-27, May 23, 2023.

DHS components supported the escort and transportation of aliens to local health providers and hospitals, from the point of apprehension to processing, between Border Patrol facilities, to ICE Enforcement and Removal Operations (ERO) facilities, or to the U.S. Department of Health and Human Services (HHS). For detailed personnel with law enforcement authority, duties included assisting with law enforcement searches and entry control,[28] staffing holding areas in CBP facilities, and performing welfare checks of aliens in custody.

During our site visits to El Paso and Yuma sectors at the end of Title 42, we observed ICE Homeland Security Investigations (HSI) special agents detailed to the Border Patrol facilities. El Paso Border Patrol officials explained 30 to 50 HSI special agents were on detail in the sector, with 10 to 14 at the CPC assisting with escort and transportation. At the Yuma SSF, we observed HSI special agents conducting security in the holding rooms.

DHS Obtained Interagency Support for CBP Operations

To aid CBP with transportation, law enforcement, and medical support, DHS and the SBCC secured personnel support from the following Federal agencies:

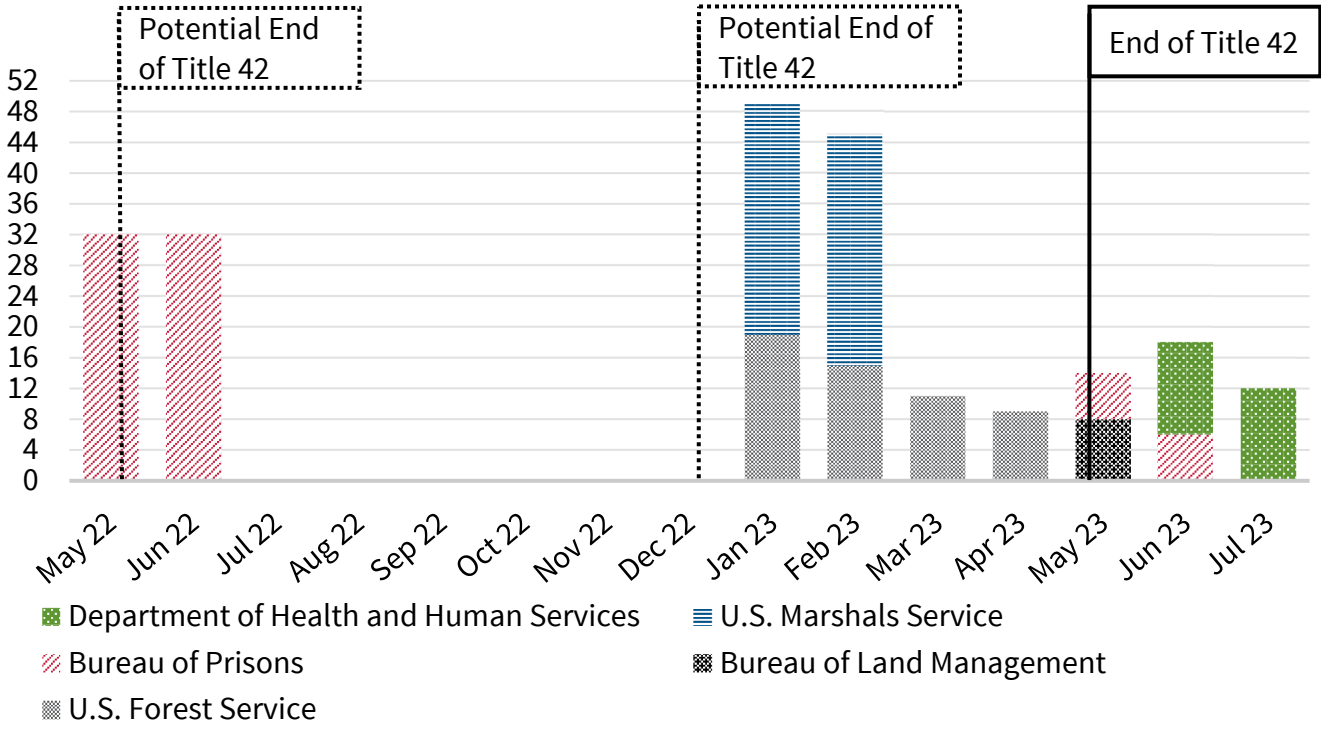
- U.S. Department of Justice's Federal Bureau of Prisons (BOP) (19 personnel/8 weeks) and U.S. Marshals Service (30 personnel/7 weeks);
- HHS (12 personnel/8 weeks);
- the U.S. Department of Agriculture's U.S. Forest Service (13 personnel/13 weeks);
- the U.S. Department of the Interior's Bureau of Land Management (8 personnel/3 weeks); and
- Department of Defense (DOD) (1,135 personnel/11 weeks).

As shown in Figure 4,[29] from May 22, 2022, through July 29, 2023, CBP obtained support from these Federal agencies leading up to or directly after each time Title 42 was expected to end.

[28] Detailed personnel responsible for entry control assisted in authorizing access to CBP facilities and grounds at vehicle entry and exit control-points.

[29] In addition to the annual DOD support, CBP requested an additional 2,500 military personnel to augment DHS efforts along the SWB to fill critical capability gaps at the end of Title 42. Given the significant number in comparison to other interagency partners, DOD was not included in Figure 4.

Figure 4. Interagency Support for CBP, May 2022 to July 2023



Source: DHS OIG analysis of Border Patrol data

According to Border Patrol, the capabilities of interagency details varied greatly. BOP employees transported aliens and their personal property throughout the SWB on BOP-provided buses. The U.S Forest Service, U.S. Marshals Service, and Bureau of Land Management provided law enforcement officers to assist with hospital watch, transport and escort, searches, supplemental security, entry control, and welfare checks. Additionally, at CBP's request, HHS provided telemedicine clinicians to supplement current CBP and interagency medical resources at Border Patrol sectors and OFO field offices along the SWB.

DOD also provided support personnel and authorized its personnel to perform some of the support roles DHS requested, such as data entry and warehouse duties. However, various factors hindered their ability to fully meet Border Patrol needs. The week after Title 42 ended, DOD provided 550 military personnel to Border Patrol facilities on the SWB. After the third week, DOD increased its support to 1,354 for the following 8 weeks. According to the SBCC, by the time DOD personnel obtained clearances to access CBP systems, some of the details were already nearing the end of their 90-day temporary duty assignment. One Border Patrol official explained that arriving soldiers could not interact with the detainees, did not have CBP computer access to perform data entry, and could not support transportation efforts. During our visit to Yuma sector, Border Patrol officials commented that they questioned how additional DOD personnel,

expected to arrive in June 2023, would actually support the facility. They shared that Border Patrol was unsure how DOD would assist in the mission because by that time, contracted staff had assumed most support responsibilities.

CBP Hired Additional BPPCs

As stated in the plan, DHS proposed hiring 300 additional BPPCs[30] to assist processing aliens. When the plan was issued in April 2022, Border Patrol had 270 BPPCs throughout 9 sectors on the SWB. At the end of Title 42 in May 2023, Border Patrol had increased BPPC staffing to 1,164, an increase of 894 BPCCs and well over the proposed additional 300 BBPCs. According to Border Patrol officials, hiring BPPCs increased the efficiency of alien processing, and enabled Border Patrol agents to return to their traditional mission at the border. For example, Border Patrol officials at one facility shared that hiring BPPCs allowed 240 of the 350 Border Patrol agents assigned to the facility to return to the field.

