



ActOne
Government Solutions

Unconscious Bias and Customs and Border Protection

WHITE PAPER

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Executive Summary

Migration along the United States' Southwest Border has increased to unprecedented levels. It is reported in FY 2021, the Department of Homeland Security (DHS)/Customs and Border Protection (CBP), the largest law enforcement agency in the country, encountered over 1.72 million individuals seeking entry into the U.S. CBP houses individuals and families in short-term holding facilities to complete processing, collect information, and determine the next appropriate course of action.

Since 2017, U.S. Customs and Border Protection (CBP) has reported a sharp increase in the number of apprehensions at the Southwest border, especially among members of family units and unaccompanied alien children (UAC). Together, persons in family units and UAC currently make up more than two-thirds of apprehensions.

In May 2018 (pre-pandemic), the number of apprehensions by the U.S. Border Patrol plus the number of immigrants determined inadmissible by CBP's Office of Field Operations (OFO) totaled 22,000; in April 2019, that number was 100,569, a 357 percent increase. Former Border Patrol Chief, Carla Provost, reported that "nearly 25 percent of my agents are diverted away from our border security mission to care for, transport, and process family members and unaccompanied children."

In April 2022, CBP managed an average of over 7,800 migrant encounters per day across the Southwest Border, quadrupling the number in the prior fiscal year, resulting in the highest annual total on record. This is compared to a historical average of 1,600 per day during the pre-pandemic years (2014-2019).

The legal authority for enforcing our border security and immigration laws comes from Title 8 of the U.S. Code. Title 8 provides that individuals who cross the border without legal authorization are processed for removal and are promptly removed from the country if unable to establish a legal basis to remain in the United States.

In March 2020, the Centers for Disease Control and Prevention (CDC) invoked a section of Title 42 of the U.S. Code, a law addressing public health, not immigration, to require the immediate expulsion of noncitizen single adults and families and protect Americans from the spread of COVID-19. As a result, a significant percentage of all noncitizens encountered at the Southwest Border returned home under the Title 42 public health order. According to CBP, the use of Title 42 has corresponded with an increase in recidivism, with repeat immigrants accounting for more than 33 percent of total encounters. When the Title 42 public health order is lifted, migration levels are expected to increase further.

It comes as no surprise that record-high border crossings are overwhelming border officials. As CBP works tirelessly to secure and manage our borders, vocal critics refer to the situation as chaotic and in crisis. The sheer number of immigrant crossings alone results in insufficient patrolling of the border, a lack of workforce readiness, and warranted frustration and lower emotional engagement by CBP officers. These outcomes correlate to the increased reports of alleged misconduct committed by CBP officers. As noted in reports such as the Project on Government Oversight, the U.S. immigration system is strained.

These mindless yet negative behaviors and comments are usually unintentional and unrecognized as destructive by the instigator. Although some of the behaviors can be intentional and conscious, according to contemporary research, approximately 95 percent of our behaviors are unconscious, and five percent result from our conscious cognitive capabilities. These unintentional, hurtful verbal or behavioral indignities toward others, based on an unchangeable aspect of the targeted person (i.e., race, gender, age, etc.), are called “micro-inequities” or “micro-aggressions.” The “aggression” in the word “micro-aggression” represents the person’s experience on the receiving end of the unintentional behavior, not that the action was a conscious, aggressive move.

This whitepaper offers practical options to help provide much-needed workforce support to the U.S. Custom and Border Protection officers at the Southwest Border.

ActOne Government Solutions is able, with trained personnel, to relieve the overburdened border officers from the unanticipated ancillary, humanitarian work that results from the record high numbers of asylum seekers and others illegally crossing the border. This workforce support allows CBP to re-focus its attention on its mission to “safeguard America’s borders, thereby protecting the public from dangerous people and materials while enhancing the Nation’s global economic competitiveness by enabling legitimate trade and travel.”

