

GUESTS

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THE HISTORY OF THE DEVELOPMENT OF THE US CUSTOMS ADMINISTRATION AND ITS INFLUENCE ON THE DEVELOPMENT OF THE COUNTRY

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Abstract

The article is devoted to regarding some of the significant events in the history of the development of the Customs Administration of the US. The influence of this development on upgrading the economy of the country has been considered.

Keywords: development, customs administration, department, laws, economy.

Introduction

The letter of invitation requesting an article to be published in the next issue of the “CUSTOMS” Journal seemed to give me options on exactly what to address. On one hand, it asked for an article about the development of the Customs Administration in my country, the United States of America (US). On the other hand, it asked about a presentation of best practices. I have chosen the former.

This paper is by no means a scholarly work, nor is it a scientific work. What I have tried to do is capture some of the significant events in the history of Customs development within the US and show how they were necessitated by events critical to the development of the country. I think the finished work will show how important Customs was to this country. It will also show that Customs evolved from its earliest beginnings to the modern day Customs and Border Protection (CBP) because of two things: 1) significant national events requiring a Customs response, and 2) the direction chosen by the Commissioner to pursue his/her legacy.

To do justice to CBP I should have included more information on the histories of the US Immigration Service, the US Border Patrol, and the US Department of Agriculture. All of these organizations also have proud histories, and their Officers contribute greatly to the achievements of CBP. However, being simply a Customs Officer, I felt that I should stick to subject matter that I am familiar with.

Acknowledgement

The timeline presented in the section entitled “The Beginning” was taken primarily from the CBP website (www.cbp.gov), with the exception of the information on the New Orleans Customhouse and the Internal Revenue Service. That information was found on



Wikipedia. Also taken from Wikipedia was the listing of the Commissioners of Customs and the information on the Ressay case. The CBP website also provided access to the CBP 2010 statistical information shown in the last section of this paper. To the factual information taken from these sites, I have tried to interject my perceptions gained from a career that began in February 1967 and ended in January 2001. While I say ended in 2001, I have been fortunate to maintain a certain amount of contact with current CBP personnel since that time, mainly for reasons related to my work as a Customs Advisor in Eastern Europe. I also want to thank Customs and Border Protection Supply Chain Security Specialist Shawn Porter for taking the time to read this and providing useful recommendations for improvement.

The beginning

The United States declared its independence on July 4, 1776, and the country's leaders had to find a way to provide revenue for the future development of the nation. George Washington was inaugurated as the 1st President on April 30, 1789 on the balcony of the First Federal Hall in New York.

On July 4, 1789 the First Congress of the United States passed its 2nd Act. This Act established a system of tariffs on goods and merchandise to be used to fund the new government.

On July 20, 1789 the 3rd Act of the First Congress established a system of tariffs to be collected from arriving ships. These tariffs were based on the tonnage of the ships.

On July 31, 1789 the same Congress passed its 5th Act. This Act established 59 Customs collection districts in the 11 states that had ratified the new Constitution. Ports of Entry, each under the jurisdiction of a Collector of Customs, were also designated by the Act. This basic structure evolved into the US Customs Service. It was the first federal agency created by the new government. President Washington signed this act in the First Federal Hall, where he was inaugurated.

On August 7, 1789 the 9th Act of the First Congress created the Federal Lighthouse Service which was tasked with the design, construction, staffing, and management of light houses. This Service was also placed under the jurisdiction of the Collectors of Customs.

On September 2, 1789, the 11th Act of the First Congress established the Department of the Treasury with its Secretary directly responsible for the management of all matters pertaining to the collection and protection of the revenue. The Customs Service was then placed within the Treasury Department.

It is obvious why the year 1789 was so significant to US Customs Officers. Badges of modern day US Customs Officers were inscribed at the base with the numbers "1789".

In 1790, the federal government moved from New York to Philadelphia and the Federal Hall became the Customhouse for the Customs Collection District of New York.