While DHS exceeded its plan to hire 300 additional BPPCs, Border Patrol faces challenges retaining BPPCs. According to the Border Patrol officials, BPPCs left the position for OFO jobs with permanent hiring status and promotional opportunities, or for contract positions, as explained in the following section. Despite ongoing hiring efforts, the number of BPPCs who left sometimes exceeded the number hired. For example, from May 2023 to July 2023, the total number of BPCCs dropped by 11 to 1,153.

CBP Increased Contract Support

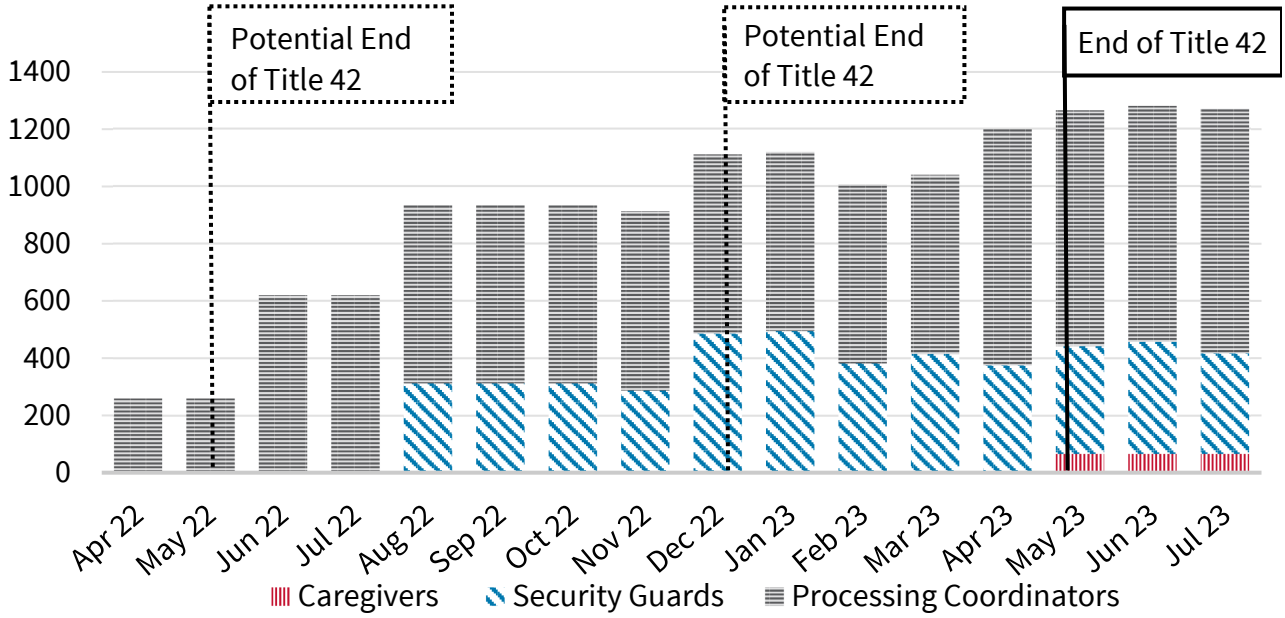
As outlined in the plan, CBP increased contract support to meet migration levels. Border Patrol staffed expansions and new construction of SSFs[31] through contracted support. Through the SBCC, CBP contracted for administrative processing support, enabling law enforcement agents and officers to perform front-line duties instead of working in the short-term holding facilities. In a December 2022 status update to the DHS plan,[32] DHS noted it had added 2,500 contractors to support CBP short-term holding facilities. On May 1, 2023,[33] DHS announced an additional 2,000 contracted personnel and non-uniformed new hires had joined CBP to support the end of Title

[30] In May 2019, CBP created the BPPC position to "perform administrative work in supporting sector/station Border Patrol Agents (BPAs) in processing detainees brought back to stations for intake processing and other related administrative tasks." The first group of BPPCs started in March 2021 at the Rio Grande Valley and El Paso sector to assist with processing and transporting aliens.
[31] Soft-Sided Facilities are also referred to as Central[ized] Processing Centers or Enhanced Central[ized] Processing Centers.
[32] *Update on Southwest Border Security and Preparedness Ahead of Court-Ordered Lifting of Title 42*, December 13, 2022.
[33] *Fact Sheet: Update on DHS Planning for Southwest Border Security Measures as the Title 42 Public Health Order Ends*, May 1, 2023.

42. CBP acquired most of its additional contract support through wrap-around service[34] contracts used to assist with the daily operation of newly constructed or expanded SSFs, such as providing meals, laundry, cleaning, etc.

In addition to the wrap-around service contracts for SSFs, CBP also developed and implemented a tiered staffing structure to add additional contractors at facilities based on detainee capacity. As shown in Figure 5, from April 2022 through July 2023, with assistance from the SBCC, CBP supplemented Border Patrol SSF staffing needs by contracting for additional facility guards, caregivers, and processing coordinators. Additionally, the POEs acquired data entry contractors to supplement the ongoing processing at POEs along the SWB.

Figure 5. Contracted Caregivers, Facility Guards, and Processing Coordinators in CBP Facilities, April 2022 to July 2023



Source: DHS OIG analysis of Border Patrol and OFO contracts

During our site visits to CBP facilities in Yuma, Calexico, and El Paso areas, contracted processing coordinators supported five of the seven facilities. We observed processing coordinators overseeing the intake, processing, property management, and movement, as well as providing aliens meals, and logging custodial actions for detainees into CBP systems. According to Border

[34] Wrap-around service includes all the requirements to stand up, furnish, and support the intake, processing, holding, meal services, janitorial services, security guards, shower monitors and caregivers, ancillary facilities, as well as all mechanical, electrical, plumbing, communications, showers, laundry, restrooms, pest service, Video Surveillance System, and other infrastructure as required by the contract.

Patrol officials, the additional contract support allowed Border Patrol agents, who had previously provided administrative support, to perform their law enforcement duties in the field.

DHS Volunteer Force Supported CBP Facilities

DHS also solicited personnel to join the DHS Volunteer Force and support CBP short-term holding facilities.

From May 2022 through July 2023, Border Patrol had a weekly average of 176 volunteer force staff: 52 data entry and 124 general support volunteers split between multiple Border Patrol facilities on the SWB. Volunteers with higher security clearances provided data entry support while volunteers with lower security clearances provided general support, such as assisting with supply distribution, warehouse support, file tracking, property management, and other general duties.[35]

The monthly average number of volunteers ranged from a high of 298 in May 2022 to a low of 83 in March 2023. While the number of volunteers declined over this time, Border Patrol officials stated that once contracted staff were brought into the Border Patrol facilities, they no longer needed volunteers to manage and organize supplies.

Figure 6. DHS Volunteer Force Solicitation Flyer



Source: DHS Deputy Secretary Memorandum for Heads of Executive Departments and Agencies, dated April 12,

DHS Increased Transportation Capacity for the End of Title 42

According to Pillar 1 of the DHS plan, DHS would expand its capacity for lateral movements of aliens within and between Border Patrol sectors to help relieve overcrowded sectors quickly. The plan details that the SBCC would implement interagency agreements and contracts for ground transportation resources, stating that by April 29, 2022, CBP would contract for 394 additional bus movements per day through a blanket purchase agreement.

We did not find evidence that CBP contracted for the 394 additional bus movements through the blanket purchase agreement. However, CBP augmented resources through other ways, including reimbursable agreements with ICE ERO and BOP and extensions and increases to preexisting contracts. In September 2022, ICE ERO loaned Border Patrol's El Paso sector 2 buses on a reimbursable basis; in May 2023, ICE ERO loaned an additional 10 passenger vans. Additionally, in May 2023, BOP authorized the use of six buses and six bus operators to

[35] The DHS Volunteer Force Coordination Cell did not track the DHS Volunteer Force support to OFO facilities and could not provide the number of volunteers.

decompress[36] aliens within the San Diego and Tucson Border Patrol sectors. In the same month, CBP extended and increased preexisting contracts, including for 15 additional buses and guards for Del Rio, Laredo, and Rio Grande Valley sectors. In total, from April 2022 to May 2023, the SBCC assisted Border Patrol sectors along the SWB to increase transportation resources by 23 percent (see Table 2).

