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Is poor communication within DHS leading to mistakes?

How much is poor communication between the agencies that handle immigration and border security a factor in costly mistakes that affect immigrants in the system? A lengthy [report](#) based on an investigation by Homeland Security's Office of Inspector General doesn't directly answer that question, but it does make a good case that improvements are needed.

More than a decade after the 9/11 attacks prompted a massive reorganization of the agencies that oversee the immigration system, inter-agency communication remains far from optimal at various steps along the way, from the agencies that monitor immigrants' arrival to those that enforce their exit.

The report is especially relevant given some recent erroneous deportations that have received attention, most recently that of a young Honduran-born man from Los Angeles who had been pursuing a "reasonable fear" asylum claim in hopes of avoiding deportation, fearing his gang affiliation might get him killed if he was sent back. Twenty-year-old Nelson Avila-Lopez's deportation was suspended last fall, but soon afterward, he was sent to Honduras by mistake.

Upon his return, he was placed in a prison that burned down in February, killing him and more than 350 others. Afterward, U.S. Immigration and Customs Enforcement officials [attributed the deadly mistake](#) to "probably the product of a breakdown in communications between the agency and the local immigration court."

According to the Homeland Security OIG report, the completion and tracking of asylum cases and how the results are communicated to other agencies is just one of many things that needs improvement within the immigration system. From the report:

...the ability of the Asylum Division to track reasonable fear case completions is essential. It is generally understood that the Asylum Division considers a reasonable fear case complete when the decision is served on the applicant by the Immigration Court, as indicated by the "Decision Served" field in the Asylum Pre-Screening System (APSS), but current reasonable fear procedures do not provide explicit instructions for APSS entries for all data fields.

Improvements in data entry procedures could result in more effective overall case management, specifically in the areas of timeliness and completions. In particular, the procedures should direct users to use the date of service ("Decision served" in APSS) to communicate completion of the reasonable fear case (i.e., service of the positive or negative decision on the detainee, on ICE ERO, and on the Immigration Court) or to use the date the case is administratively closed ("Close Effective" date in APSS.)

That's just one example, as fragmented data systems, incomplete documents and other information-sharing problems hinder cooperation between agencies. The OIG investigation

concluded that while “the relationships among the DHS components with shared responsibility are professional and cooperative,” there are problems where the agencies’ missions overlap:

However, DHS officers at the sites we visited raised three areas of concern about shared or overlapping missions:

- (1) The legal documents that ICE ERO receives from ICE HSI and CBP OFO to place foreign nationals in immigration hearings are not always complete;
- (2) missions that overlap between ICE HSI and the U.S. Border Patrol on the northern and southern border have been a source of concern since the establishment of DHS; and
- (3) both ICE ERO and asylum officers expressed frustration regarding the length of time required to process some detained asylum cases. DHS-level oversight could address these areas where bilateral efforts have not been successful.

The investigation also pointed to a loss of institutional knowledge, the product of attrition since the creation of Homeland Security in 2003, as contributing to inter-agency lapses.

Also, in spite of new technology used by several agencies to track immigration data, there continue to be data gaps, with disparate databases and tech challenges. According to the report, some U.S. Customs and Border Protection land ports of entry have “limited direct access to law enforcement, intelligence, and immigration databases and high-speed Internet connections;” U.S. Border Patrol operations on the southern border can be hindered by “unreliable communications infrastructure, such as fiber optic cables for landlines and Internet connections;” and ICE detention management can be compromised by fingerprint equipment that is “insufficient or not technologically advanced” and “unreliable high-speed connectivity for data servers.”

The report is broad in scope, with findings and recommendations go far beyond immigration functions. One of the recommendations made comes as a bit of a surprise: The OIG recommends that Homeland Security once and for all permanently scrap the [National Security Entry-Exit Registration System \(NSEERS\)](#), a controversial program created in 2002 to track men from Muslim-majority countries. The program was [officially discontinued](#) last year. However, the program technically remains in place on the books and has yet to be entirely dismantled.

For more details, the Fronteras Project has a good summary [of the OIG’s findings](#); the 54-page federal report can be [viewed here](#).

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