

GAO

Report to the Chairman, Subcommittee
on National Security, Emerging
Threats, and International Relations,
Committee on Government Reform,
House of Representatives

August 2005

BORDER SECURITY

Opportunities to Increase Coordination of Air and Marine Assets



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Highlights

Highlights of [GAO-05-543](#), a report to the Chairman, Subcommittee on National Security, Emerging Threats, and International Relations, House Committee on Government Reform

Why GAO Did This Study

Three agencies of the Department of Homeland Security (DHS) have primary responsibility for securing the nation's borders—the U.S. Coast Guard (USCG), Customs and Border Protection (CBP), and Immigration and Customs Enforcement (ICE). Together, they enforce security across 7,500 miles of land border between the United States and Mexico and Canada, and protect more than 361 seaports and 95,000 miles of coastline. To fulfill their missions, these agencies deploy a variety of valuable air and marine assets.

In this report, GAO analyzed (1) what efforts DHS has undertaken to facilitate coordination of the air and marine assets of the three agencies and (2) how the agencies' local air and marine units have, in selected areas, coordinated the use of assets and what challenges they faced.

What GAO Recommends

GAO recommends that the Secretary of DHS provide guidance that clarifies the roles and responsibilities of USCG and CBP in their homeland security missions, as well as how asset use should be coordinated, and determine if there are statutory limits on USCG's ability to coordinate assets with other agencies and whether they should be revised. DHS reviewed a draft of this report and generally concurred with our recommendations.

www.gao.gov/cgi-bin/getrpt?GAO-05-543.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Paul Jones at (202) 512-8777 or jonespl@gao.gov.

BORDER SECURITY

Opportunities to Increase Coordination of Air and Marine Assets

What GAO Found

DHS established departmental councils that have identified opportunities to achieve cost savings or cost efficiencies involving the department's air and marine assets—airplanes, helicopters, and boats. Specifically, the aviation council issued a plan that provides a framework for increasing coordination and collaboration across agencies in the operation and support of aviation assets and resources. For example, the plan identifies opportunities to improve the tracking of aviation assets, develop standardized training programs across agencies, and consolidate maintenance programs and facilities. An additional plan outlines a broad-based approach for effectively employing the department's aviation assets. The boats council helped CBP take advantage of large-volume discounts to purchase six boats through an existing USCG contract, saving an estimated \$300,000. DHS officials said they are also developing a plan for merging the assets and personnel of the Air and Marine Operations division of ICE with CBP. This effort is intended to enable DHS to maximize the use of its aircraft and pilots and gain potential efficiencies in maintenance, acquisition, and training. DHS expects to finish planning how this effort will be accomplished by September 30, 2005.

The agencies at the four locations GAO visited had undertaken efforts to coordinate assets and related training on an ad hoc basis because of the willingness of local commanders to cooperate with each other. For example, in South Florida, the three agencies jointly developed weekly air and marine schedules for the aircraft and boats they deploy to increase coverage in the area and reduce duplication of patrols. In Bellingham, Washington, USCG provided training to CBP staff, enabling CBP boat operators to supplement USCG crew. Officials at all locations noted that challenges affect the extent to which such coordination can reasonably occur. For example, some assets are not shared because agencies' needs differ. Headquarter officials also cited potential legal issues that could limit efforts to coordinate the use of assets among agencies, such as prohibition of the diversion of USCG assets to any other organization or entity of DHS. Local unit officials stated that DHS needed to clarify the roles and responsibilities of the agencies in conducting their homeland security missions to ensure that DHS's air and marine assets are used in an efficient and coordinated manner that optimizes use of DHS's resources.

Selected DHS Air and Marine Assets



Source: DHS.

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Abbreviations

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|-------|--|
| ALMIS | Aviation Logistics Management Information System |
| AMO | Air and Marine Operations |
| BTS | Border and Transportation Security |
| CBP | Customs and Border Protection |
| DHS | Department of Homeland Security |
| ICE | Immigration and Customs Enforcement |
| OBP | Office of Border Patrol |
| TSA | Transportation Security Administration |
| USCG | United States Coast Guard |

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United States Government Accountability Office
Washington, DC 20548

August 12, 2005

The Honorable Christopher Shays
Chairman, Subcommittee on National Security, Emerging
Threats, and International Relations
Committee on Government Reform
House of Representatives

Dear Mr. Chairman:

In the wake of the terrorist attacks of September 11, 2001, the Department of Homeland Security (DHS) was created by Congress to strengthen the federal government's efforts to protect the United States from future attacks. DHS brought together 22 separate federal agencies with law enforcement, immigration, and security-related missions with the goal of creating a unified department capable of detecting, preventing, preparing for, and responding to terrorist attacks on U.S. soil. We designated DHS's transformation as a high-risk area in 2003, based on the enormous challenges of transforming 22 agencies into one department and the serious consequences of failing to effectively address its management challenges and program risks could have for our national security. DHS continues to face daunting challenges as officials undertake to integrate and transform these separate federal agencies.¹ One key challenge is ensuring that the agencies responsible for securing the nation's air, land, and sea borders—the nation's first line of defense against terrorism—can successfully carry out their border security missions on a daily basis. Part of meeting this challenge is to move toward integration of widely deployed air and marine assets, as well as personnel managed by these agencies.

At the time DHS was created, three agencies within the department had primary responsibility for border security—the United States Coast Guard (USCG), Customs and Border Protection (CBP), and Immigration and Customs Enforcement (ICE).² These agencies were charged with enforcing border security across over 7,500 miles of U.S. land borders with Canada

¹GAO, *High-Risk Series: An Update*, [GAO-05-207](#) (Washington, D.C.: January 2005).

²In creating DHS, parts of legacy Customs and Border Patrol moved to ICE and CBP. The Transportation Security Administration (TSA), which is responsible for securing the nation's land, rail and air transportation networks, is not covered in this report.

and Mexico and protecting more than 361 seaports and 95,000 miles of coastline. To fulfill their missions, these agencies deployed an array of valuable assets. At the time of our review, this included approximately 500 aircraft and 1,900 boats. On July 13, 2005, the Secretary of DHS announced a reorganization that would combine the air assets from CBP's two aviation programs—one within Air and Marine Operations (AMO) and the other within the Office of Border Patrol (OBP)—into one called CBP Air. This action followed the October 2004 announcement that ICE's air and marine assets were being moved to CBP. Because these actions took place after we had essentially completed our field work, and CBP Air was created after we provided our draft report to DHS for comments, we refer to the agencies that existed at the time we did our review.

