

Homeland security essay



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America has felt secure and trustworthy of other people as well as countries in the past several hundred years; after 9/11 the United States re-evaluated their previous thoughts. After the unforgettable attack on the U. S.

A. the Commander of chief, (President Bush) vowed he would not let terrorists take our freedom here in the USA again. The President a year after the terrorist attack initiated the Department of Homeland Security. The new Department revised its security policy for importing goods into the United States to help lower the risk of another terrorist attack. Homeland security now oversees all of US Customs rules and regulations as well as their new and improved procedures; US Customs has undergone a new way of doing business with importers here and in foreign ports.

Since 9/11 U. S. Customs have implemented the 24 Hour Rule, the Container Security Initiative, and the Customs - Trade Partnership Against Terrorism as new security precautions for importing goods into the United States. The 24 Hour Rule was implemented on February 2, 2003. The rule is suppose to lower violations of the cargo description requirement needed for importing goods, and to identify high risk containers before they arrive at our ports. There is three phases to the 24 Hour Rule.

The first phase is implementing the advanced cargo information from sea carriers to identify incoming goods. The second phase, which was implemented on May 4, 2003, consists of monetary penalties for late submission of cargo declarations and incorrect information given on manifest documents. Finally the third phase of the 24 Hour Rule was implemented on May 15, 2003 which involves failure to get clearance from US Customs

before loading cargo onto the vessel without giving Custom Border Patrol a 24 hour advance time frame for targeting cargo. (Bonner, " FY 2004", 1) The 24 Hour Rule is a rule for carriers to give advanced manifest to US Customs and to reduce potential attacks of terrorism to our harbors and ports. The 24 Hour Rule is a way to push our borders to foreign ports. For example, if there was a bomb in a container on the ship awaiting clearance from US Customs it would either blow in the foreign port or be red flagged in their port; US Customs would have an advantage to research the Importer on Record and the final use of the shipment before clearance was given .

This enables Customs to view the container information and the parties involved. The 24 Hour Rule also identifies high risk containers and goods coming into the United States. For example, any cargo from Cuba is denied because of the embargo against Cuba so if US had a cargo from Cuba it would automatically be considered a red flag cargo with potential harm to the United States, and it would be denied clearance into the US. This helps keep our country safe from potential terrorist attacks.

Another responsibility of the 24 Hour Rule is that all manifest documents be true and correct and be able to US Customs prior to loading goods in the foreign dock. This includes information on end user (buyer), seller (Purchaser), and country of origin (country made) and final use of product (final product). This information is important to the United States since bombs can be made of several different types of materials. The manifest documents also looks at who sent it, the Government has a list of people who are forbidden imports or at high risk for importing goods into or

exporting goods out of the United states. These people are usually terrorists or drug lords.

(Cohen 68) The 24 Hour Rule has several responsibilities but the responsibility lies on others as well. (Cohen, 68)The Carriers hold the most responsibility when enforcing the 24 Hour Rule. The Carrier must notify US Customs by using AMS (Automated Manifest System) an electronic system used by US Customs to transfer manifest documents quickly and efficiently. The carriers are responsible for making sure all information about the cargo is true and documented correctly.

The carrier must get approval from US Customs before loading cargo onto the vessel in the foreign port. If the carrier does not comply with the advanced approval rule of the 24 Hour Rule then he will pay a \$5, 000 first offense fine and \$10. 000 for every offense there after. The carrier must know if the merchandise or people involved are legit and someone he wants to be liable for, if there is a problem with the cargo on arrival to the United States. The 24 Hour Rule has its downfalls to carriers but it also has its advantages also. (" CBP", 1) The 24 Hour Rule has its advantage s to importers and carriers as well as to the United States.