Table 2. Border Patrol Transportation Resources from April 2022 to May 2023

Vehicle Type	April 2022	May 2023	Total Increase	Percentage
Van	521	586	65	12%
Agency-Owned Bus	54	65	11	20%
Leased Bus	0	58	58	n/a
Totals	**575**	**709**	**134**	**23%**

Source: DHS OIG analysis of Border Patrol data

CBP also increased capacity for decompression, expulsion, and repatriation flights through interagency agreements with ICE Air and Charter Operations and by establishing its own air contract. In May 2023, ICE Air and Charter Operations conducted 213 domestic and international flights, a 31 percent increase from the 162 flights conducted in April 2022, when planning for the end of Title 42 began. From January 2023 to July 2023, CBP's contracted flight service conducted 364 decompression flights, transferring 32,398 single adults and 11,313 family unit members.

Border Patrol Increased Holding Capacity Through Expanding or Building Temporary SSFs

To prepare for increased apprehensions with the end of Title 42, Border Patrol augmented its holding capacity by expanding or building SSFs in the SWB sectors. When announced in April 2022, Pillar 1 of the DHS plan stated that DHS intended to increase holding capacity to approximately 18,000 aliens by May 23, 2022. A December 2022 planning update[37] stated Border Patrol had added 10 SSFs and intended to add more.

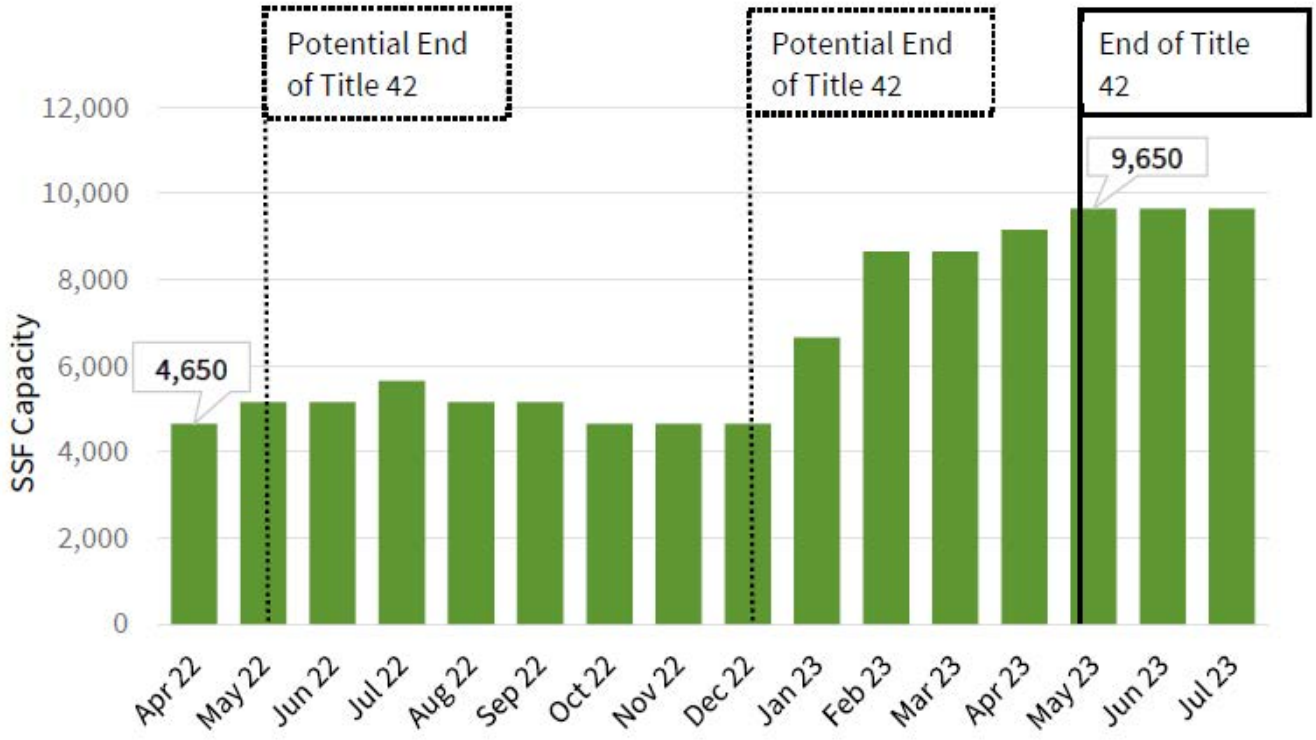
To identify CBP's facility capacity increases in preparation for the end of Title 42, we requested CBP provide the detainee holding capacity for all CBP short-term holding facilities. The information CBP provided did not allow us to analyze CBP's total short-term holding facility

[36] Decompression is an effort to transfer migrants from Border Patrol sectors that are over capacity to other sectors to "decompress" the sector, allowing CBP to maintain the proper level of care for migrants in custody. Ground and air transportation are used to laterally transport detainees to other sectors with the capacity to detain and conduct detainee processing.

[37] *Update on Southwest Border Security and Preparedness Ahead of Court-Ordered Lifting of Title 42*, December 13, 2022.

capacity ahead of Title 42's end. However, we did determine that from April 2022 to July 2023, CBP increased SSF holding capacity from 4,650 to 9,650, a 108 percent increase (see Figure 7).[38]

Figure 7. Border Patrol SSF Holding Capacity from April 2022 to July 2023



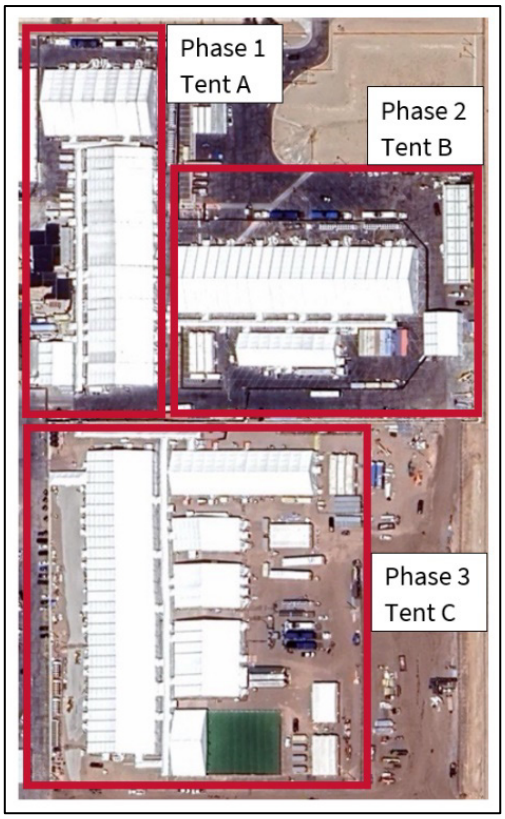
Source: DHS OIG analysis of Border Patrol data

When we visited the Yuma CPC[39] at the end of Title 42, the facility had recently been expanded to increase capacity; officials shared that facility capacity could be quickly increased through a 30-day expansion project of an existing structure. Called Phase 3, this was the second expansion at the Yuma CPC since its original construction in April 2021. As with all SSFs, the Phase 3 expansion included contracted wrap-around services necessary to manage the CPC (meals, laundry, cleaning, etc.) and to provide contract staff to assist with the daily operation of the facility. The Phase 3 expansion project, shown in Figure 8, increased the capacity of Yuma CPC by 500, for a total capacity of 1,375.