You expressed interest in learning how DHS is facilitating the coordination or sharing of these air and marine assets in an efficient and cost-effective manner, so that the border security agencies are able to fulfill their missions in their local and regional areas of operation while addressing DHS's broader objective of unifying border security. This report examines (1) efforts DHS has undertaken to facilitate coordination of the air and marine assets of USCG, CBP, and ICE and (2) how these agencies' local air and marine units, in selected geographic areas, have coordinated the use of their assets, and challenges they face. In this report, "asset coordination" refers to the shared use of assets among agencies, as well as coordination and collaboration in the acquisition, maintenance, training, and operation of air and marine assets.

To address these issues, we reviewed laws and regulations, DHS policies and management directives, and other relevant documents. We also interviewed officials at DHS headquarters, including officials of the three agencies—USCG, CBP, and ICE—who were responsible for the management of the law enforcement programs and air and marine assets used under these programs. We interviewed local DHS agency officials and reviewed documents during site visits to Miami, Florida; San Diego, California; Bellingham and Blaine, Washington; and Tucson, Arizona. We selected these locations because each one included at least two of the three agencies with air or marine assets in close geographic proximity, they illustrated operations at both the northern and southern U.S. borders, and the agencies used an array of air and marine assets under varying operational conditions. We performed our work from June 2004 through July 2005 in accordance with generally accepted government auditing standards.

Results in Brief

DHS has taken steps to identify shared opportunities to achieve cost savings and operational efficiencies involving the department's air and marine assets—airplanes, helicopters, and boats. Specifically, DHS formed departmental aviation and boats councils that are responsible for identifying options to maximize the efficient use of DHS's air and marine assets in areas such as operations, resources, asset procurement and maintenance, and the training of aviation and marine personnel, and making recommendations to DHS management on what actions should be taken to achieve these efficiencies. The aviation council recently issued a plan to senior DHS management that provides a framework for increasing coordination and collaboration across agencies in the operation and support of aviation assets and resources. For example, the plan identifies opportunities to improve the tracking of aviation assets, develop standardized training programs across agencies, and consolidate maintenance programs and facilities. In addition, the aviation council issued a concept of operations plan to DHS senior management that outlines a broad-based approach for how the department could more effectively employ its aviation assets. The boats council also recently issued a plan to senior DHS management that identified opportunities to realize cost savings through joint purchases and shared training and maintenance activities for marine craft under 65 feet. For example, before the plan was issued CBP took advantage of large-volume discounts to purchase six boats through an existing USCG contract, saving an estimated \$300,000. The boats council's plan also identifies other areas to study where operational efficiencies and possible cost savings may be achieved. Although the boats council did not develop a concept of operations plan, such as the one issued for aviation assets, DHS has tasked a newly chartered committee with responsibility for developing a concept of operations plan for the DHS boat community. The new committee has recommended that DHS agencies with boat programs request funding in their fiscal year 2007 budgets to conduct a baseline study similar to that conducted on aviation assets. No time frames have been set for completion of the plan or baseline study. DHS officials said that they are also developing an integration plan for merging the assets and personnel of the Air and Marine Operations division of ICE with CBP. This effort, initiated in October 2004, is intended to realign and streamline agency resources, allowing DHS to maximize the use of its aircraft and pilots, as well as gain potential efficiencies in support areas, such as maintenance, acquisition, and training. DHS expects to finish planning how this effort will be accomplished by September 2005. According to DHS, once the merger has been completed, the department will assess its impact on agency wide asset use and coordination.

The USCG, CBP, and ICE local units at the locations we visited had undertaken efforts to coordinate assets and related training on an ad hoc basis. In South Florida, the three local units jointly developed weekly air and marine schedules for the aircraft and boats they deploy collectively, in an effort to increase law enforcement coverage in the area and reduce duplication of patrol efforts. In Bellingham, Washington, USCG provided training to CBP staff, enabling the CBP boat operators to supplement USCG crew when possible. In San Diego, some units share a marine operations center, which facilitates intelligence sharing. Local unit officials from all the locations we visited stated that coordination was mutually beneficial and supported their ability to accomplish their border security missions, though neither they nor DHS formally tracks or evaluates these efforts. Local unit officials credited local commanders with a willingness to cooperate and noted that several logistical challenges affect the extent to which such coordination can occur. For example, some agencies' asset needs differ—ICE may need fast fixed wing aircraft to chase suspects over long distances, while CBP may need lower-speed helicopters to track illegal immigrants. In addition, air and marine assets may not be available for coordinated missions or sharing because they must be held ready to respond to emergencies and because personnel in one agency may not be trained to operate the assets used by another agency. Local unit officials from each agency stated that clarification of their respective homeland security roles and responsibilities would enhance the efficient operational use of air and marine assets. Headquarters officials also cited potential legal issues that could limit efforts to coordinate the use of assets among agencies. For example, USCG officials cite a provision in the Homeland Security Act of 2002, which established DHS, that prohibited the diversion of USCG assets to any other organization or entity of DHS, except for details or assignments that do not reduce the USCG's capability to perform its missions.³

To help ensure more efficient operational use of DHS's air and marine assets, we are recommending that the Secretary of Homeland Security provide guidance that clarifies the roles and responsibilities of the agencies employing air and marine assets for their homeland security mission, as well as how asset use should be coordinated, and determine whether the Homeland Security Act of 2002 limits the ability of USCG to coordinate assets with other agencies, and if so, evaluate the merits,

³Pub. L. No. 107-296 § 888(d), 6 U.S.C. § 468(d).

including the costs and benefits of proposing a change in the law to Congress.

We provided a draft of this report to DHS for review. DHS, in its written comments, generally concurred with the report's recommendations. DHS stated that the organizational changes and policy-related initiatives announced in July 2005 will help address coordination of operations and the recommendations in this report. The full text of DHS's comments is included in appendix I. USCG and CBP provided technical comments, which we incorporated as appropriate.

Background

The Homeland Security Act of 2002 consolidated most federal agencies charged with providing homeland security, including securing our nation's borders, within the newly formed DHS.⁴ The department was created to improve coordination, communication, and information sharing among the multiple federal agencies responsible for protecting the homeland. In creating DHS, Congress envisioned that efficiencies and economies of scale would be realized by eliminating overlap and redundancies. Our prior work has highlighted the significant management and organizational challenges DHS faces in becoming a fully integrated and unified department, while at the same time fulfilling its primary mission of protecting the homeland.⁵ These include a broad array of operational and management challenges that DHS inherited from its legacy agencies.