The country's leaders recognized that the location of the Customhouses within the Ports of Entry lent itself to other actions which the young nation needed taken care of, and they soon began to assign further responsibilities to Customs Collectors. In 1790 the Congress authorized the Treasury Secretary to build 10 Customs Revenue Cutters. The Customs Collectors were tasked with the design, building, selection of crews and captains, and the general management of the US Revenue Marine. In 1791 the Congress authorized

the President to utilize the US Revenue Marine for the defense of the nation (the US Navy was not established until 1798.) In 1796 Collectors of Customs were tasked with enforcement of the Quarantine and Health Laws. In 1798 Congress established the Marine Hospital Service and charged Customs Collectors with collecting hospital duties, and with constructing marine hospitals. In 1809, the Collectors were authorized to fix all rules governing marine hospitals. These responsibilities of Customs later grew into their own separate agencies, respectively, the US Coast Guard, the Public Health Service, and the Department of [military] Veterans Affairs.

In 1791 the Treasury Secretary was authorized to employ Special Treasury Agents for the purpose of examining the accounts and the books of Collectors of Customs. In 1799 the Treasury Secretary personally designed the Customs Ensign and Pennant and the Congress declared these were to be flown on all Customs revenue cutters to indicate the authority of the US Government. This was the first flag designed specifically for an agency of the federal government.

In 1837 the Life Saving Service was established in the Treasury Department and in 1840 this rescue service was placed under the direction of the US Revenue Marine, and hence under the management of the Collectors of Customs at the ports of entry.

While the New York Customs Collector District had its Customhouse, other Districts were not as fortunate. Between 1789 and 1853, privately held buildings such as banks and commercial buildings were purchased by the federal government for the express purpose of accommodating the needs of the Customs Service. From 1853 until 1939 the responsibility for the design and construction of Customhouses (and other federal buildings) lay with the office of the Supervising Architect of the Treasury.

One of the buildings constructed during this time was the New Orleans Customhouse, where I was fortunate to be able to work for four years. This Customhouse is a National Historic Landmark, receiving this designation in 1974 and noted for its Egyptian Revival columns. Construction on the building began in 1848 and didn't finish until 1881 due to redesigns and the American Civil War. US Customs offices have been located there since the late 19th century, but are currently located elsewhere while the building undergoes further renovations due to damage caused by Hurricane Katrina in



2005.

In 1853 the Treasury Secretary authorized Collectors of Customs to hire Customs Mounted Inspectors to patrol along the US land borders.

In 1862 the Bureau of Internal Revenue and a personal income tax was established by the Treasury Department in order to fund the costs associated with the Civil War. When the war ended, this Bureau and the income tax were abolished. Even during the time it Internal Revenue Bureau was operational, the Customs Service continued to be the major source of funding for the US Treasury. Purchases using Customs funding include the Louisiana and Oregon territories; Florida and Alaska; funding the National Road and



the Transcontinental Railroad; building many of the nation's lighthouses; the US Military and Naval Academies, and Washington, D.C.

In 1871 the Revenue Marine Division was created within the Treasury Department. The new division combined four Treasury functions, the US Revenue Marine, the Life Saving Service, the Steamboat Inspection Service and the Marine Hospitals Service. Thus, the Collectors of Customs were no longer responsible for these functions. In 1894 the Revenue Marine Division was renamed the Revenue Cutter Service and in 1915 it became the US Coast Guard within the Treasury Department.

In 1879 Congress enabled the creation of the position “Fraud Roll Employee” in the Treasury Department’s Division of Special Agents. The employees were tasked with the detection and prevention of fraud against the Customs revenue. While their credentials titled them as “special Employees of the Treasury”, early documentation and emblems show they were often called Customs Agents or Special Agents.

