



**U.S. Customs and  
Border Protection**

DEC 21 2010

U.S. Office of Special Counsel  
1730 M Street, N.W., Suite 218  
Washington, D.C. 20036-4505

Attention: Mr. William Reukauf  
Acting Special Counsel

Re: OSC File Number DI-10-2335

Dear Mr. Reukauf:

I am writing in response to follow-up discussions which have taken place between Ms. Tracy Biggs of your staff and various representatives of my office concerning the agency's final report relative to OSC case number DI-10-2335. As a result of those discussions, the agency has prepared the attached action item matrix outlining outstanding issues that Ms. Biggs requested we address. The current status of each action item and timeline for completion is noted on the matrix.

Should you have any questions or concerns, please contact Mr. Chris Pignone of my staff at (202) 344-3386 or Mr. Marc Weinberger in the CBP Office of Chief Counsel at (202) 344-2161.

Sincerely,

A handwritten signature in black ink, appearing to read "James F. Tomsheck".

James F. Tomsheck  
Assistant Commissioner  
Office of Internal Affairs

cc: Marc Weinberger

U.S. Office of Special Counsel (OSC) File Number DI-10-2335

	ACTION ITEM	TARGET DATES	UPDATE	STATUS
1	Issue Cease and Desist letter to stop teaching all choke-off techniques other than the "5 & 7" that was previously demonstrated to the AC OTD.	Target completion date July 2010.	The Cease and Desist letter was issued on 9/22/10.	Completed
2	Establish a CBP Canine Program Executive Steering Committee (ESC). The ESC is tasked with analyzing current OFO and OBP canine program processes and developing new methods that ensure the successful fusion of the programs into a single enterprise. The ESC's goal is to bring about a canine program that is dynamic and able to meet CBP's traditional as well as evolving enforcement priorities.	Target completion date August 2010.	The ESC held its first meeting on August 18, 2010.	Completed
3	Conduct a review of the CBP Canine Program training curriculum, including all lesson plans to identify the information that is used to teach the choke-off; where it is in the lesson plan, how they are teaching it and what they are teaching.	February 2011	Currently at the mid-point of the curriculum review taking place in El Paso, Texas from 11/30/10 through 12/10/10.	Ongoing
4	Conduct a review of canine medical records.	February 2011	N/A	Only those dogs with injury to the neck region will be reviewed.
5	Issue a joint OFO/OBP memorandum delineating the roles and responsibilities within CBP's Canine Program addressing the unification of the training activities; its goals, foundation, formulation and intended implementation.	The new unified curriculum was implemented January 2010		The ESC will take up this issue next quarterly meeting 2 <sup>nd</sup> Qtr FY11.
6	Establish a Working Group within the ESC to review all discrepancies between the unified training curriculum and OFO and OBP operational policies and to recommend revisions of the curriculum and/or	By the end of 3 Qtr FY11		This issue was brought up during the last ESC in November 2010.

	operational policies to eliminate any discrepancies that might undermine CBP's ability to leverage its canine assets in all operational environments.			Working group will be established next ESC meeting.
7	Establish formal relations between the Executive Steering Committee and similarly interested parties within OFO and OBP to ensure that these offices have an opportunity to review the unified training curriculum to ensure that it meets and continues to meet their respective operational needs.	February 2011		Currently being done as of time of typing with the curriculum review.  Both National Canine Program Managers from OFO and OBP are in the curriculum review. Both Managers are members of the ESC.
8	Subject the unified canine training curriculum to review, under established CBP standards, and certify the unified training curriculum as required by established CBP policy and federal law.	March 2011		Currently being done as of time of typing with the curriculum review.
9	Establish and fund the formation and distribution of a unified set of mechanisms for the collection, analysis and assessment of CBP-wide canine-related data.	50 weeks from the date of funding according to OIT		OIT and CBP Canine Program are seeking 1.2 million dollars to create the National Canine Program Database.