DHS's strategic plan, issued in 2004, provides the primary guidance for the department's efforts to integrate its agencies. Specifically, the DHS strategic plan describes the department's vision, mission, core values, and guiding principles to achieve its mission of protecting the homeland.⁶ Along with identifying DHS's primary mission of homeland security, the plan establishes an objective to optimize mission performance by consolidating and integrating roles and responsibilities, and to foster collaboration and communication across agency lines to ensure the most effective mix of services. The strategic plan also established the objective

⁴Pub. L. No. 107-296 (Nov. 25, 2002).

⁵GAO, *Department of Homeland Security: A Comprehensive and Sustained Approach Needed to Achieve Management Integration*, [GAO-05-139](#) (Washington, D.C.: Mar. 16, 2005).

⁶Department of Homeland Security, *Securing Our Homeland, U.S. Department of Homeland Security Strategic Plan* (Washington, D.C.: February 2004).

of securing our borders against terrorists, means of terrorism, illegal drugs, and other illegal activity. The plan stated that the department will enforce border security in an integrated fashion at ports of entry, on the borders, on the seas, and before potential terrorist threats can reach the borders.⁷

Border Security Roles and Responsibilities

The border security responsibilities of DHS are primarily located within the Border and Transportation Security (BTS) Directorate.⁸ Within the BTS Directorate, CBP has responsibility for security at and between ports of entry along the border. CBP's priority mission is to prevent terrorists and terrorist weapons from entering the United States. Within CBP, the United States Border Patrol is the agency responsible for the enforcement of federal immigration laws between ports. In addition to the priority homeland security mission of CBP, Border Patrol has its traditional mission of preventing illegal aliens, smugglers, narcotics, and other contraband from entering the United States. Border Patrol agents perform their duties by land, sea, and air near and along over 8,000 miles of U.S. boundaries. Also within BTS, ICE focuses on enforcement of immigration and customs laws within the United States, and its mission is to detect and prevent terrorist and criminal acts by targeting the people, money, and materials that support terrorists and criminal networks. Within ICE, AMO's mission is to protect the American people and critical infrastructure by using an integrated and coordinated air and marine force to deter, interdict, and prevent acts of terrorism arising from threats of unlawful movement of people and goods across U.S. borders.⁹ AMO supports ICE investigations as well as those of other agencies, including

⁷In March 2005, DHS announced plans to conduct a comprehensive review of all departmental policies and operations to determine if organizational changes were needed to ensure that DHS can meet current and future threats. This review could lead to revisions in many DHS policies and plans that affect border security agencies, among others.

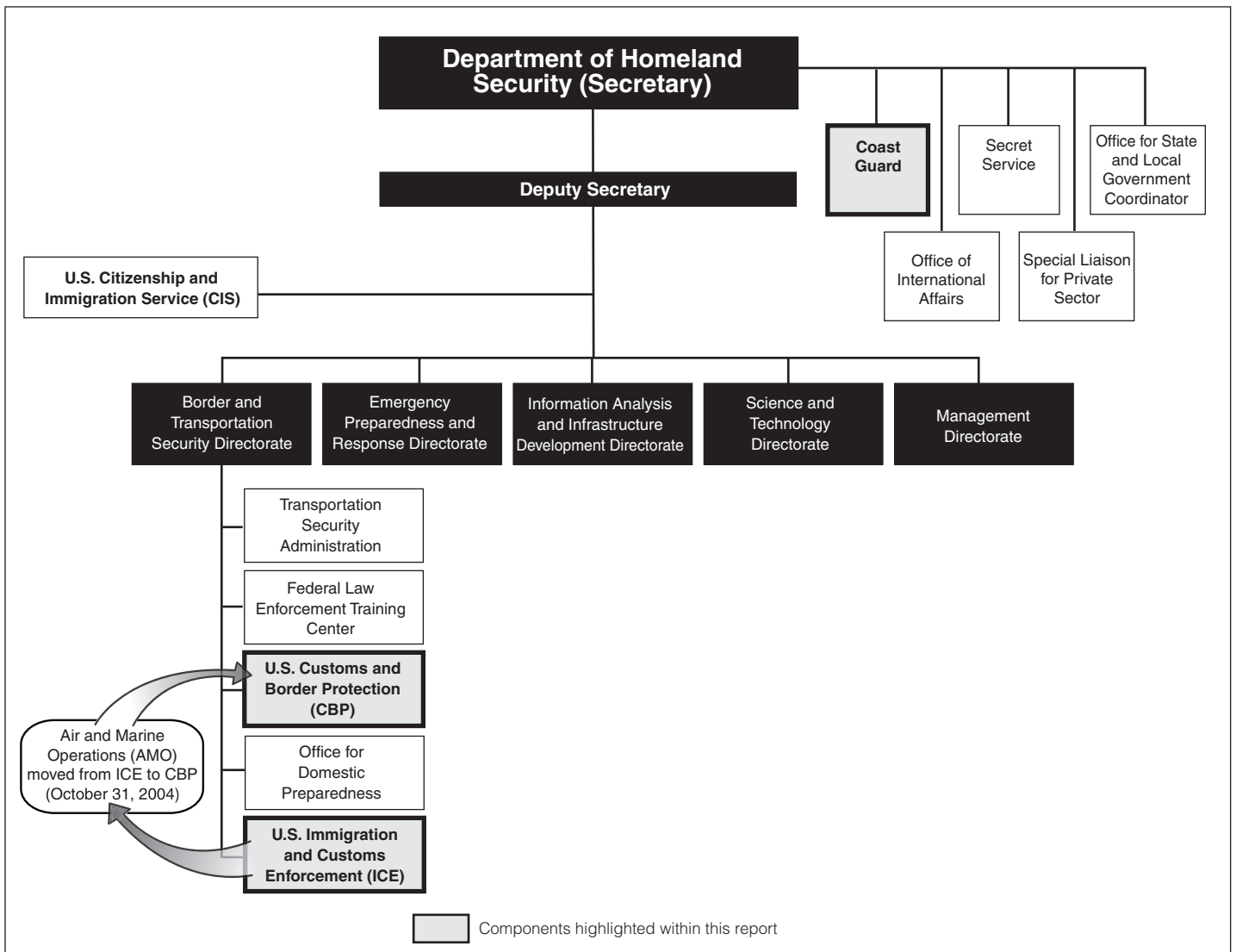
⁸Secretary Chertoff has proposed organizational changes that would eliminate the BTS directorate and have ICE and CBP reporting directly to the Secretary, along with five other operational components: USCG, TSA, the Federal Emergency Management Agency, Citizenship and Immigration Services, and the Secret Service.