Congress passed the Chinese Exclusion Act in 1882. The Act was intended to cut off illegal immigration from China and outlawed the granting of citizenship to the Chinese. This law placed tremendous pressure on Collectors of Customs and Customs Agents who were charged with enforcement of this law in a fair and equitable manner. Also in 1882, an Immigration Act was passed which allowed Collectors of Customs to collect 50 cents for each non-citizen arriving by vessel at a US Port of Entry. The money collected was for the discretionary use of the Treasury Secretary to cover expenses incurred while regulating immigration and enforcing US immigration law.

Animal Quarantine Stations operating under the Collectors of Customs in several districts were transferred to the newly created Department of Agriculture in 1883.

In 1890 Congress passed the Customs Administrative Act which established the Board of General Appraisers with the power and authority to settle Customs disputes. In 1926 this group was renamed the United States Customs Court and in 1909 Congress established the Customs Court of Appeals which is today’s Court of Appeals for the Federal Circuit.

Congress revived the income tax and the Bureau of Internal Revenue in 1894, but the Supreme Court ruled it unconstitutional the following year. In 1913, Wyoming ratified the 16th Amendment to the Constitution, providing the three-quarter majority of states necessary to amend the Constitution. The 16th Amendment gave Congress the authority to enact an income tax. Until this point in our nation’s history, the Customs Service provided the majority of the revenue for the government.

Between 1891 and 1928 Congress passed several immigration laws, eventually creating an Immigration Service and removing such responsibilities from the Collectors of Customs.

From January 1920 until December 1933, during the period of prohibition, Customs enforcement along the US borders and seacoast was in a crisis. The US Customs Patrol lost 20 Officers in the line of duty, the Immigration service lost four Inspectors and the Immigration Border Patrol lost 24. In 1922 the Customs Service Patrol began using seized aircraft to enable aerial surveillance and enforcement. Thirty five aircraft were seized in 1932 alone and led to the establishment of an unofficial Customs Patrol air group.

On April 16, 1922 Treasury Decision 42102 created the Bureau of Customs within the Department of Treasury. Ernest Camp was selected as the first Commissioner of Customs. In 1927 the Treasury Agency Service was transferred to the Customs Bureau as the Customs Agency Service. In 1934 all Customs aircraft were placed under the Coast Guard, however, Customs Agents continued to fly seized aircraft without authorization to patrol the borders.

In 1935 the US Customs Service School of Instruction was established within the Port of New York. Training programs were developed and included the preparation of more than 40 lesson plans dealing with diverse subjects, including the history of Customs. In 1936 the Customs Border Patrol was placed under the Customs Agency Service and 4 Customs Patrol Districts were established. A training center for the Customs Border Patrol was established in Havre, Montana. Also in 1936 a Division of Laboratories was established. Nine Laboratories were spread throughout the country, all reporting to the Chief, Division of Laboratories at Customs Headquarters.

After the 1941 attack on Pearl Harbor large numbers of women began joining the federal inspection services at Ports of Entry, as the men went into the military service.

During a flag identification project authorized by President Truman in 1951, it was noted that the eagle on the Customs ensign was not proper. It was changed to display the Great Seal of the United States, having an American Bald Eagle holding an olive branch with 13 olives in his dexter talon and 13 arrows in his sinister talon; his beak carries a scroll inscribed "E Pluribus Unum;" on his breast is a shield of 13 red and white pales with a chief of blue, and above the eagle's head a glory breaking through a cloud with 13 surrounding stars forming a constellation.



The Customs Cooperation Council (CCC), forerunner to the World Customs Organization, was created in 1952 with US Customs participating in the inaugural session. The CCC was charged with ensuring the highest degree of harmony and uniformity in Customs systems worldwide.

At some point, Collectors of Customs assumed the title of either District Director or Port Director. Until 1960, District Directors were appointed by the Secretary of the Treasury. President Kennedy changed this to make them career rather than appointed positions.

In 1966 the Customs Computer Center opened. In 1968 the Customs Air Interdiction Program was established and the US Customs National Training Center opened at Hofstra University in New York.