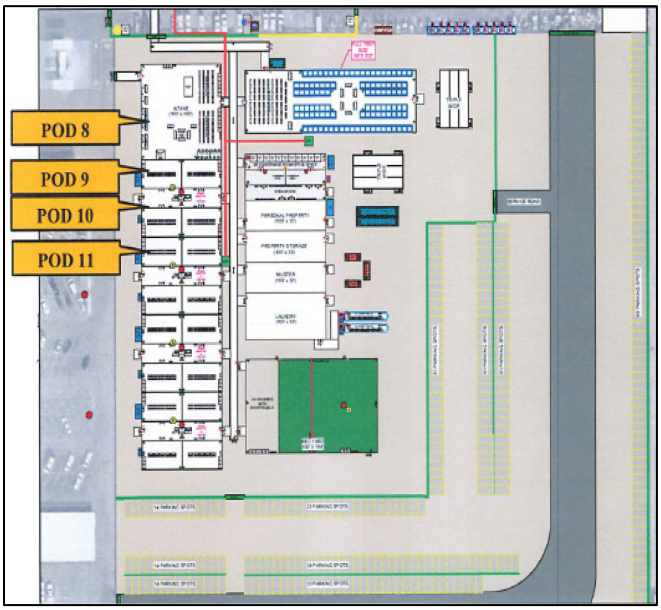
[38] San Diego, Yuma, Del Rio, and Laredo each have one SSF and Tucson, Rio Grande Valley, and El Paso have two SSFs in the sectors.

[39] The Yuma CPC is an SSF that was originally constructed on April 18, 2021, with a capacity of 500. A year later, on April 8, 2022, an expansion added an additional capacity of 375. On May 8, 2023, a third expansion added an additional 500, for a total capacity of 1,375.

Figure 8. Yuma CPC Phased Expansion Project for the end of Title 42



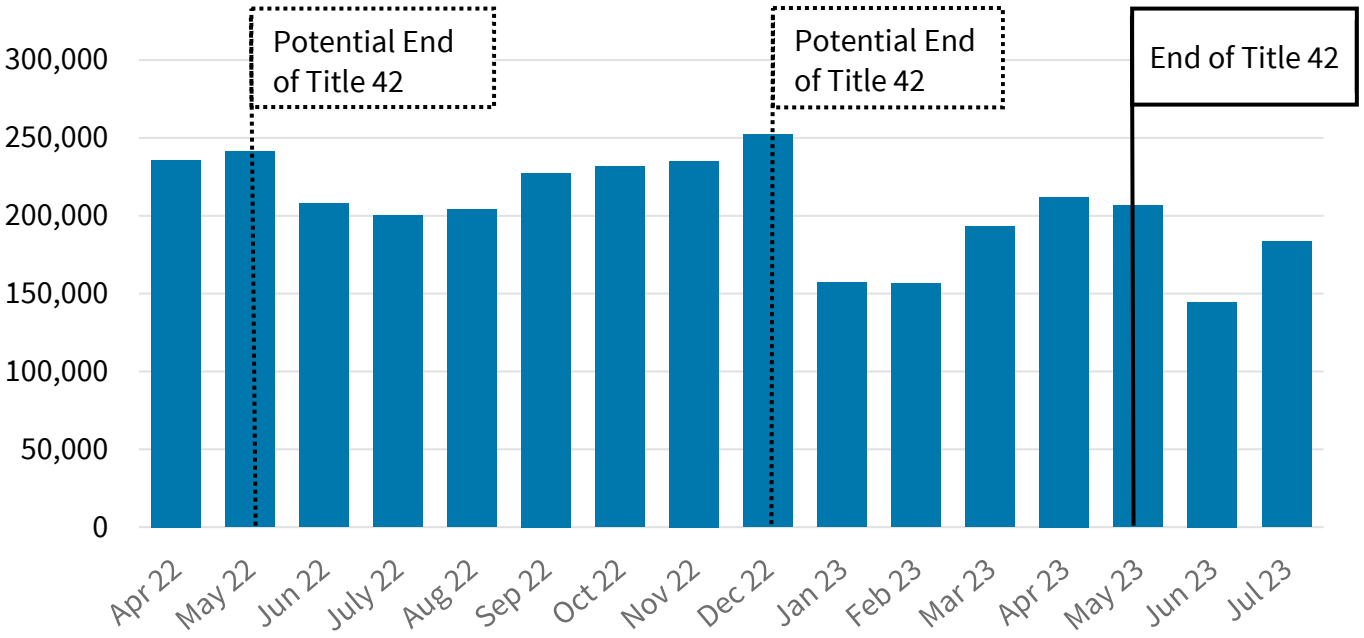
Phase 3 Expansion:



Source: Yuma Sector, Border Patrol

Even with the facility expansions, as migrant encounters increased in the week leading up to the end of Title 42 in May 2023, facilities on the SWB were over capacity. While the surge of migrants following the end of Title 42 did not occur as DHS anticipated, CBP encounters increased leading up to each time Title 42 was scheduled to end (see Figure 9).

Figure 9. CBP Encounters on the SWB, by Month, April 2022 to July 2023



Source: OIG analysis of CBP encounters data

* Encounters increased in the months and days leading up to the end of Title 42, then significantly decreased starting on May 12, 2023, lowering the totals for the month.

During our site visits to Yuma and El Paso sectors, we observed facilities in both sectors were well over their holding capacity. At the time of our site visits, we observed:

- The El Paso CPC, with a capacity to hold 1,040 detainees, had 3,050 detainees in custody (193 percent overcapacity).[40]
- The El Paso SSF, with a capacity to hold 1,000 detainees, had 2,425 detainees in custody (143 percent overcapacity).
- The Yuma CPC, with a capacity to hold 1,375 detainees, had 3,072 detainees in custody (123 percent overcapacity). Of the 3,072 detainees, 1,682 were adult males (55 percent).

We observed overcrowding mainly in areas holding single adult males (see Figures 10 and 11). For example, at the Yuma CPC, adult males had to share sleeping mats and lie under benches and next to bathroom stalls. Due to the overcrowding, in several holding rooms, we observed insufficient space for all the occupants to lie down.

[40] At the time of our site visits, the El Paso CPC held single adult males, female unaccompanied children, male unaccompanied children, and pregnant females. The El Paso SSF held single adult females and family units.

Figures 10 and 11. Single Adult Male Holding Rooms in the El Paso and Yuma Sectors on May 11 and 12, 2023





Source: DHS OIG photos

Despite issues with overcrowding, the CBP facilities we visited otherwise met TEDS standards for cleanliness, food and beverages, supplies and hygiene items, and bedding.[41] Facilities were mostly clean and had meals, snacks, and water available for detainees. CBP provided detainees 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. Detainees in holding areas could also freely access snacks, water, and juice.

CBP Developed a Medical Support Plan and Surged Additional Contract Medical Support to Prepare for the End of Title 42

The DHS plan stated that it would surge resources, including medical support to the SWB, and by the end of April 2022, the SBCC would ensure medical resources were available to provide urgent clinical care for 18,000 aliens in custody on any given day. It also noted the SBCC had developed a medical support plan and was determining which Federal agencies could provide support through an interagency agreement signed with the DOD, HHS, United States Coast Guard, and the Federal Emergency Management Agency.