The Department of Homeland Security (DHS) is leading the execution of a whole-of-government plan to prepare for and manage increased encounters of noncitizens at our Southwest Border. President Biden's pledge for a more humane approach to immigration policy, shaping a comprehensive strategy to manage our borders safely, orderly, and humanely has been received.

In response, DHS has launched the "Southwest Border Coordination Center" to coordinate stationed officers, agents, and DHS Volunteer Force personnel to decompress points along the border rapidly and more efficiently process migrants. The undisputed surge in border encounters and the humanitarian needs of this population are forcing DHS to address its workforce readiness and its lack of cultural sensitivity.

For the Southwest Border Coordination Center to succeed, it is essential to address the link between unconscious bias and behavior. Since we cannot be aware of our unconscious bias, it is difficult to eradicate it. It is more effective to analyze how unconscious bias can manifest in the workplace when interacting with colleagues, hiring employees, evaluating employee performance, and in our overall treatment of other human beings. If we understand how our biases seep into our work behaviors, we can become more mindful and better equipped to improve those behaviors. Once CBP officers are made aware of this phenomenon and related behaviors, alternative, more empathic, effective behaviors can be implemented.

To assist CBP in its overall mission and service to the American people, ActOne Government Solutions' (A1GS) staff and affiliated companies will:

- Customize and deliver Unconscious Bias Training and Ancillary Support Workforce Acquisition services to improve humanitarian services for asylum seekers and immigrants
- Help the agents/officers focus on their core enforcement duties
- Provide agents with the tools they need to consciously interact more humanely and positively with those crossing our southern borders

Our whitepaper centers around three important and interconnected themes: continuity, competence, and responsiveness.

1. Continuity

It is imperative CBP operates in a consistent fashion when interacting with individuals encountered at U.S. borders. From an AIGS perspective, utilizing our current staffing/recruitment infrastructure of 225 offices and a team of over 2,700 talent specialists, we have the resources to develop a workforce staffing model that correlates to the volume of those in CBP custody. This model will provide CBP with a tool to better forecast and manage the continuity of service providers needed to process a fluctuating population of immigrants. The AIGS structure can also produce a steady flow of ancillary candidates (data entry specialists, case workers, healthcare support, document review specialists, care coordinators, etc.) to ensure that forecasted workforce readiness levels are being met. In addition to providing a continual flow of ancillary talent, we will ensure that the work environment and related behaviors are addressed through our Unconscious Bias and Consciously Unbiased curriculum and ongoing training.

For Unconscious Bias and Consciously Unbiased training to be effective, it must be ongoing and long-term. The main criticism of most versions of this type of training is that they are conducted over just one day. It is impossible to change long-term behaviors, stereotypes, and perceptions with one day of training. How can we expect a one-day training to eradicate the learned stereotypes and biases of individuals who have spent their life thinking a certain way? For Unconscious Bias and Consciously Unbiased training to be effective, it must be done frequently. To ensure the continuity of soft-skills competencies for CBP agents/officers, the AIGS subject matter experts will assess, develop, design, implement, and provide a learning assessment for all recommended and related curricula. This ensures CBP in-house trainers are trained to deliver ongoing CBP Unconscious Bias and Consciously Unbiased training. This training aims to make agents/officers aware of their unconscious biases and related behaviors and help them better interface with each other and a culturally different population.

In addition to sourcing ancillary staff candidates, AIGS can source and introduce talent candidates within the Professional Staff category, providing CBP with access to a cadre of available and experienced HRM 5000 professionals to focus on front line careers (officers/agents). AIGS has a proven record of talent acquisition, staffing, learning, and development via our nationwide network of 225 offices, partnership programs, and experienced consulting staff. Unlike previous contractors utilized to assist CBP with acquiring talent, the efforts of AIGS are more holistic and match the broader needs of CBP.