Prompted by multiple aircraft high-jacking attempts against US flag air carriers, in 1970 a master agreement between the Treasury Department and the Transportation Department initiated a crash Air Security Program led by US Customs. 2,100 Customs Security Officers, also known as Sky Marshals, were rapidly selected and trained. The program was so successful it was closed down in 1974. Many of the Sky Marshals went on to have careers in other areas within Customs.

1970 also saw the establishment of the US Customs Canine Program and the beginning of operation of the Treasury Enforcement Communications Program (TECS). TECS provided instantaneous information to aid in the detection of violations, provided enforcement data to evaluate programs and performance, provided statistics for the allocation of resources, and data for intelligence on violation patterns.

On April 4, 1973 the Bureau of Customs was officially renamed the United States Customs Service and in 1975 the Federal Law Enforcement Training Center (FLETC) moved to a new campus in Glynco, Georgia. In 1977 the US Customs Academy was established at the FLETC.

At midnight on October 1, 1987, TECS II became operational at the New Orleans Airport of Entry. This updated system linked telecommunications terminals and PCs located at user sites around the world to a central computer system and data base. This system continues to serve CBP to this date. 1987 also saw the full implementation of the Automated Commercial System (ACS). This is a comprehensive commercial system able to track and electronically process imports from manifest declaration through liquidation, regardless of the entry type, location of activity or the interface employed.

1988 saw the dedication of the Customs Law Enforcement Data Center in Springfield, Virginia and the acceptance and delivery of the first Lockheed P-3 early warning aircraft, the centerpiece of the US Customs fleet of drug interdiction aircraft.

July 31, 1989 marked the Bicentennial of the United States Customs Service, with "A Day on the Mall with the US Customs Service" staged at the foot of the Washington Monument for Customs employees and the general public.

On December 8, 1993 the North American Free Trade Act was signed. Title VI of this law legislated the Customs Modernization and Informed Compliance Act (Mod Act) affecting carrier manifest requirements, electronic transmission of data, and paperless processing of entries. While this legislation made paperless processing legal, US Customs had been accepting paperless entries since 1992.

Ahmed Ressam attempted to cross the border by taking the *M/V Coho* car ferry from Victoria, British Columbia, Canada to Port Angeles, Washington state on December 14, 1999. He successfully passed through US Immigration and Naturalization Service preclearance checks in Victoria, and boarded the last ferry of the day for the 90-minute crossing to the US. After the ferry docked in Port Angeles at 6 p.m., Ressam saw to it that his car was the last to leave the ferry. Although there had not been any intelligence reports suggesting threats, the US Customs Inspector decided to have a secondary Customs search of Ressam's car performed, saying later that Ressam was acting "hinky", and asked him to get out of the car. The car contained hidden bomb components. As the components were being discovered, Ressam tried to escape on foot. After a brief foot pursuit he was captured by the Customs Inspectors. Ressam was convicted of attempting to bomb the Los

Angeles International Airport (LAX) on New Year's Eve 1999, as part of the foiled 2000 millennium attack plots. He was initially sentenced to 22 years in prison, but in February 2010 an appellate court held his sentence to be too lenient, and ordered that it be extended. This action was significant not only because it prevented a horrible act, but it also led to awareness of the potential threat posed by border crossers from Canada. This led to a significant increase in US Customs and US Immigration resources on the northern border.

On September 11, 2001, America was attacked as commercial aircraft flown by terrorists struck the World Trade Center in New York City and the Pentagon in Washington. A fourth plane crashed in Pennsylvania. The New York Customhouse was located in the World Trade Center and was destroyed. All Customs employees were able to safely exit the building.

