

Homeland In-Security USA

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By Syndicated Columnist Cathy Harris

As a former Customs Whistleblower and 20 year Customs Inspector, this article is written to educate, inform and empower the community.

Over 10 years ago, I started my own organization, CEADA (<http://www.ceada.com>), after I realized that unless some type of oversight was put into place, such as civilian review boards, independent panels or commissions, that my managers and co-workers would continue their reign of terror on international travelers and certain federal employees who were speaking out against any and all types of injustices.

In 2003, 22 federal agencies were merged together to form the Department of Homeland Security (DHS) making this new department the most MASSIVE ARMED DEPARTMENT ever in the history of the government.

In January 2009, to restore a positive image of the agency, a new reality t.v. show tried to portray DHS employees as American heroes. They tried to convince the American public that Homeland Security is "American Heroes" because their officers and agents affect more arrests and seize more narcotics than any federal, state, or local law enforcement agency combined. DHS has enormous powers to question, search, arrest, detain, and seize but the way they carry out these practices not only violates travelers entering the country but their practices also violate the rights of their own employees and the employees and affiliates who work directly with DHS such as airline and cruise line employees. The bottom line is that America must realize that these are not the good guys!

The good guys, the real American heroes are the courageous employees that have ended up without a job because they continued to file Equal Employment Opportunity Commission (EEOC) (<http://www.EEOC.gov>) complaints because of disparities in the workplace or those that chose to become whistleblowers and report mismanagement, abuses of authority, prohibited personnel practices, corruption and other unethical acts which affected the health, safety and welfare of an entire nation of individuals. These are indeed the American heroes that you will never hear anything about.

Customs and Border Protection Officers and Agents make up to \$90,000 - \$120,000 and more. These are good paying jobs but only a select few can have them. If you have ever applied for one of these jobs and been denied or fired within the first 6 months of getting one, then you are well aware of what I am talking about.

The dictionary describes a "hero" as a man of distinguished courage or ability, admired for his brave deeds and noble qualities. The handpicked group you saw on t.v. was what other DHS employees refer to throughout the agency as "the privileged

groups.” None of these employees were placed into their positions due to their backgrounds, experience or training but yet they were elevated up the ranks due to nepotism, cronyism and favoritism which have polluted most federal law enforcement agencies today. They are cocky, bold, and arrogant and foremost think they are above the law!

The stories you will never hear anything about is the silent race wars and the sexual abuse occurring in DHS and other federal law enforcement agencies on a daily basis.

We need to understand the truth and continue to lobby for new legislation not only to protect international travelers but the employees themselves and this is a fight none of us can afford to lose.

WHY WAS DHS CREATED?

The Homeland Security Department was created because of the unfortunate events surrounding September 11, 2001. Before Sept. 11, 2001, because of whistleblowers and traveler's complaints, two bills were introduced to protect the American people “***The Civil Rights for International Travelers Act***” (1999-2001) by Congressman John Lewis (D-GA) and “***The Reasonable Search Standards Act***” (1999 & 2001) by Congressman Richard Durbin (D-IL) but because of 9/11, these bills did not stand a chance. The only reforms that took place are located at <http://www.ceada.com/reforms.html>.

The Homeland Security Act was passed in 2002. In March 2003, the Department of Homeland Security merged 22 federal agencies totaling over 180,000 employees. This included my former agency, U.S. Customs and Border Protections.

The Homeland Security Department is comprised of the Department of Immigration and Naturalization Service (INS) (20,000 armed federal agents), the Customs Service (13,000), the United States Secret Service (3,300), the Coast Guard (36,000 employees who act in a law enforcement capacity), and the Federal Aviation Administration (FAA) (1,400) with a total of 73,400 armed agents with federal police power and over 100,000 office workers.

WHO ARE THE CUSTOMS AND BORDER PROTECTION (CBP) OFFICERS?

During the 2003 merger, Customs and Border Protection was divided into two bureaus. One bureau, Bureau of Customs and Border Protection (<http://www.cbp.gov>), combined all inspectional functions of the U.S. Customs Service (USCS), U.S. Department of Agriculture (USDA), Immigration and Naturalization Service (INS) and Border Patrol. Most of these employees came from military or law enforcement backgrounds.

The primary inspector/officer refer travelers to secondary inspectors for additional questioning to: 1) Prevent terrorists and terrorist weapons and contraband from entering the country, 2) Deny entry to people seeking to enter the U.S. illegally, 3) Protect U.S.

agricultural and economic interests from harmful pests and diseases, and 4) Collect revenue.

Historically, travelers entering the United States made three stops: 1) Immigration Inspector, 2) Customs Inspector, and 3) Agricultural Inspector. After the CBP enacted the *“One Face at the Border Initiative,”* one Inspector, as “Officer” - carried out all three functions. The new motto became *“One Team, One Fight.”*

The secondary inspector/officer consisted of Counter-Terrorism Response (CTR) Inspectors /Officers on specialized teams called: 1) Passenger Analysis Teams (PAT), 2) Passenger Enforcement Rover Teams (PERT) and Analytical Units (AU).