Lastly, unlike other predecessor vendors, AIGS does not have to build a talent solutions infrastructure; it already exists. In fact, as recently as Spring 2022, we have identified over 1,500 candidates who are qualified to assist CBP with its immediate workforce needs. In response to labor market challenges noted in various reports related to 'The Great Resignation,' we have established efforts that focus on identifying candidates who are ready and able to replace workers in the current labor market.

2. Competence

Professionals who have sworn an oath to protect and defend the U.S. Constitution must uphold their commitment with the highest levels of skill, competence, and actions. With a 50-year history in recruitment, staffing, and talent solutions, our management and executive teams are highly knowledgeable and skilled in all the disciplines outlined in this whitepaper. A1GS provides quality service while enhancing existing CBP systems, embodies the full range of expertise required to perform all suggestions herein, and can deliver business solutions that meet CBP's vision, mission, and long-term goals.

One of our leaders has firsthand experience training HRM 5000 teams in D.C., Indianapolis, and Minneapolis. We are keenly aware of the mission, culture, and internal nuances of your organization. We are well-versed in all areas related to the life cycle of employees, especially in diversity, equity, and inclusion, as well as Unconscious Bias and Consciously Unbiased training.

Unconscious Bias and Consciously Unbiased training include the standardization of company policies, protocol, and procedures. Managers should be uniformly trained, and the job selection process should focus on objective and quantifiable measures. A review of policies and procedures can identify biased policies and recommend modifications. Lastly, when this training is implemented, it is imperative to have measures in place to assess incremental changes and progress. How will you know whether the training is successful if you do not know where you were when you started? Our staff members are training experts that hold Senior HR, Inclusive Workplace Culture, Total Rewards, HR Business Partner, Executive Coaching, and People Analytics Specialty professional certifications and credentials. These specialized certifications and credentials give us the expertise needed to address, access, and measure human capital-related data at every stage of the employee life cycle.

3. Responsiveness

One attribute to CBP's success in meeting its mission is the willingness to appropriate and mobilize the required resources to meet workforce and humanitarian needs. Over the past few years, irregular migration along the Southwest Border has increased to unprecedented levels and presents new challenges that affect immigrant processing and complicate removals. The support from Congress in FY 2022, appropriating 1.4 billion dollars to DHS to manage an increase in Southwest Border encounters, secures additional resources strengthening Border Patrol Agent/Officer hiring programs, contracts for processors, and other ancillary duties.

The best way to address this challenge successfully is a whole-of-government approach that includes Congress, state and local officials, NGOs, communities, and businesses.

Currently, A1GS is the only organization with workplace staffing plans that correlate workforce needs to the complex demands of the immigrant population at the Southwest Border.

A1GS's ability to meet any outlined staffing needs is demonstrated by our 99.9 percent record of delivery to Service Level Agreements and a 95 percent client retention rate. This emphasis on agility and responsiveness to a client's needs is a hallmark of A1GS's client-centered approach to project management. A1GS's years of proven, innovative processes are benchmarked by ISO 9000 principles. Our management plan delivers value via efficiency through the use of technology to improve management's insight into resources, real-time status on processing, and report generation using a comprehensive management dashboard that drives ongoing efficiencies for our clients.

Conclusion

The problems currently facing CBP officers/agents, both externally and internally, cannot be sustained. There are reports proving current CBP personnel are overwhelmed; with their primary task of border protection having expanded to humanitarian care and frustrations abound, unconscious biases and inappropriate behaviors are resulting in negative experiences for asylum seekers.

As outlined, there are practical ways to address some of the issues. At a minimum, the negative outcomes can be reduced, and CBP will be able to better brand its efforts in alignment with its mission and the values of the United States. This whitepaper suggests that decision-makers have conversations with the leadership of AIGS to discuss the noted solutions and alternatives.

We look forward to assisting DHS/CBP in delivering its mission of protecting the American people, safeguarding our borders, and enhancing the nation's economic prosperity.

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