The Commissioners

Commissioner	Term	Administration
Ernest W. Camp	1927–1929	Coolidge
Francis Xavier A. Eble	1929–1933	Hoover
James Henry Moyle	1933–1939	Roosevelt
Basil Harris	1939-1940	Roosevelt
William Roy Johnson	1940-1947	Roosevelt, Truman
Frank Dow	Acting, 1947-1949	Truman
Frank Dow	1949-1953	Truman
Ralph Kelly	1954-1961	Eisenhower
Philip Nichols, Jr.	1961-1964	Kennedy, Johnson
Lester D. Johnson	1965–1969	Johnson
Myles Joseph Ambrose	1969–1972	Nixon
Vernon Darrell Acree	1972–1977	Nixon, Ford
Robert E. Chasen	1977–1980	Carter
William Von Raab	1981–1989	Reagan
Carol B. Hallett	1989–1993	G.H.W.Bush
George J. Weise	1993–1997	Clinton
Raymond W. Kelly	1998–2001	Clinton
Robert C. Bonner	2001–2003	G.W.Bush



It should be noted that Mr. Bonner was the Commissioner of Customs on 9/11/2001 and that he probably had the most difficult task of all, that being the forming of a “one face on the border” agency, the United States Customs and Border Protection (CBP). CBP became an official agency of the United States Department of Homeland Security on March 1, 2003, combining employees from the United States Department of Agriculture, the United States Immigration and Naturalization Service (specifically, Immigration Inspectors and the United States Border Patrol), and the United States Customs Service. It is important to note that this Agency was created using the existing management structure of the US Customs Service. This transformation was led by former Customs Commissioner Robert C. Bonner, who continued as the Commissioner of CBP until 2005.



While I served under Commissioners Johnson, Ambrose, and Acree, I really don't remember much about their leadership or direction, although the critical TECS system must have been developed during the time Ambrose was Commissioner. About Commissioner Chasen, my only recollection was that he was very interested in the level of professionalism displayed by Inspectors. During his tenure, each Inspector was required to carry a “courtesy card” in his/her shirt pocket as a reminder to be polite and courteous in each interaction with the public.

William Von Raab was the Commissioner for eight years, from 1981 to 1989, longer than any Commissioner in the history of Customs. He was also the most colorful Commissioner, and in my opinion, the initiatives originating under his tenure probably had the most lasting impact on the US Customs Service.

Von Raab was Commissioner at a time when the government was aggressively fighting the war on drugs. Under him, the Customs Service more than doubled its efforts on drug interdiction. Airplanes and speedboats were added to chase smugglers on the main smuggling routes into the country. He was an architect of the "zero tolerance" policy, designed to put pressure on users and retail dealers by seizing their property. The policy was criticized as heavy-handed after the government seized several pleasure boats on which minuscule amounts of drugs were found. Von Raab also once unsuccessfully sought permission to shoot down aircraft that failed to respond to challenges from customs.

Customs under his leadership also initiated several carrier initiative programs which place the responsibility on the carrier to take measures secure their vessels and aircraft and keep them from being used as modes of transportation for illicit drug shipments. This program was the seed that later developed into the Customs-Trade Partnership Against Terrorism (C-TPAT).

Enrique “Kiki” Camarena was a Drug Enforcement Administration Agent working in Mexico. He was abducted, tortured and brutally murdered by drug traffickers. The

Mexican authorities were not willing to cooperate with US authorities in efforts to find the murderers and bring them to justice. The head of DEA went to Von Raab to see if there was anything he could do to put pressure on the Mexican government. Von Raab responded by ordering a 100% inspection of every vehicle, person and cargo shipment crossing the border. Almost immediately, the border was effectively closed; nothing could get across. Within days, the Mexican authorities began to cooperate. Perhaps most interesting, Von Raab had taken this action without obtaining the permission of the Secretary of the Treasury or the President. The events surrounding this incident were described in both a book and a movie entitled "Desperados". Von Raab played himself in the movie.