CBP's Office of the Chief Medical Officer (OCMO) developed a *Post Title 42 Medical Support Plan* in November 2022, which was briefed to the SBCC Unified Command Group, made up of regional and sector representatives. The medical plan included estimates of support requirements and

[41] 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; provide regularly scheduled meals and accommodate detainees with religious or dietary restrictions; maintain age-appropriate supplies and snacks, such as diapers, baby bottles, baby formula, and baby food; and ensure that holding facilities are clean, temperature controlled, and adequately ventilated.

proposed actions based on average daily encounter numbers, and was incorporated into an annex of the *CBP Post Title 42 Southwest Border (SWB) Mass Irregular Migration Contingency Plan.* In addition, OCMO Regional Medical Liaisons traveled to CBP sectors, stations, field offices, and POEs on the SWB to discuss medical plans and preparations.

We found that CBP increased medical contractor personnel, who are the primary medical service providers for Border Patrol and OFO holding facilities on the SWB. While CBP did not ensure medical resources were available to provide urgent clinical care for 18,000 aliens in custody by the April 2022 date in the plan, CBP increased the number of contract medical support personnel on duty from 873 in May 2022 to 1,470 in May 2023, a 68 percent increase. CBP OCMO also worked with the CBP Office of Acquisition to award a Supplemental Medical Support Contract to acquire additional contract medical screening services.[42]

In addition to increasing medical contract support personnel and obtaining support from HHS clinicians, CBP developed contingency plans to have additional resources ready. CBP sought assistance from HHS' Administration for Strategic Preparedness and Response to deploy two Disaster Medical Assistance Teams[43] to remain on standby to provide medical aid and support to mitigate humanitarian concerns, if needed. In July 2022, CBP OCMO also developed rapid response medical teams that were on standby for post Title 42 medical support and surge support as needed.[44]

SBCC Directed the Use of WebEOC, but CBP Complied Inconsistently

Although not specifically mentioned in the DHS plan, as CBP prepared to coordinate requests for information and resources with the field for the end of Title 42, the SBCC directed CBP use WebEOC to implement a comprehensive resource management process to adjudicate and track request fulfillment and monitor resource employment. WebEOC was intended as the system of record to manage and memorialize the request process for transportation, facilities, personnel, medical, and intelligence resources at the end of Title 42.

According to SBCC officials, field personnel should have submitted taskings and requests to the SBCC through WebEOC, instead of other communication methods, such as email, to avoid submitting duplicate requirements requests. Further, submission via WebEOC allowed the SBCC to track all taskings electronically in one system. For example, if a Border Patrol sector needed

[42] The base period and two option periods collectively ran from June 30, 2022, through November 29, 2022.
[43] HHS' Administration for Strategic Preparedness and Response, Disaster Medical Assistance Teams provide rapid response medical care when public health and medical emergencies overwhelm state, local, tribal, or territorial resources.
[44] The rapid response medical teams were comprised of volunteer CBP emergency medical technicians/paramedics and OCMO operational liaisons and physicians. While on standby, the teams deployed once to Miami sector in January 2023 to support CBP during a surge in migration.

increased transportation support, the sector would request this in WebEOC. The SBCC's Logistics section would then validate the request. However, because the field did not receive guidance, field personnel could have potentially sent the same request via both WebEOC and email, which may cause duplicate requests. Duplicate requests could result in resources overallocated in one sector and potentially unavailable for another sector.

There were also instances where field personnel sent requests directly through email, causing SBCC to overlook some of these requests. According to an SBCC official, field personnel would not always request resources via WebEOC because someone in the field would say, "I know someone I can get it from" and then reach out directly via email. When the SBCC was unaware of a request, the request would get "stuck" in the pipeline, and by the time the SBCC identified the request, it was no longer useful. According to an SBCC official, it was the SBCC's job to get the field the requested resources needed to conduct its mission, but this did not always happen because sectors did not always send the requests through WebEOC.

Pillar 2 Efforts: To Expedite the Movement of Aliens out of CBP Custody, DHS Co-located Personnel at ECPCs, Tested Mobile En Route Processing (MERP), and Streamlined Non-citizen Processing

To support decompression of CBP facilities, DHS launched three new initiatives: ECPC,[45] en route processing, and streamlined processing. In accordance with these initiatives, we found DHS co-located personnel from ICE ERO and U.S. Citizenship and Immigration Services (USCIS), and representatives from HHS Office of Refugee Resettlement (ORR) at ECPCs to process detainees more efficiently and expeditiously move them through the immigration process. We found these efforts generally allowed DHS to:

- hold aliens in a safe, orderly, and humane environment;
- ensure appropriate security screening; and
- quickly process and transfer screened aliens out of CBP custody to ensure facilities did not become overcrowded.

DHS Component and Federal Partners Were Co-located at Border Patrol Facilities

In accordance with the DHS plan, DHS co-located personnel from ICE ERO, USCIS, and HHS ORR at ECPCs initially and later at other Border Patrol facilities[46] to process detainees more efficiently and expeditiously move them through the immigration process. With ICE ERO on site, Border Patrol could directly coordinate alien dispositions, bed space, and air or ground transportation

[45] The ECPC model is a DHS initiative to co-locate different agencies involved in the immigration process to quickly triage encountered aliens.
[46] DHS also co-located component personnel at other CPCs and SSFs.

needs for single adults, family units, and unaccompanied children. USCIS detailed liaisons to the ECPCs specifically for the end of Title 42 and provided coordination between Border Patrol and the USCIS officers to support the EER process. Representatives from HHS ORR were also located in the ECPCs to prepare unaccompanied children for transfer to HHS custody and begin the vetting process of potential sponsors.

DHS and Border Patrol Tested but Did Not Implement MERP

DHS and Border Patrol tested MERP technology to mitigate the expected increase in encounter numbers with the end of Title 42. According to the DHS plan, the SBCC intended to use MERP to move aliens out of CBP facilities faster, while retaining the integrity of biometric and biographic screening processes. MERP included retrofitting buses with workstations for data entry and biometric processing equipment, printers, routers, and software for Wi-Fi usage and encryption (see Figures 12 and 13). Border Patrol agents in vehicles equipped with MERP capability completed the biometric and biographic screening processes before moving the apprehended alien to designated Border Patrol facilities or returning them to Mexico through a designated repatriation at POEs.

Figures 12 and 13. MERP Processing Bus Technology





Source: Border Patrol photos

While the testing of MERP identified potential benefits of the technology, ultimately, Border Patrol agents did not implement it at SWB Border Patrol sectors. The MERP assessment team reported initial positive results in the use of MERP capabilities for decompression efforts. However, the assessment team also identified concerns, including staffing issues and potential equipment malfunctions. Border Patrol officials at one sector shared they were unsure if the

proof of concept yielded the desired results. Officials at another sector shared that MERP capabilities had mixed reviews.

DHS Digitized and Streamlined Alien Processing

Before the end of Title 42, DHS took several actions to expedite alien processing. In November 2021, the Chief of the Border Patrol approved the use of the Review and Approval Portal (RAP)[47] in e3, the Border Patrol's electronic system of record,[48] to expedite intake and processing of encountered individuals and to digitally process all Notice to Appear (NTA) dispositions for Border Patrol sectors on the SWB. The RAP allowed agents to digitally sign and review detainee A-files electronically. To further implement the digital process, the DHS plan expanded the use of the RAP for other disposition types, digitizing all other elements of the A-file to maximize efficiency, and sharing across CBP, ICE ERO, USCIS, and the Executive Office for Immigration Review (EOIR) throughout the immigration lifecycle. We found these steps allowed DHS to reduce alien processing time. During our site visit to the Yuma sector, Border Patrol officials commented that electronically processing NTAs considerably expedited immigration processing.