The 24 Hour Rule is a pain for most carriers and a real headache to the US Customs officer to figure which containers are at high risk and which are at low risk. Although the risk is high for carriers they do get some advantage from the advanced clearance procedure, carriers get quicker clearance at the Port of Entry. For example, if a carrier has all of his cargo clearance before arrival, carriers should be able to avoid any red flags or long waits at

the border for Customs to clear his cargos for entry. So, this means less time getting through the Border Patrol and less time docked saving a huge amount of money for the carrier.

Another advantage for the carrier is no fines or penalties assessed for non-compliance. Bonner, "Balancing", 3-4) "The global supply chain and the seaports of the United States are more secure from terrorist threats since the inception of the 24-Hour Rule, but there is still more work to do," said Bonner. This was just the start of the changes for protecting our borders from terrorist and unwanted cargos. Homeland Security made another rule the CSI to help levy some of the liability. The US government implemented the CSI rule along with the 24 Hour Rule to enhance the security of imports to the United States. The CSI rule helps carrier's liability by screening potential exports to the United States.

The CSI rule is basically where the United States has placed several US Custom officers around the world at 20 major ports pre-screening containers before shipped to the United States. These officers are responsible for making sure the entire shipment manifest is in proper order and there are not any terrorist acts or connections involved with the shipment. The CSI rule like the 24 Hour Rule also consists of several phases. Phase one consist of identifying high-risk containers at the foreign port. The Second phase consists of pre-screening the high-risk containers by location or person involved with transaction. The third phase is where they use technology such as radiation detectors as well as large scaled radiographic imaging machines to detect potential terrorist weapons.

Finally the last phase is the tamper- evident containers; this enables the port of entry (arrival port) to tell if containers were opened and tampered with during transit. For example, if a container was checked and sealed by a US Customs officer in the foreign port and cleared and when the container arrives here was opened it will either be re-checked or denied entry depending on the Customs officer. Cohen, 72) All of these phases have been implemented and are intact and have to be followed by all importers and carriers. The United States receives over 6 million containers a year, making us receive over 50% of the world's sea cargo containers.

(Bonner, " FY 2004", 6-7) Being one of the world's largest player in the global market and threatened by terrorist would explain why we implemented the CSI rule. The CSI rule has many purposes in protecting our borders. The CSI goes hand in hand with the 24 Hour Rule and makes a good strategy for protecting our borders. The CSI's purpose is to keep terrorist attacks as far as we can from our borders. This is why the United States keeps officers in over 20 major ports around the world. The CSI consist of US Customs officers pre- screening containers before they even leave the foreign port.

This enables us to screen more potential high risk containers that come from other ports which are not involved with CSI. (Bonner, " FY 2004", 6-7) One of the major jobs of the officers is to make sure that our food supply is not endangered or tampered with. This would include meat that isn't FDA approved or meat from another country which is prohibited entry into the United States. CSI agents (US Customs officer) have to make sure someone is not sending something in that could cause a major epidemic, or even kill people whether it is a medical drug, food, or pesticides. (Cohen, 76) The CSI

also uses a smarter tamper proof container system this consist of US Customs officers checking the container in the foreign port and securing the container with a US Customs band to ensure there is no tampering in transit.

If the seal is broken when the cargo arrives in the Port of entry (US port) then custom have to re-check or they can even reject entry. (Bonner," FY-2004" 7-8) The CSI may have several responsibilities, but everyone has to comply with the rule at a CSI port and no-one is exempt from the new laws. The US government is trying to have all ports around the world with a US Customs officer. The US government only can make it mandatory for the ports that are included in CSI, but they are working to enforce compliance for all ports to be involved with CSI. The ports that are listed with CSI rule have to comply and there is no room for non-compliance. The CSI rule has helped identify high-risk containers and red flagged other containers at high risk.

The containers being secured at the foreign port in transit must be never unloaded off the vessel until it reaches it's point of destination. For example, if a carrier has to stop in another country before reaching the United States and remove other cargo, it can not remove the sealed containers for any reason; if the cargo gets removed it will automatically be rejected at port of entry. (Cohen, 72) The CSI like the 24 Hour Rule both have their disadvantages as well as their advantages. CSI is beneficial to our border protection and has several advantages. CSI is considered a plus in moving cargo across the waters.