He also installed a program of unscheduled, unannounced drug tests for Customs Inspectors and Agents. The testing program was challenged by the labor Union representing Customs Inspectors. The challenge went through the courts all the way to the Supreme Court. The Supreme Court ruled the testing was legal and constitutionally in order.

TECS II and ACS were developed under Von Raab's leadership. When ACS first went on line, the data entry requirements placed upon Customs Inspectors and Customs Aides were enormous. Customs' idea was to shift this responsibility to the brokers and importers. Both, however, were reluctant to invest in the necessary computers, software and training of staff. Von Raab addressed a trade group in Chicago with what was called the "automate or die" speech. In it he told the trade that those who provided Customs with the data electronically would have their shipments cleared first. Those that provided paper would have to wait in line.

He also led an effort to more fully research and disseminate information about the proud history of the US Customs Service. As Commissioner during the bi-centennial year, he staged a series of gala events around the country recognizing the accomplishments of the Customs Service. These culminated in "A Day on the Mall with the US Customs Service" in Washington DC on July 31, 1989. During the ceremony he criticized the person he reported to, the Under Secretary of the Treasury, saying that the Under Secretary had done nothing to help him fight the drug war. He was also critical of the Secretary of State, saying his goal in life was to make the world a safe place for a cocktail party. He resigned as Commissioner shortly after this event.

Following the rather turbulent years of Customs under Von Raab, Carol Hallett became Commissioner in 1989 and served until 1993. She was the first female

Commissioner and had a calming effect on the Service, especially with regard to relations with importers and exporters. In an effort to build a more affable relationship with the trade, she staged a series of "trade fairs" around the country, in almost every major city, where Customs and the representatives of the trade could meet to discuss issues.

Commissioner Hallett also took a keen interest in the training of Customs employees and sought improvements in many areas of training. She recognized that 75% of the training budget was used to pay student travel expenses. Under her guidance, several distance learning initiatives were initiated.



Commissioner Hallett also desired that Customs Inspectors present a more professional image to the traveling public, as well as in their interactions with brokers and other traders. This led to a major training program which was required to be attended by all Customs Supervisory Inspectors.

George Weise was Commissioner from 1993 until 1997. His mark on the Customs Service was one of reorganization. The organization structure at the time consisted of Customs Headquarters, 7 Regional Offices, 47 District Offices and 301 Ports of Entry. Many felt the Regions were not mission enhancing and really not necessary. The Districts really controlled the day to day operations of the Ports of Entry, with the Regions acting as an unnecessary impediment to communications between the Districts and Headquarters. Commissioner Weise assembled a team of managers in Customs Headquarters to study the situation and to make recommendations on reorganizing the Customs Service.

After six months, the team produced a report called "People, Processes and Partnership." The recommendations contained in the report included the elimination of the Regions and the Districts. Districts, while considered important, were not consistent in terms of the size of area they controlled or in terms of the volume of work they handled. Ideally, just the smaller ones would have been eliminated, but this was not politically possible. The focus was to be on the Ports of Entry, the locations where the work of Customs was accomplished. To replace the 7 Regions and 47 Districts, 20 Customs Management Centers (CMC) were created. Their role was to provide necessary administrative and logistical support to the Ports. The CMC's in later years became District Field Offices and once again assumed a more operational role.

The report also mandated close examination of the processes of Customs (passenger, cargo, outbound) with the goal of making them more efficient to allow for more freedom in the movement of legitimate trade, while at the same time forming groups to look for those who sought to use legitimate trade for illicit purposes. The final portion of the report encouraged the forming of partnerships between Customs and the trade, and between Customs managers and the labor Union representing employees.

To implement the proposed changes, Commissioner Weise first mandated that all senior Customs managers attend a course designed to fully explain all aspects of the reorganization. Next the New Orleans Region and its Districts were abolished and a CMC was created. After this structure successfully operated for six months, the reorganization was implemented nationwide.

Commissioner Weise was also somewhat unusual in that he had previously worked for Customs as an Import Specialist.