⁹On October 31, 2004, DHS transferred AMO from ICE to CBP as a separate and distinct entity, with specific plans for the integration of the missions and assets of the two agencies to be completed by September 30, 2005. Because this merger was not final during most of our site visits this report refers to the AMO unit as part of ICE. The units are now CBP-AMO and CBP-OBP. As of July 14, 2005, the separate air units of CBP-AMO and CBP-OBP were consolidated into one program called CBP Air. Implementation of this reorganization is expected to take until October 1, 2005.

the Drug Enforcement Administration; the Federal Bureau of Investigation; the Bureau of Alcohol Tobacco, Firearms and Explosives; and the Secret Service.

The USCG is a military, maritime, multimission service whose overall mission is to protect the public, the environment, and U.S. economic interests in maritime regions. The Coast Guard is the lead federal agency for the maritime component of homeland security and is responsible for border security as it applies to U.S. ports, coastal and inland waterways, and territorial waters. The USCG missions include search and rescue, law enforcement, alien interdiction, and port security. As the Coast Guard is a distinct entity within DHS, the Commandant of the Coast Guard reports directly to the Secretary of DHS. Figure 1 shows the primary agencies within DHS with border security responsibilities prior to the proposed organizational changes announced on July 13, 2005.

Figure 1: DHS Agencies with Primary Border Security Responsibilities



Source: GAO analysis of President's fiscal year 2005 budget, P.L. 107-286, and DHS October 28, 2004, memorandum.

Border Security Aviation and Marine Assets

Coast Guard, CBP, and ICE use millions of dollars in air and marine assets to accomplish DHS's primary mission of ensuring homeland security, as well as their traditional missions.¹⁰ The assets are used for patrol, surveillance, interdiction, transport, and rescue, among other things. The assets of all three organizations are arrayed along the land and sea borders of the United States, with the heaviest concentration of assets along the southern border, reflecting the operational demands of legacy counter-drug and illegal immigration missions. While the agencies use a variety of assets, in some cases the air and marine assets are similar or have similar mission capabilities. According to DHS, the department's air fleet consists of about 460 rotary and fixed wing aircraft, and the department spends between \$400 million and \$500 million annually for aviation acquisition, maintenance, and training programs. Figure 2 shows seven aviation assets typically used by DHS agencies.

¹⁰In fiscal year 2004, the combined appropriations for BTS, which includes CBP and ICE, and Coast Guard, was about \$18 billion, which supported 142,255 full-time equivalent employees.

Figure 2: Selected DHS Aviation Assets



Source: DHS.

DHS's marine fleet includes nearly 200 boats for CBP and ICE and 1,700 Coast Guard boats and vessels. Figure 3 shows some of the marine assets typically used by the three border security agencies.

Figure 3: Selected DHS Marine Assets



Source: DHS.

In fiscal year 2004, DHS spent about \$80 million for the boat program.¹¹ See figure 4 for a map of the agencies' air and marine assets in selected locations.

¹¹The amount DHS spent on its boat program includes boat acquisition, maintenance, and supplies and personal protective gear, such as tools, work accessories, and safety items.

Figure 4: Location of Selected DHS Air and Marine Assets



Source: GAO analysis of DHS data.

DHS Has Undertaken Efforts to Address Efficient Use of Air and Marine Assets

DHS Aviation and Boat Councils Identified Opportunities to Achieve Cost Efficiencies and Savings Involving the Department's Air and Marine Assets

DHS has taken steps over the last 2 years to review the practices used by USCG, CBP, and ICE to acquire, operate, and maintain their air and marine assets and train the personnel that operate them. In October 2003, DHS established departmental councils with broad responsibilities to review the missions and requirements of USCG, CBP, and ICE; identify opportunities to achieve cost efficiencies and savings; and propose to DHS's senior-level management departmental strategies to realize these opportunities. Two such councils—the Aviation Management Council and Boats Commodity Council—are staffed by subject matter experts from all agencies with aviation and boat programs.¹²

The Aviation Management Council was tasked with reviewing and analyzing a February 2004 contractor report that provided an assessment of the aviation operations and support programs of the USCG, CBP, and ICE, and with determining the feasibility of implementing the report's recommendations.¹³ Specifically, the contractor study examined DHS's aviation capabilities in relation to the collective assets of these three agencies and identified overlaps in aviation capability, assets, training, maintenance and logistics, facilities, and acquisition that could be minimized to achieve efficiencies and reduce operating expenses. To address one of the contractor study's recommendations, the council issued a broad-based departmentwide "concept of operations" plan to DHS senior management in April 2005 that establishes a framework for how the agencies can work collaboratively in a joint environment to accomplish mission priorities. The concept of operations plan provides a broad, generalized description of the missions each agency typically conducts on a regular basis. The plan assigns each agency primary, secondary, or tertiary responsibility levels for missions based on the capabilities of the agencies, but notes that each agency remains responsible for the day-to-

¹²DHS has established a number of other management and commodity councils for other issues.

¹³Booz Allen Hamilton, "DHS Assessment of Aviation Operations and Support" (February 2004).

day operations of its aviation assets. In cases where more than one of the agencies have the appropriate skills and regularly perform the same mission, the plan calls for the operational lead to be based on the geographic location and local availability of resources. However, the plan does not indicate who will make decisions on the lead agency in cases where two units perform the same mission or specify how operations are to be coordinated.

The Aviation Commodity Council, another departmental council with the same membership as the Aviation Management Council, examined other recommendations in the contractor study for achieving efficiencies and economies, such as colocating agency facilities in proximity, including air hangars and maintenance facilities, and consolidating common training for agencies under single contracts where feasible. For example, one contractor study recommendation called for the development of a common information technology system for use in managing aviation assets. The contractor study concluded that bringing the aviation programs of all three agencies under one information system would improve DHS's ability to make accurate comparisons of the costs of maintenance for the department as well as decisions on how to integrate its aviation maintenance operations. According to the contractor study, each agency currently uses a different method for recording and calculating asset use and costs, including parts and maintenance. In addressing this recommendation, the Aviation Management Council initiated a pilot project in 2004 to examine the feasibility of using the Coast Guard's Aviation Logistics Management Information System (ALMIS) to maintain data on all of DHS's aviation assets.¹⁴ The pilot project, scheduled to be completed in September 2005, is examining options for incorporating the separate aviation data of the CBP and ICE aviation fleets into one system with the Coast Guard.