According to one CBP official, not having to physically print, assemble, sign, and issue documents saved approximately 20 to 22 minutes per file. Before the digitization of files, it would take up to 2 hours to complete processing for one individual. In addition, the ability to send digital A-files[49] versus emails to other agencies expedited the process. The digitization allows Border Patrol to route completed A-files electronically to ICE ERO for custody determinations and to HHS ORR for placement requests of unaccompanied children, validate and electronically issue A-file numbers, and schedule court dates through the EOIR system.

To further streamline and expedite alien processing, the DHS plan identified the need to eliminate administrative redundancies by identifying and removing forms exchanged between CBP and ICE that provided duplicative information. In December 2022, the Chief of CBP's Law Enforcement Operations Directorate disseminated guidance to all Chief Border Patrol Agents listing the required mandatory forms included in each A-file for aliens transferring to ICE ERO. One Border Patrol official explained, in preparation for the end of Title 42, Border Patrol, OFO, ICE ERO, and USCIS worked to standardize the minimum mandatory forms, helping reduce processing time and increase efficiencies at the CBP holding facilities for certain processing

[47] The Review and Approval Portal is used to route files electronically between CBP users and share information among and between CBP, ICE (e.g., immigration forms, medical information), and HHS ORR (e.g., placement requests for alien unaccompanied children).
[48] CBP uses e3 to collect and transmit biographic, encounter, and biometric data of individuals Border Patrol encounters.
[49] While Border Patrol is moving toward fully digital A-files, there are still some dispositions that must be processed manually, such as expedited removals and reinstatements of removal.

pathways. This also allowed CBP to digitize some of the detainee processing pathways, creating efficiencies at the CBP holding facilities.

DHS Implemented EER to Streamline the Credible Fear Process

USCIS, Border Patrol, and ICE ERO implemented the EER[50] program in April 2023 at Border Patrol and ICE ERO facilities to provide single adults quicker credible fear screenings and determinations by USCIS officers.

Before implementing EER at Border Patrol facilities, USCIS received referrals for credible fear screenings after Border Patrol processed aliens and sent those who claimed fear to an ICE ERO detention facility. Under the new process, announced on April 12, 2023, alien single adults stayed in Border Patrol custody, on a case-by-case basis, for the duration of their credible fear process. Certain alien single adults who indicated an intention to apply for asylum, expressed a fear of persecution or torture, or expressed a fear of return to their country received credible fear screening by an USCIS officer while in Border Patrol custody. In addition, Border Patrol transferred some aliens who claimed fear and were from countries with regularly scheduled ICE ERO repatriation flights to one of the ICE ERO facilities for USCIS credible fear screening.[51] As a result, CBP officials told us aliens claiming credible fear went from remaining in Border Patrol custody for approximately 2 months or more to approximately 6 to 8 days under the EER program.[52]

To coordinate under the new EER program, DHS components collaborated to automate the reporting and notification process from Border Patrol and ICE ERO to USCIS. USCIS interfaced its system with Border Patrol's Unified Immigration Portal[53] system and ICE ERO's ENFORCE Alien

[50] EER applied to alien single adults from countries whose nationals were removable to Mexico, and who were detained at one of five Border Patrol locations that conducted the EER credible fear claims process. The five Border Patrol locations included El Paso, Laredo, San Diego, Rio Grande Valley, and Yuma. Single adult aliens from Mexico, Cuba, Haiti, Nicaragua, and Venezuela who were processed for expedited removal and indicated an intention to apply for asylum, expressed a fear of persecution or torture, or expressed a fear of return to their country could participate in the EER program at select Border Patrol facilities. Depending on holding capacity, participating Border Patrol facilities could include aliens from El Salvador, Guatemala, and Honduras in the credible fear screening process.

[51] The nine ICE facilities dedicated to Expedited Removal/Credible Fear are Adams County Correctional Center, Jackson Parish Correctional Center, Richwood Correctional Center, Polk Adult Detention Facility, Houston Contract Detention Facility, El Valle Detention Facility, Port Isabel Service Processing Center, Torrance County Detention Facility, and South Texas ICE Processing Center.

[52] This shortened timeframe ran from initial selection for the EER Program until a final credible fear determination is made.

[53] Unified Immigration Portal (UIP) provides agencies involved in the immigration process a means to view and access certain information from each of the respective agencies from a single portal in near real time. Agencies such as ICE, USCIS, HHS ORR, and Department of Justice EOIR have access to UIP.

Removal Module[54] to receive a notification once Border Patrol or ICE ERO completed the in-processing of an alien with a credible fear claim. Border Patrol and ICE ERO tested the new interface used to send notifications to USCIS, and then fully implemented the process for May 11, 2023, when Title 42 ended.

In addition to automating the reporting and notification process, between April 2022 and July 2023, to accommodate a potential increase in aliens and quickly screen credible fear claims, USCIS reallocated personnel to virtually assist the SWB with the asylum screening caseload. By May 2023, USCIS dedicated most full-time USCIS officers to credible fear screenings along the SWB. USCIS also mandated refresher training for former USCIS officers and added them to staffing the EER program credible fear screenings. From April 2022 (145 assigned officers) to May 2023 (453 assigned officers), USCIS increased EER staffing by 212 percent.

DHS Expanded the CBP One™ Mobile Application to Enhance Port of Entry Processing

CBP implemented changes to the CBP One™ Mobile Application (CBP One™) to expand the capacity of processing aliens at designated POEs along the SWB. On January 12, 2023, OFO expanded its functionality[55] to allow aliens who were physically located between Central Mexico and the SWB the ability to directly access CBP One.™ Aliens seeking a Title 42 exception submitted biographic and demographic information and photographs of documents and requested an appointment up to 14 days in advance at one of eight POEs. Initially, CBP planned to conduct 740 individual appointments per day across the 8 identified POEs.[56] By the time Title 42 ended in May 2023, CBP One™ appointments increased to 1,000 a day, then rose again in June 2023 to 1,450 a day across the designated POEs. As shown in Table 3, between January 2023 and February 2023, OFO processing of aliens through CBP One™ appointments increased 105 percent (10,376 to 21,225) and 37 percent from May 2023 to June 2023 (27,190 to 37,149). One OFO official said CBP One™ was a "game changer" as the scheduling tool allowed OFO to process most aliens with an NTA within approximately 15 to 20 minutes, partly because aliens had already added biometric and biographic information and photographs of documents in CBP One.™

[54] ENFORCE Alien Removal Module, known as EARM, is an application that supports ICE's processing and removal of aliens from the United States and primary case management tool to track the status of alien removal proceedings.
[55] Previously, CBP One™ appointment scheduling was only accessible by certain NGOs and advocacy groups, who aided in identifying vulnerable aliens for consideration of humanitarian exceptions to Title 42.
[56] The eight locations dedicated to CBP One™ appointments were at the San Ysidro and Calexico, California; Nogales, Arizona; and El Paso, Eagle Pass, Laredo, Hidalgo, and Brownsville, Texas POEs.

Table 3. CBP One™ Appointments by Month, January 2023 to July 2023

Month and Year	CBP One™ Appointments	Monthly Percentage Change
January 2023	10,376	N/A
February 2023	21,225	105%
March 2023	24,970	18%
April 2023	22,849	(-8%)
May 2023	27,190	19%
June 2023	37,149	37%
July 2023	44,805	21%

Source: DHS OIG analysis of OFO data

Conclusion

Although DHS and CBP made strides to accomplish elements of Pillars 1 and 2 of the DHS plan, some initiatives for the end of Title 42 did not achieve the intended outcome efficiently or effectively. As DHS continues to develop and refine plans for future surges, the Department and CBP have an opportunity to mitigate challenges and develop protocols to ensure a streamlined response. For example, unless DHS and CBP assess and identify the best use of personnel resources, whether through a whole-of-government or contracted response, future emergency or surge operations efforts could face similar challenges. In addition, without an analysis of demographics in its facility planning process, such as the overcrowding of adult single males, CBP risks not meeting TEDS standards for segments of its detained population. Finally, ensuring consistent use of a single platform like WebEOC to track requests from CBP facilities on the SWB could alleviate duplication and facilitate the process.