Raymond Kelly was a retired Marine Colonel, had been the Police Commissioner for New York City (an organization with twice as many employees as US Customs), and in 1997 was the Under Secretary of the Treasury for Enforcement. As such, he was the boss of the Commissioner of Customs.

In 1998 he became Commissioner of Customs. One of his first actions was to hire the International Association of Chiefs of Police to conduct Officer Safety training for every Customs Inspector working on our Southwest border with Mexico. During his time as Under Secretary two officers had been shot and severely wounded at the Calexico, California Port of Entry. He wanted to do everything possible to keep that from ever

happening again. The course was later included in the Customs Inspector standard curriculum at the Academy.

Next he established the Office of Training in Customs Headquarters, headed by an Assistant Commissioner for Training. To staff it he hired 41 professional trainers. Prior to this, the Academy Director had always been a Career Customs Officer and always carried the additional title of National Director of Training.

Prior to Kelly's arrival, it had been difficult for a Customs Inspector to become a Customs Agent, for whatever reason I do not know. Commissioner Kelly mandated the Customs Agent vacant positions be filled with persons with Customs Inspector experience. In doing so he stated, "How can you be an investigator if you have never been a street cop?"

The apprehension of Ahmed Ressam also happened on Commissioner Kelly's watch. He responded almost immediately to augment the thinly stretched resources on the northern border.

Commissioner Kelly believed strongly in uniformity. He upgraded and standardized the uniforms of Customs Inspectors, as well as the weapons and the holsters that carried them. All uniformed Officers for the first time were required to wear a name tag. He had all Customs vehicles painted white with a very impressive logo of the Customs Service. He even mandated little things, such as all documents having to be produced using Arial 12 font, and all fax transmission document covers had to be the same and carry the Customs logo. All higher level managers wore white shirts and ties and shaved any facial hair.

Customs Headquarters was in the Ronald Reagan Building in Washington, DC, a building that housed other federal agencies. Commissioner Kelly wanted to put the Customs logo and a sign that said US Customs Headquarters above the Customs entrance. He was told that was not possible due to the other occupants. To overcome this, he parked a Customs Service vehicle, complete with logo, immediately in front of the entrance. Later, as a condition for moving the car, the entrance indicated that it led to US Customs Headquarters.

Commissioner Kelly resigned in 2001 and returned to the position of Police Commissioner in New York City, a position he still holds as of this date.

If I were to criticize any actions or inactions by the Commissioners I was most familiar with, it would sound like this:

Commissioner Von Raab did bring enormous additional resources to Customs. Most, however, were directed to air, marine and investigator activities. I think he could have done more to strengthen resources at the Ports of Entry.

Commissioners Hallett and Weise did not bring enormous resources to US Customs. They were content to try and manage with our existing resources, to do more with less, to work smarter, even though international trade and travel were growing exponentially. While the size of the Customs Service stayed about the same during their tenure, about 18,000 employees, both the Immigration Service Inspectors and the US Border Patrol received great increases in budgetary support.

Commissioner Kelly made many positive changes. He did make some personnel changes at the highest level that were difficult to understand. He seemed to hold the



highest level managers personally accountable for events which occurred at the Port level, in some instances events that they could not have foreseen, corrected or prevented.

The Evolution

Hopefully, after reading this, you will see why in all my toasts, in all my speeches, and all my classes I try to stress the importance of a well functioning Customs Service. And I try to stress that the most important people in a country are in fact the Customs Officers.

It is a story of a new country that creates a Customs Service as its first federal agency. This agency was created for the sole purpose of raising revenue. It fulfills that role very well, and suddenly other responsibilities are added, things like maintaining lighthouses, marine hospitals, a coast guard, immigration responsibilities and many more.

As the nation grows, separate new agencies are created to take these added responsibilities as their own. But there are new, unanticipated events that have to be dealt with, like the sky-jackings in the 1970s. The country looks for an agency that is in a position to thwart the threat, an agency that has the capabilities to thwart the threat, and suddenly once again, the US Customs Service has a new challenge.