The Boats Commodity Council has identified areas for collaborating on marine asset procurements, conducting joint training programs, and consolidating some maintenance programs to achieve savings among the agencies. For example, rather than initiating a separate procurement, CBP acquired six boats through an existing Coast Guard contract and saved

¹⁴The Coast Guard's ALMIS system is an integrated maintenance system that supports data entry from the start of a flight operation, recording the flight execution, tracking crew events, aircraft aging, aircraft configuration, aircraft maintenance requirements, parts replacement, warehouse activities, procurement actions, financial payments, and reconciliation.

\$300,000 by taking advantage of USCG's large-volume discounts. The Coast Guard has also entered into an agreement with ICE for outboard engine maintenance through ICE's maintenance program at its National Marine Service Center. The council also proposed a study to determine if the different boat training schools used by the agencies can be consolidated to achieve additional cost efficiencies. Council officials indicated that where possible, officials are looking to use the same types of patrol boats and equipment for additional savings, efficient use, and reduced labor costs. The boats council's plan identifies issues to study for future cost savings in acquisition, training, and maintenance. In most cases, these actions are to be carried out using working groups to develop the specific details on how DHS can achieve efficiencies and savings for each of the selected opportunities. In addition, the time frames for accomplishing these actions are general, such as "within the fiscal year" or "in fiscal year 2006-2007."

The boats council did not develop a concept of operations plan for using marine assets similar to the one developed by the Aviation Management Council that provides a framework for coordinated efforts to use air assets, because the council considered this task as outside of its purview. In addition, DHS has not done a baseline study on boats such as the contractor study done for aviation assets. According to DHS, a newly chartered Logistics Functional Committee has been tasked with developing a concept of operations plan for the DHS boat community and is recommending that DHS agencies with boat programs request funding in their fiscal year 2007 budgets to conduct a baseline study similar to that conducted on aviation assets. However, no time frames have been set for completion of the plan or baseline study.

Integration of ICE Air and Marine Operations with CBP under Development

In October 2004, DHS announced another effort related to achieving operational efficiencies among border security agencies. Specifically, DHS transferred the Air and Marine Operations program that had been in ICE to CBP. According to DHS, the purpose of the transfer was to consolidate air and marine operations within the BTS directorate, to realign and streamline agency resources, and allow DHS to maximize the use of its aircraft and pilots, as well as gain potential efficiencies in support areas, such as maintenance, acquisition, and training. Initially, the merger involved the transfer of responsibility for AMO's personnel, resources, and air and marine assets to the CBP Commissioner. The unit was transferred intact to CBP, thereby retaining the unit's chain of command. The next stage involves developing specific plans for integrating the aviation and marine assets, personnel, and missions within CBP. DHS expects these

plans to be completed in September 2005. According to a DHS management official, decisions on developing departmentwide guidance on coordinating air and marine operations will not be made until the integration of AMO and CBP is completed and its impact on asset coordination has been assessed. Our previous work on the creation and development of DHS and additional work on transformations and mergers indicates that such a merger or transformation can take years before it is completed, and therefore it must be carefully and closely managed.

Local Units Coordinate Asset Use on an Ad Hoc Basis and Cite Challenges to Their Efforts

Coordination among the local units we visited was performed on an ad hoc basis, primarily at the direction and discretion of local unit commanders. It was not possible to assess the full extent of these efforts because neither DHS nor the agencies systematically track them. Local unit officials said the degree of coordination varied. In all locations, unit officials told us that while they coordinate the use of their assets, they would not physically share or turn over control of an asset to another agency. Local unit air and marine operators said the coordination efforts have resulted in improved communication and intelligence, among other things. However, local unit officials noted that tactical, training, and legal challenges can limit the extent to which coordination occurs, and that DHS clarification of each agency's roles and responsibilities for homeland security and asset coordination could help address these challenges.

Coordination among Agencies Initiated by Local Unit Leadership

The types of air and marine asset coordination efforts practiced by USCG, CBP, and ICE units at the locations we visited varied and were primarily informal and based on the willingness of local unit commanders to cooperate with each other, according to the local unit officials with whom we spoke.¹⁵ The information we were able to obtain on the nature and extent to which agencies coordinate asset use was largely anecdotal because local unit officials told us that they do not routinely track asset coordination efforts because doing so is not required by DHS and they do not have the resources or systems to track this information. Local unit officials from each agency indicated that while coordination can be useful, the units are distinct, trained in their agency's missions, and assets and personnel are not always interchangeable. Officials from each of the

¹⁵Our first two site visits were conducted before AMO had been transferred to CBP, and the last two were conducted shortly after DHS announced the transfer.

locations we visited also cited benefits to asset coordination, as the following examples illustrate.

Miami, Florida

USCG, CBP, and ICE each have air and marine operations in the Miami region.

Together, these units have an operational area that encompasses South Florida, including the Florida Straits, through North Carolina, and internationally to the Bahamas. This combined area represents over 1,600 miles of coastline and over 30,000 square miles of open water that the agencies have responsibility for patrolling and keeping secure. The agencies use fixed wing aircraft, helicopters, and boats to carry out these responsibilities.

Local unit officials from all three agencies told us that while they do not physically share aircraft or boats, they routinely coordinate or collaborate on operations and asset use. Officials we interviewed stated that working together was important because of the large area to be covered and the fact that no single agency had enough resources alone to cover the area. Local unit officials told us that they had received no guidance or requirements from DHS to coordinate the use of or share assets. They attributed the ability to work together to the leadership and personalities of those in charge of the units. In December 2002, prior to the formation of DHS, they established the Partners' Forum to discuss and make decisions on options for coordination and collaboration that affect the entire region. Local unit officials told us that prior to the forum, coordination was limited. Miami CBP officials noted that a major benefit of this coordination is being able to learn from one another and to understand the methods used by the various agencies in performing their missions. For example, USCG, ICE, and CBP local unit officials told us that the agencies developed weekly air and marine schedules that helped increase law enforcement coverage in the area. According to a USCG official, having organized blocks of flying time ensures that agencies are not duplicating patrol efforts. He also stated that prior to the Partner's Forum, there were duplicative patrols among agencies. Agencies also collaborated and identified a common radio frequency to improve communications.

Local units have also been able to occasionally share air and marine crews on one another's assets. For example, officials stated that USCG and ICE have occasionally augmented each other's operations with certified staff, allowing for boats to be manned and operational. Local unit officials also told us that they have been able to work joint operations, such as coordinating agency air and marine assets to apprehend targets, as in a

recent interdiction of a Cuban fast boat where USCG, CBP, and ICE coordinated efforts to apprehend the smugglers. The operation, based on confidential intelligence, enabled the agencies to track and chase targets and was provided as an example of using multiple assets on a real-time basis.