Recommendations

Recommendation 1: We recommend the Commissioner of CBP complete an analysis of agent and officer details, volunteer staff, intra- and interagency details, Border Patrol Processing Coordinators, and contracted personnel along the SWB during recent surges to identify the most effective allocation of personnel to roles and responsibilities and incorporate its findings into plans for future surges.

Recommendation 2: We recommend the National Incident Command Center Logistics Section coordinate with the Border Patrol and the DOD to identify and document appropriate functions and steps to effectively use DOD support in the "Operation Homeland Resolve Strategic Approach" and the "Departmental migration resource and response plan," directed by former DHS Secretary Mayorkas in his October 27, 2023, memorandum.

Recommendation 3: We recommend the Chief, Border Patrol, regularly and continuously refine strategies to incorporate demographic information of aliens approaching the Southwest border in the allocation of Border Patrol facility holding units.

Recommendation 4: We recommend the National Incident Command Center Logistics Section document the communication and use of resource request tracking tools, such as WebEOC, in the "Operation Homeland Resolve Strategic Approach" and the "Departmental migration resource and response plan."

Management Comments and OIG Analysis

CBP provided management comments on a draft of this report. We included the comments in their entirety in Appendix B. We also received technical comments from CBP on the draft report, and we revised the report as appropriate. In its management comments, CBP concurred with recommendations 2 and 4, and non-concurred with recommendations 1 and 3. We consider recommendations 2 and 4 resolved and open, recommendation 1 unresolved and open, and recommendation 3 administratively closed. A summary of the DHS response and our analysis follows.

DHS Response to Recommendation 1: Non-concur. CBP believes that a staffing review is unnecessary because the policies and actions of the Trump Administration have diminished the threat of future surges, and staffing concerns have been addressed through authorized hiring. CBP requested the OIG consider the recommendation resolved and closed.

OIG Analysis: We do not consider these actions responsive to the recommendation, which is unresolved and open. OIG acknowledges that presently there have been historically low border encounters and no current surge exists. There are, however, historical fluctuations in migration and factors that can contribute to migration surges that are out of the control of the U.S. Government. The Department has identified multiple reasons for dramatic increases in irregular migration — such as persistent crime, corruption, war, disease, economics, and other factors — that may be immune to U.S. Government efforts to control surges.[57] Therefore, OIG recommended that DHS and CBP should maintain contingency plans for future migration surges. OIG will close this recommendation when CBP provides documentation showing it has incorporated an analysis of the most effective allocation of personnel to roles and responsibilities into contingency plans for future surges.

CBP Response to Recommendation 2: Concur. CBP believes the National Incident Command Center's strategic approach identifies and documents functions and steps to effectively use DOD

[57] *DHS Southwest Border Mass Irregular Migration Contingency Plan*, February 17, 2022.

support in DHS operations. CBP requested the OIG consider the recommendation resolved and closed, as implemented.

OIG Analysis: We consider these actions responsive to the recommendation, which is resolved and open. We will close this recommendation when CBP provides evidence showing that functions and steps to effectively use DOD support in DHS surge operations have been documented in DHS strategic planning documents.

CBP Response to Recommendation 3: Non-concur. CBP does not believe it is effective to use information on individuals approaching the Southwest Border to allocate facility holding units. Instead, if Border Patrol had verifiable information, it would use the information to prevent entry. Further, CBP emphasized the design of its holding facilities is universal to provide flexibility of use based on flow. CBP requested the OIG consider the recommendation resolved and closed.

OIG Analysis: We acknowledge that there has been a shift in policy and operational enforcement from the events reviewed during this review. In light of changes to recent DHS policies and operations and the impact they have had on the numbers of aliens in CBP short-term holding facilities, we are administratively closing this recommendation upon issuance.

CBP Response to Recommendation 4: Concur. CBP stated the National Incident Command Center's Logistics Section serves as the coordination mechanism to track resource requests. CBP requested the OIG consider the recommendation resolved and closed, as implemented.

OIG Analysis: We consider these actions responsive to the recommendation, which is resolved and open. We will close this recommendation when CBP provides documentation showing that the National Incident Command Center Logistics Section has documented the use of, and communication on, resource request tracking tools in DHS strategic planning documents.

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*.

Our objective for this review was to determine whether DHS adequately prepared for the end of Title 42, particularly regarding CBP's ability to meet the TEDS standards and other relevant policies and guidance for conditions of detention.

To review DHS' preparations for the end of Title 42 on May 11, 2023, at 11:59 p.m., we assessed whether DHS achieved the objectives documented in Pillars 1 and 2 of the Secretary of Homeland Security memorandum, *DHS Plan for Southwest Border Security and Preparedness*, April 26, 2022, and the impact these preparations had on conditions of detention as Title 42 ended. While we did not review Pillar 3 in its entirety, we did review the EER program as it relates to conditions of detention and streamlining processing efficiencies. From May 10 to 12, 2023, we conducted announced site visits to five Border Patrol short-term holding facilities in the El Paso and Yuma Border Patrol sectors, and three OFO short-term holding facilities in the El Paso and San Diego field offices to observe DHS preparations in place for the end of Title 42 and assess CBP's compliance with TEDS standards and other applicable standards, policies, and directives related to conditions of detention for aliens right before and at the end of Title 42. We visited:

- Calexico-West POE;
- El Paso Border Patrol Station;
- El Paso Border Patrol CPC;
- El Paso Border Patrol SSF;
- Paso Del Norte Border Patrol Station;
- Paso Del Norte POE;
- San Luis POE; and
- Yuma Border Patrol CPC.

At each facility, we observed conditions of detention and reviewed electronic records and paper logs as necessary. We interviewed aliens in CBP custody, medical contractors, and CBP personnel. We photographed examples of compliance and noncompliance with TEDS standards. Our conclusions are limited to what we observed and information we obtained from CBP staff at the time of our site visit.

We also reviewed:

- DHS, SBCC, and CBP planning documents;
- Border Patrol and OFO staffing reports;

- personnel, facility, transportation, and wrap-around service contracts;
- memoranda of agreement and understanding;
- intra- and interagency agreements;
- requests for assistance for the use of DHS component, Federal agencies, and DOD personnel and other resources; and
- agreements and contracts for air and ground transportation.

We researched processing and technical improvements, analyzed data from multiple systems of record and data received from various sources, and interviewed CBP, ICE, USCIS, and Federal Emergency Management Agency officials. We conducted fieldwork from May 2023 through April 2024.

We conducted this review under the authority of the *Inspector General Act of 1978*, 5 U.S.C. §§ 401–424, and according to 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 review, CBP denied DHS OIG's request for direct, read-only access to the data contained in three systems: CBP One, Unified Secondary (USEC), and e3. In lieu of system access, CBP provided DHS OIG with data extracts from the three systems. Because CBP only provided limited scope extracts instead of the direct system access we requested, the OIG's ability to perform comprehensive risk assessment was limited. The delays caused by the denial of direct access and subsequently obtaining extracts of CBP One, USEC, and e3 impacted the OIG's timeliness in performing this review. CBP complied with providing data extracts from other systems requested.