The leaders of the organization also cause direction changes, mostly for the good of the country and the Customs Service. I think it is also interesting how each one, at least of the ones I knew, realized the importance of training and took steps to strengthen it.

Events like the apprehension of Rexam led to a redistribution of US Customs Service (and US Immigration Service) resources.

Horrible events like the abduction, torture and murder of DEA Agent Kiki Camarena led to the US Customs Service using its extreme authorities to actually change the position of a foreign government.

Another horrible event, the 9/11 terrorist attack, led the leadership of the US to realize that while the US Customs Service was strong, reliable, and efficient, to really secure its borders, something stronger, a more unified approach was needed. This led to the creation of US Customs and Border Protection, combining Customs Inspectors and Immigration Inspectors into a body of Customs and Border Protection Officers, adding Agriculture Specialists, and bringing the US Border Patrol under the same management umbrella. Now all border control agencies, both at the legal ports of entry and spaces in between, are controlled within a single agency. A National Targeting Center was created near Headquarters, tasked with identifying potential violators and dangerous cargo prior to arrival at the ports of entry, and ensuring more than just the one Officer at the port of entry was involved in reviewing entry documents.

Due to the power of drug cartels to corrupt government institutions, US Customs and CBP have developed and integrated within its core processes many procedures to ensure integrity. Examples include the National Targeting Center, where officers not assigned to specific ports of entries review cargo and passenger manifest data, in addition to targeting teams at the ports of entry reviewing the same data. Finally, a third Officer, or “set of eyes,” actually conducts the physical inspection. Approaches such as this aid in reducing individual Officers’ exposure to corruption attempts and reveals such violations, if they do occur, much more rapidly than in the past.

CBP arrests thousands of serious violators yearly. For perhaps one of the most significant in 2011, President Barack Obama publicly recognized the prompt and effective work by CBP officers in apprehending a suspect in the recent Times Square attempted bombing in New York City. CBP officers at the National Targeting Center on May 3rd discovered the suspect's intentions to flee the country, and notified Officers at John F. Kennedy, who then responded to the departing aircraft captured him after he had boarded a plane.

The US now has in CBP a border agency that on a typical day in fiscal year 2010,

Processed:

- 965,167 passengers and pedestrians
- 47,293 truck, rail, and sea containers

Executed:

- 1,903 apprehensions at and in between the ports of entry for illegal entry
- 75 arrests of criminals at ports of entry

Seized:

- 11,435 pounds of narcotics
- 539 pest interceptions submitted to US Department of Agriculture at ports of entry

Deployed:

- 25,129 vehicles
- 291 aircraft
- 260 watercraft
- 300 horse patrols
- 1,500 canine enforcement teams

Employed:

- 58,724 employees, including:
 - o 20,687 CBP Officers
 - o 2,366 CBP Agriculture Specialists
 - o 20,558 Border Patrol agents
 - o 1219 Air and Marine agents including:
 - § 51 Air Enforcement officers
 - § 812 Air Interdiction agents
 - § 356 Marine Interdiction agents

Protected More Than:

- 5,000 miles (8,046 kilometers) of border with Canada
- 1,900 miles (3,057 kilometers) of border with Mexico
- 95,000 miles (152,887 kilometers) of shoreline

Managed:

- 329 ports of entry
- 139 Border Patrol stations within 20 sectors, with 37 checkpoints.

Summary and concluding remarks

US Customs and Border Protection is the unified border agency within the Department of Homeland Security charged with the management, control and protection of



our nation's borders at and between the official ports of entry. CBP is charged with keeping terrorists and terrorist weapons out of the country while enforcing hundreds of US laws. CBP is currently led by Acting Commissioner David Aguilar and Acting Deputy Commissioner Thomas Winkowski.