San Diego, California

USCG, CBP and ICE each have air and marine assets and units operating in the San Diego region. Together, these units' coastal and border security operational areas encompass California and Arizona, which share their southern borders with Mexico. The agencies employed fixed wing aircraft, helicopters, and boats to cover this area. Challenges in securing the San Diego border area include protecting one of the busiest ports in the world and providing coverage over areas of the southern border region that reach extreme temperatures. In 2004, the local ICE and CBP units experienced reductions in their staff and air assets when DHS detailed them to the northern border for national operations. CBP staff and assets were also detailed to Tucson for national operations. According to a local CBP official, this has resulted in flight patrols with smaller crews and reduced operating hours in the San Diego border area.

Coast Guard local unit leadership in the San Diego area initiated an effort to coordinate maritime homeland security missions. The Joint Harbor Operations Center brought together the three agencies and other law enforcement agencies to one command center to conduct vessel surveillance and share intelligence through the use of the same technology, software, and databases, and to strengthen maritime security by ensuring that available assets were providing coverage of the entire border area. Other collaboration efforts included the local CBP unit providing marine patrol personnel to USCG to help them meet patrol requirements. A local USCG official stated that without this crew augmentation from CBP, USCG would have to reduce its readiness to respond to other missions. Additionally, USCG provides pier and office space to CBP. On the aviation side, CBP and ICE collaborated to accomplish missions, such as ICE using its Blackhawk helicopter to transport CBP agents to difficult terrain to conduct patrols. According to a local CBP official, support from ICE to transport agents when possible has been essential in helping CBP accomplish its volume of missions and allowing CBP agents to meet their requirements to patrol and protect the U.S. border.

Bellingham, Washington

USCG, CBP and ICE each have units operating in the Bellingham region. Together, their responsibilities include coverage for the coastal and northern border areas of Washington, Oregon, Idaho, and Montana. As of

November 2004, the agencies together had helicopters, fixed wing aircraft, and boats to cover this area. Additional helicopters are located at USCG's air station in Port Angeles, about 30 minutes away by air. Most asset coordination occurs in marine operations and has been essentially between USCG and CBP, because ICE began operations only in October 2004 when it opened its new facility. Bellingham was the first northern border location where all three agencies have stations and assets.

Local unit officials told us that the agencies in the Bellingham region have worked together periodically in the past, as part of the Integrated Border Enforcement Team. This multiagency law enforcement team targets cross-border criminal and homeland security efforts. Member agencies review intelligence and plan security initiatives for the northern border. Most of the coordination in the region involved staff augmentation in which agencies use each other's staff to provide crew for air and marine assets to accomplish missions. For example, a seven-member CBP team was detailed to the USCG station. Part of this detail, a four-member CBP boat crew, received USCG training to provide assistance and operate as part of the USCG crew when necessary, increasing the number of vessels the two agencies can deploy in order to accomplish missions. USCG also provides docking space for CBP boats. ICE has also been able to participate in this staff augmentation with CBP by flying missions when CBP staff was not available to patrol. ICE and the USCG are considering ways to consolidate aviation activities, such as through joint scheduling so that patrols are not duplicated.

Tucson, Arizona

CBP and ICE are the two agencies located in the Tucson region. No marine or USCG assets are in this region. CBP's operational areas include approximately 200 miles of the Arizona/Mexico border, while ICE's area includes the entire 363-mile Arizona/Mexico border. As of November 2004, the agencies had fixed wing aircraft and helicopters to cover this area. Challenges in the area include covering the large desert areas on the U.S. border with Mexico under extreme high and low temperatures. To meet these challenges, aircraft need to be able to operate in desert areas, to fly low to track migrants, and to be able to transport agents to key locations to conduct foot patrols.

DHS's Border and Transportation Security Directorate initiated a major enforcement coordination effort in the Tucson region—the Arizona Border Control Initiative—to help detect and deter terrorist activities and cross-border illegal trafficking of people and drugs in the Tucson border region. CBP, ICE, and other agencies combined their efforts and assets to help carry out this initiative, which was conducted from March to September

2004.¹⁶ CBP's Border Patrol personnel were significantly increased to help conduct this initiative. ICE provided increased air surveillance—contributing over 1,600 flight hours, as well as interdiction and law enforcement support. CBP and ICE both had some personnel and assets moved from the San Diego region to aid in this effort. According to local unit officials, the coordination of aviation assets and personnel were helpful in the apprehension of thousands of undocumented aliens. Local unit officials also told us that because of its success, the Arizona Border Control Initiative was extended through 2005. Local unit officials in Tucson also identified several locally initiated actions in which CBP and ICE coordinate to accomplish missions. For example, CBP coordinates flight schedules with ICE by identifying areas where CBP could use assistance. ICE also said it collaborates with CBP by contacting it before launching an operation to see if CBP can provide assistance.

Local Unit Officials Cited Challenges Affecting Coordination

While local unit officials cited benefits to coordination, they also identified challenges that affect their ability to coordinate the use of air and marine assets. First, local unit officials from each of the three agencies told us that their respective roles and responsibilities were not clear and at times overlapped. Local unit officials stated that as their homeland security missions evolve, in some instances it was not clear which agency should take the lead on certain actions. Such clarification, local officials said, would help determine how to prioritize and optimize staff resources and air and marine asset utilization to ensure readiness for both homeland security and legacy missions. Headquarters officials agreed that local officials might benefit from clarification of their roles and responsibilities for homeland security missions and that there was some overlap. In some cases, they are flying the same aircraft and in other cases they are using aircraft with similar operational capabilities, since each agency uses assets for patrol, surveillance, and interdiction.

Another challenge to asset coordination is that agencies must meet readiness requirements that limit the use of assets that are on standby in the event they are needed. For example, a USCG official stated that Coast Guard units have many unscheduled operations and must maintain certain resource levels that allow them to meet readiness standards for carrying out missions, such as search and rescue, and thus a station must maintain

¹⁶These include the Transportation Security Administration and state and local law enforcement agencies.

a certain number of assets at all times. Thus, units cannot afford to use the assets for coordinated missions without hindering their ability to respond to emergencies. CBP officials told us that they need to have assets on standby to respond to certain situations, such as to assist foot patrol agents in preventing illegal aliens from crossing the border. ICE officials told us that some of their air and marine resources are committed to operations with other law enforcement organizations that limit their availability for use in coordination with other border security agencies. Additionally, local officials told us that they had been called upon to provide air and marine assets and personnel for national, coordinated operations conducted by DHS, including one on the northern border and another in the South Florida area.¹⁷ While ability to move local assets to support national missions is important, it does affect local operations by limiting asset availability for local coordinated operations.