Appendix B:
CBP Comments on the Draft Report

1300 Pennsylvania Avenue, NW
Washington, DC 20229

U.S. Customs and Border Protection

BY ELECTRONIC SUBMISSION

September 19, 2025

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

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

9/19/2025
x
Signed by: HENRY A MOAK JR

SUBJECT: Management Response to Draft Report, "Review of DHS Preparation for the End of Title 42 Public Health Order Prohibiting Entry of Certain People to the United States" (Project No. 23-021-ISP-CBP, DHS)

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 leadership is pleased to note OIG's positive recognition that Department of Homeland Security (DHS, or the Department) adequately prepared for the end of Title 42 in May 2023 by implementing most elements of Pillars 1 and 2 in the DHS memorandum, "DHS Plan for Southwest Border Security and Preparedness."[1] OIG also acknowledged that CBP increased personnel resources, increased holding capacity through expanded or new soft-sided facilities, and developed a medical support plan and added contract medical support personnel. CBP remains committed to its mission to protect the American people, safeguard our borders, and enhance the nation's economic prosperity, including efficient and effective response to alien surges while adhering to national standards on transport, escort, detention, and search of aliens.

However, CBP disagrees with OIG's characterization that CBP denied OIG's request for direct, read-only access to the data contained in the e3 Detention Module, CBP One, and Unified Secondary. OIG requests for data, including requests for direct access to agency IT databases, are evaluated on a case-by-case basis. While CBP fully supports providing OIG timely access to information "which relate[s] to the programs and operations with

[1] "DHS Plan for Southwest Border Security and Preparedness," dated April 26, 2022.

respect to which [the] Inspector General has responsibilities . . .,"[2] the law does not specify how CBP should provide access to the information or require CBP to provide OIG the information in the specific manner OIG requests. Accordingly, CBP was not required to provide the information to OIG via direct access to agency systems, especially where the agency, as the steward of the data, assesses that the system may include a significant amount of data that is beyond the scope of OIG's stated objectives, including sensitive, classified, and otherwise confidential information. In addition, the law does not prohibit CBP from providing the requested information via alternative means to satisfy auditors' need for "sufficient, appropriate evidence to provide a reasonable basis for addressing the audit objectives and supporting their findings and conclusions."[3]

Regarding OIG's request to access to the e3 Detention Module, for example, CBP explained to OIG that this system does not have the ability to provide read only access since it is a live system. Therefore, this type of access could not be provided and would create the risk of inadvertent changes to U.S. Border Patrol statistical data. U.S. Border Patrol subject matter experts met with OIG to discuss the information OIG needed to perform their review and provided responsive bulk data pulls as expeditiously as possible.

The draft report contained four recommendations, two with which CBP non-concurs (Recommendations 1 and 3) and two with which CBP concurs (Recommendations 2 and 4). Attached 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, as appropriate.

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.

Attachment

[2] 5 U.S.C. § 406(a)(1)(A).
[3] GAO-24-106786, "Government Auditing Standards," § 8.90.

Attachment: Management Response to Recommendations Contained in OIG 23-021-ISP-CBP, DHS

OIG recommended that the U.S. Custom's and Border Protection (CBP) Commissioner:

Recommendation 1: Complete an analysis of agent and officer details, volunteer staff, intra- and interagency details, Border Patrol Processing Coordinators, and contracted personnel along the [Southwest Border] during recent surges to identify the most effective allocation of personnel to roles and responsibilities and incorporate its findings into plans for future surges.

Response: Non-Concur. CBP believes that a staffing review described by this recommendation is unnecessary. The numerous polices and actions of the Trump Administration closed the borders and substantially diminished the threat of future surges. Further, any previous CBP staffing concerns are addressed through hiring authorized in the July 4, 2025, "One Big Beautiful Bill Act" (P.L. 119-21).

CBP requests that OIG consider this recommendation resolved and closed.

OIG recommended that the National Incident Command Center Logistics Section:

Recommendation 2: Coordinate with the [U.S.] Border Patrol and the [U.S. Department of Defense (DOD)] to identify and document appropriate functions and steps to effectively use DOD support in the "Operation Homeland Resolve Strategic Approach" and the "Departmental migration resource and response plan," directed by former [Department of Homeland Security] Secretary Mayorkas in his October 27, 2023, memorandum.

Response: Concur. Due to the transition to the current Trump Administration, CBP is no longer working to finalize the previously drafted "CBP Integrated Southwest Border Mass Irregular Migration Contingency Plan" to focus on executing the policies and priorities of the current Administration. In addition, the mission of the Southwest Border Executive Council is also overcome, given that the Trump Administration closed the borders and substantially diminished the threat of future surges. While the National Incident Command Center, established on January 22, 2025, does not replace the Southwest Border Executive Council, CBP believes the National Incident Command Center's strategic approach meets the intent of this recommendation by identifying and documenting appropriate functions and steps to effectively use DOD support in DHS operations. The National Incident Coordination Center coordinates operations activities, with support from relevant U.S. interagency partners, to include DOD, to achieve goals to secure the nation from invasion of illegal aliens.

CBP requests that OIG consider this recommendation resolved and closed, as implemented.

OIG recommended that the U.S. Border Patrol Chief:

Recommendation 3: Regularly and continuously refine strategies to incorporate demographic information of aliens approaching the southwest border in the allocation of Border Patrol facility holding units.

Response: Non-concur. CBP believes that it is ineffectual to predict demographic information of individuals approaching the Southwest Border to allocate facility holding units. Demographics are only considered when individuals are arrested and taken into custody at any given location. If U.S. Border Patrol had verifiable information on individuals approaching the Southwest Border for the purposes of entering the United States illegally, efforts would be made to prevent such an entry. Further, it should be clarified that there is no demographic-specific difference in the actual physical facility holding units. CBP facility design is deliberately universal to provide the greatest flexibility of use to operations based on flow.

U.S. Border Patrol facilities are designed for short-term detention.[4] Every effort is made to arrest, process, and transfer individuals out of custody within 72 hours. Consideration is given for an individual's demographics when necessary. For example, unaccompanied alien children are held in separate cells from adults, and those again are held separately based on sex. Men and women are also held in separate cells, and family units are held together in a particular cell when operationally feasible. Nevertheless, U.S. Border Patrol considers the needs of all individuals in custody for the provision of care items, hygiene items, meals, or otherwise, regardless of demographics. The only fundamental difference between holding rooms or cells is the size or square footage, which are sufficiently addressed under current policies and guidance.

CBP requests that OIG consider this recommendation resolved and closed.

OIG recommended that the National Incident Command Center Logistics Section:

Recommendation 4: Document the communication and use of resource request tracking tools, such as WebEOC, in the "Operation Homeland Resolve Strategic Approach" and the "Departmental migration resource and response plan."

Response: Concur. Due to the transition to the current Trump Administration, CBP is no longer working to finalize the previously drafted "CBP Integrated Southwest Border Mass Irregular Migration Contingency Plan" to focus on executing the policies and

[4] *See*, 6 U.S.C. § 211.

priorities of the current Administration. In addition, the Southwest Border Executive Council is also overcome, given that the Trump administration closed the borders and substantially diminished the threat of future surges. While the National Incident Command Center does not replace the Southwest Border Executive Council, CBP believes the National Incident Command Center's strategic approach meets the intent of this recommendation by addressing the documentation of communication and use of resource request tracking tools. Although each individual department and agency is responsible for executing actions under its area of responsibility, the National Incident Command Center ensures a unified and synchronized manner of support to include communications and resource needs tracking. The National Incident Command Center Logistics Section serves as the coordination mechanism to track resource requests.

CBP requests that OIG consider this recommendation resolved and closed, as implemented.

Appendix C:
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