(Cohen, 76) The CSI is an advantage for the carriers as well; they have less chance of getting fined with US Customs looking at cargo before leaving the

foreign port. The carrier's liability drops and the chance of terrorist attacks on the United States as well drops to low risk liability for both. The other advantage of CSI rule is speedy entry if seals on containers are intact and all paperwork is correct and in order. Even though CSI is a great smart initiative, doesn't mean we don't have to comply with the 24 Hour Rule. (Bonner " FY 2004" 7-9) The CSI is a good way of pushing our borders to the max, all the way to the foreign port.

But is that enough to keep our borders safe from terrorism? The government must of thought it wasn't because they initiated another rule, the C-TPAT rule. C-TPAT stands for Customs-Trade Partnership Against Terrorism, which is where local and foreign companies apply to join this US Customs security initiative program. The C-TPAT is one of the newest programs since the 9/11 attacks; it was implemented last. This is probably the most difficult to do and is totally voluntary at this point only large fortune 500 companies can afford and willing to put out this great expense at this time; the C-TPAT rule will become mandatory in time. This is the one that costs a lot and companies are doing it for the advantages of being C-TPAT approved, there are a lot of beneficial grants for implementing the C-TPAT rules in businesses.

The rule consists of several steps and procedures that must be followed to get into the program. Once you are in the program you have to maintain and up grade your security continuously, making it expensive and hard to keep up with. Right now they are over 200 companies in the C-TPAT program at this time and over 500 more have applied. These companies have to be approved and inspected by a US Customs special approval committee to be inducted into the program. Homeland Security does give the companies two

years to fully comply with the required specs of the program and become C-TPAT approved. (Hutchison, 4-5) The US govt.

put C-TPAT for the legit companies and for the ones who comply with and are considered to be low-risk importers. To get into C-TPAT an importer must be in good standings with US Customs and have an excellent security system. By this I mean the applicant have to be self- policing and map out every security measure they have available to US Customs along with every step of the applicants importing process. Cohen, 76) The applicant must provide US Customs with a diagram of their facilities, routes of transit, and an extensive back ground check of all your employees involved with the cargo as well as the company's office employees. This information must include all stages of security from the ship to the end user if other than company.

For example you must include who is picking up cargo, what type of security is being used, where it will be stored and what type of security is being used for storage, and who handles the documents and who has access to the documents. These are all required before you can be approved and are mandatory as long as you are a C-TPAT member. Even though it is expensive to qualify for C-TPAT there is several advantages of being a member.

(Hutchison, 4-6) Being C-TPAT approved has several advantages, and makes it worth major importers troubles.

C-TPAT approved means no policing just random checks for approved applicants. For example, if you are approved and import steel bars you might never get stopped because you are approved and they are aware of your security procedures. Now if you aren't certified you could be docked for a

long period before they even get around checking your cargo which causes higher docking rate for the carriers. There is another advantage to importing with C-TPAT, the companies become known for fighting terrorism and trying to develop a better country, making the company/importer seen as an asset and not a threat to the USA. Another advantage to C-TPAT is that the importer usually gets immediate clearance in all of the security programs implemented by Homeland Security. (Hutchison 4-6)The United States was devastated on 9/11 but with the new 24 Hour Rule, The CSI rule, and The C-TPAT rule in affect maybe the United States can prevent a future attack on America's borders.

The Americans value there way of life as other countries value theirs. The only difference is the United States have stretched our borders to theirs, making sure we don't have a tragedy repeat. With the new laws in affect we don't trust anyone or anything making us less vulnerable for tragedy in our ports. Call the US wrong but we have learned to protect home before neighbors, if there is such a thing as neighbors.