Local officials also cited differences in asset capabilities as limiting opportunities for asset coordination. Specifically, differences in the capabilities and configurations of the air and marine assets used by the three agencies to achieve both homeland security and legacy missions may make it difficult to interchange assets. For example, ICE has faster fixed wing aircraft and Blackhawk helicopters to be able to chase suspects over long distances, while the border patrol uses smaller, slower helicopters to track illegal immigrants. These helicopters are not suitable for maritime missions but need to be able to withstand tremendous heat, as often encountered in the southern border regions. Agency officials in the locations we visited also said that in some cases technical problems arose that made it difficult for individuals among the different local units to communicate using secure radio channels.

Differences in training and staff expertise present other challenges or limitations to asset coordination. For example, while all agencies' pilots and marine boat and vessel operators receive basic training at the Federal Law Enforcement Training Center, each agency also provides specific training for its staff based on legacy missions and needs. Because of different operational requirements needed to accomplish missions, staff receive training on operating procedures that best suit the accomplishment of their respective missions. In addition, agency officials

¹⁷Operation Liberty Shield focused on increasing homeland security along the national border during heightened threat levels, and Operation Plan Vigilant Sentry was a comprehensive emergency plan for a joint response to a mass migration event from the Caribbean.

told us that training needs differ because there is a range of skill levels among the pilots and marine operators in each agency because of the different types of assets used. Also, the various air programs have different entry requirements. Another factor that affects asset coordination is that pilots and marine operators can be certified only on a specific number of aviation or marine assets at a given time, primarily for safety reasons. This limits their ability to operate various types of equipment. Agency officials said that only a certain amount of training coordination is necessary and that staff need to continue to specialize and keep certifications current.

Headquarters officials cited potential legal issues that could limit efforts to coordinate the use of assets among agencies. The Homeland Security Act of 2002, which established DHS, prohibited the diversion of USCG assets to any other organization or entity of DHS, except for details or assignments that do not reduce the USCG's capability to perform its missions.¹⁸ USCG officials cite this provision as a potential legal barrier to efforts to coordinate assets. In addition, under federal law, an agency may transfer excess property within the agency when it is no longer needed for the purposes of the appropriation used to purchase it, but generally not if the property continues to meet the transferring unit's need.¹⁹ Without specific authority, such as that provided for excess property, the transfer could result in an unauthorized augmentation of the receiving unit's appropriation account. These issues would not apply, however, to the transfer of the Air and Marine Operations program from ICE to CBP because the assets remain with the appropriation account from which they were purchased. Fiscal year 2005 appropriations language also generally prohibits CBP from transferring aircraft or related equipment to agencies outside DHS without the prior approval of the House and Senate Appropriations Committees but does not prohibit sharing within DHS.²⁰

Conclusions

The Department of Homeland Security plays a critical role in strengthening efforts by the United States to combat terrorist threats, in part by coordinating a vast array of resources that protect our borders. One of the ongoing challenges facing the department is balancing the need for a department-level coordinated, integrated approach to implementing

¹⁸Pub. L. No. 107-296 § 888(d), 6 U.S.C. § 468(d).

¹⁹40 U.S.C. § 524(b); 31 U.S.C. §§ 1301(a), 3302(b).

²⁰Pub. L. No. 108-334, 118 stat. 1298, 1301-02 (2004).

border security while supporting the efforts of agencies with border security responsibilities, including the United States Coast Guard, Customs and Border Protection, and Immigration and Customs Enforcement, as they fulfill their missions in the field. Part of this challenge involves determining how agency air and marine assets can best be coordinated locally to optimize their effectiveness while avoiding duplication of efforts and resources. The department has begun to address this challenge by identifying opportunities for the border security agencies to improve the efficient use of their air and marine assets—airplanes, helicopters, and boats—and proposing broad plans and time frames for further analysis and development of implementation plans.

In order to maximize operational and cost efficiencies in the use of assets for border security, it is important to clarify how field units should work together and under what circumstances. This clarification will help ensure that the mix of services at the nation's borders and the enforcement of border security are carried out in an efficient and integrated fashion, as stated in DHS's 2004 strategic plan. Additional steps could be taken to help ensure that agencies coordinate their assets to the extent practicable and permitted by law without compromising or conflicting with their primary security missions. Local units of CBP, ICE, and USCG appear to have developed ad hoc asset coordination procedures driven by local circumstances and situations. These efforts have occurred without clear delineation of roles and responsibilities at the headquarters and field unit levels on coordinating efforts, and without guidance from DHS concerning how and when this coordination should occur. To further facilitate the coordination of air and marine assets among DHS agencies, an examination of whether the Homeland Security Act of 2002 poses a potential legal obstacle to such efforts should clarify the extent to which the USCG can coordinate assets with CBP and other agencies. Such a determination may be important, particularly given the fact that USCG employs the majority of DHS's marine assets.

Recommendations for Executive Action

In order to help ensure that the use of available air and marine assets is effectively coordinated to meet border security needs, we are recommending that the Secretary of Homeland Security take the following two actions:

1. Provide guidance that clarifies the roles and responsibilities of USCG and CBP, the primary DHS agencies that employ air and marine assets, in their homeland security missions, as well as how asset use should be coordinated.

-
2. Determine whether the Homeland Security Act's prohibition on diversion of USCG assets, or any similar restriction in appropriations laws, limits the ability of USCG to coordinate assets with other agencies, and if so, evaluate the merits, including the costs and benefits of proposing a change in relevant laws to Congress.

Agency Comments and Our Evaluation

We provided a draft of this report to DHS for review and comment. On July 29, 2005, we received written comments on the draft report, which are reproduced in full in appendix I. DHS generally concurred with the report's recommendations.

In its comments, DHS stated that the Secretary recently proposed changes to the organization with a focus on ensuring that all elements of the department are effectively organized and mission-focused, and that operations are integrated and coordinated in a manner that will allow the department to best address any threats with appropriate actions and policies. Specifically, DHS stated that the move of AMO from ICE to CBP last fall, and the recent reorganization of the CBP aviation program, which consolidates the two separate air programs within CBP, will enable the CBP air program to more effectively carry out border and homeland security missions. DHS stated that the implementation of the new CBP aviation program began July 14, 2005, and is expected to be phased in through October 1, 2005. DHS believes these initiatives, along with other changes to be proposed as a result of the Secretary's comprehensive review, should address the recommendations contained in this report. As part of these initiatives, DHS needs to ensure that guidance provided by the department will address the coordination of air and marine assets within CBP, as well as ensure that the role and use of USCG air and marine assets in homeland security missions is coordinated with CBP.

As agreed with your office, unless you publicly announce the contents of this report earlier, we plan no further distribution until 30 days from the date of this letter. At that time, we will send copies of this report to the Secretary of DHS and other interested parties. We will also make copies available to others upon request. In addition, this report will be available at no charge on GAO's Web site at <http://www.gao.gov>.

If you or your staff have any further questions about this report, please contact me at (202) 512-8777 or jonespl@gao.gov. Key contributors to this report are listed in appendix II.

A handwritten signature in black ink that reads "Paul L. Jones". The signature is written in a cursive style with a long, sweeping underline.

Paul L. Jones
Director, Homeland Security
and Justice

Appendix I: Comments from the Department of Homeland Security

U.S. Department of Homeland Security
Washington, DC 20528



**Homeland
Security**

July 29, 2005

Mr. Paul L. Jones
Director, Homeland Security and Justice
U.S. Government Accountability Office
441 G St., NW
Washington, D.C. 20548

Dear Mr. Jones,

Thank you for the opportunity to review and provide comments on the Government Accountability Office (GAO) draft report entitled, "Opportunities to Increase Coordination of Air and Marine Assets," (GAO-05-543). We generally concur with your recommendations and look forward to incorporating your recommendations concerning the coordination of air and marine assets.

As you know, Secretary Chertoff recently initiated a comprehensive Second Stage Review of the Department's organization, operations, and policies to ensure that every element of the Department is mission-focused and best organized to meet potential threats to our nation. He has proposed a number of changes to the Department of Homeland Security's structure and organization which are designed to improve our capabilities to protect and safeguard this nation. One critical need within the Department is to have the capacity to think through broad and overarching issues with a Department-wide perspective, rather than just through the lenses of one particular component. By integrating and coordinating areas of intelligence, policy, operations and preparedness efforts, this Department will be in a stronger position to respond actively to present and future threats with appropriate actions and policies. Moreover, the new structure flattens the Department structure by removing layers within the organization. Second, it creates new and stronger components with a function to integrate across the Department. For example, DHS previously lacked a policy office. This new agenda calls for a new Policy Directorate that will provide DHS with the capacity to think through broad, overarching issues that affect numerous components, better integrate policies and programs across the Department, and provide long-term strategic planning to better focus and guide the Department's operations.

DHS needs a central office to serve as primary coordinator for program policies and initiatives, providing a capacity to think through critical security issues with a department-wide perspective, coordinate consistent courses of action across various department functions, and perform long-range strategic policy planning. For two years the Department has relied on the component policy shops to try and push policies upward, and this will allow for one overarching entity to set department-wide policies since many critical security issues currently cut across several Department entities. Bringing together the important policy-making functions of this Department into a single office will ensure the Department of Homeland Security performs seamlessly in full cooperation among DHS

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components, eliminate any duplication of effort, and takes advantage of the vast network of operations and programs within the Department dedicated to protecting our homeland.

In addition to coordinating policy concerns, the reorganization will address the coordination of operations. The Office of Operations Coordination will be a unified, Department-wide operations coordinating mechanism that will permit the Secretary to translate policy and intelligence into immediate action across all of the Department's components. A new operational coordination office will reduce stove piping and provide the Secretary with improved crisis and operational management tools. At the heart of the Office of Operations Coordination will be the Department's Homeland Security Operations Center, the primary, national-level nerve center for real-time threat monitoring, domestic incident management, and vertical and horizontal information sharing efforts within the Federal government. Each component's operational element will be represented in the Office of Operations Coordination and will be responsible for helping coordinate the Department's response to the strategic matrix of threat, vulnerability and consequence. In addition, certain operational resources from the Border and Transportation Security (BTS) Directorate including some from the Office of International Enforcement will be merged into the Office of Operations Coordination. This Office will be headed by the Director of Operations Coordination, who will report directly to the Secretary.

While Secretary Chertoff has announced certain organizational changes to the Department of Homeland Security, the recommendations, deliberations and analysis completed as part of the Second Stage Review will continue to guide other Department programs and policy-related initiatives as an ongoing basis in order to ensure Department resources and capabilities are being effectively deployed to achieve our security goals. In the coming weeks and months, the Department of Homeland Security will propose additional policy initiatives and management directives resulting from the Second Stage Review process, including innovative new approaches to securing our borders; needed reforms to our immigration system; and new ways of looking at cargo screening. We believe that these initiatives will address the recommendations contained in this report.

One of these initiatives has already begun at Customs and Border Protection (CBP), integrating air assets. Last fall, DHS moved the Office of Air and Marine Operations (AMO) from U.S. Immigration and Customs Enforcement (ICE) to CBP. Currently, the CBP aviation and marine programs reside in two separate offices: AMO and the Office of Border Patrol (OBP). After thorough study and analysis, CBP has begun to the roll out of the integrated CBP air program. In addition to the creation of this new organization, the Commissioner of CBP has named a new Assistant Commissioner for CBP's entire aviation program ("CBP Air"). All CBP aviation personnel and assets will be consolidated in this new organization for administrative and programmatic purposes. Tactical control of aviation assets and personnel will be assigned to CBP field commanders responsible for overall operational effectiveness and results. This reorganization will enable all of CBP's pilots to collectively support and carry out our border and homeland security missions more effectively than ever.

This reorganization of CBP Air ensures that CBP will achieve greater operational efficiencies while sustaining effective air support for CBP and the other agencies they support. Implementation of the new structure began on July 14 and will be phased in between then and October 1, 2005.

**Appendix I: Comments from the Department
of Homeland Security**

Thank you again for the opportunity to provide comments to the draft report.

Sincerely,



Steven J. Pecinovsky
Director, Departmental GAO/OIG Liaison
Office of the Chief Financial Officer
U.S. Department of Homeland Security

Appendix II: GAO Contacts and Staff Acknowledgments

GAO Contacts

Paul L. Jones, (202) 512-8777

Staff Acknowledgments

In addition to the above, John C. Hansen, Bonnie Hall, Carla D. Brown, Sona Kalapura, Francis Cook, and Amy Bernstein made key contributions to this report.

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