The secondary or Counter-Terrorism Response (CTR) Officers were responsible for: 1) Coordinating with the local Passenger Analysis Unit (PAU) and National Targeting Center to ensure that referred travelers are researched fully, 2) Conducting a thorough interview and examination of referred travelers and documenting the results, and 3) Detaining travelers they found to be in violation of the law.

Remember, these are the same teams that were found to have violated African-American travelers, especially women confirmed by a March 2000 General Accounting Office (GAO) report (***U.S. Customs Service: Better Targeting of Airline Passengers for Personnel Searches Could Produce Better Results*** – <http://www.gao.gov/new.items/gg00038.pdf>).

WHO ARE THE CUSTOMS AND BORDER PROTECTION SPECIAL AGENTS?

The second bureau, Bureau of Immigration and Customs Enforcement (BICE), included the criminal investigation elements of Customs, INS, and the Federal Protective Service. It is comprised of approximately 14,000 workers. The agents wear plain clothes and have law enforcement status. Law enforcement personnel have or are entitled to: 1) 20-year retirement, 2) 25% extra pay, 3) 24-hour carry (authorized to carry weapon at all times), and 4) 24-hour protection (if injured, the person who injured them would receive the most severe form of punishment).

Internal Affairs (IA) officers were located in this bureau. IA officers were used to torment black employees especially women. They harassed and monitored black women on the job, followed them outside of the job, sat in cars in front of their homes, broke in their homes and ransacked their homes, tried to run them off the road in government vehicles and even fired shots over their heads in order to intimidate them and make them go out on UNPAID stress leave or make them quit. But yet IA failed to investigate Commissioners (SES/GS-16) who were accused of the rape of young male interns, other Special Agents who picked up young boys in parks, or managers who wrecked government vehicles because of alcohol or who constantly sexually harassed and in many cases sexually assaulted women employees. These employees even when found guilty were allowed to retire with FULL benefits.

PROBLEMS WITH THE MERGER:

Even though the merger was in 2003, you need to understand that the below problems are still plaguing the agency today:

➤ ***No Game Plan:***

It is evident that the merger of USCS , INS, and USDA came about without much of a game plan involved. But then consider who was at the table for the initial planning - managers who are thieves, alcoholics, and sexual predators. Drugs no longer became a priority; terrorism was so drugs were allowed to flow freely into the country undetected. Remember the Customs and Border Protection Officers only seize a half percent of all the drugs coming into the country. Before the merger, it was only 2 percent.

➤ ***There Were Too Many Layers of Management:***

A total of twenty interim port directors (SES/GS-16s) were selected from USCS, INS, and the USDA. These positions created a new layer of management between the field and headquarters. Critics have stated many times that the DHS will be a colossal failure if it does not substantially reduce the layers of management in existing agencies. This was never done!

➤ ***The Merger Created Illegal Promotions:***

One of the major problems with the merger is that the creation of DHS has created higher-paying jobs for management officials. Supervisors were allowed to select their own cronies, and this is the reason many feel that the new department put the cart before the horse in terms of being able to carry out the new functions of their jobs. The “poor managers” already in place selected even “poorer managers” for the new supervisor positions.

➤ ***The Merger Created Internal Infighting:***

The merger caused turf wars between the 22 agencies rendering them dysfunctional especially the border agencies Customs, Immigration, and Agriculture. It was impossible to give up power! The illegal promotional process caused a lot of turmoil and infighting among the border agencies, causing the INS employees to file lawsuits against Customs employees. Many Customs inspectors stated that stamping permits does nothing for them and if they wanted to apply to work for INS/Immigration they would have applied there in the first place.

➤ ***There Is Still A Lack of Training:***

The other major problem with the merger was the lack of training that each agency received from the other agency. At many of the ports, the training usually consisted of

the nickel tour of the port, a two-week session to follow the most senior guy around, then everyone was set loose. What little training that was received was by the seat of their pants. The blind is still definitely leading the blind.

The easiest way to enter the country is with fraudulent documents, and when the merger first took place, for 2 years Customs Inspectors were placed on the front lines at airports and expected to process passports with one week of classroom training. So it became easier to allow everyone to enter the country than to ask questions so many just stamped passports and said "Have a Nice Day!" So this alone weakened the security of this country.

There is still no sensitivity, diversity (EEO or Sexual Harassment training) and integrity training. The integrity training consists of viewing a CD and that is why so many DHS officers are corrupt!

➤ ***There Is a Lack of Professionalism:***

DHS is being perceived as an unprofessional organization. Personnel have been rude and failed to exercise discretion pursuant to headquarters' directives. There have been many complaints and DHS has implemented a new harsh Table of Offenses where good, hard-working employees are punished and not the actual perpetrators. EEO and Sexual Harassment cases especially against managers are still polluting the agency and even females from airlines and cruise lines have filed Sexual Harassment complaints against DHS managers and employees. Employees are still being accused of stealing money and merchandise that passengers bring into the country and merchandise from seized shipments is still disappearing.

➤ ***The Merger Weakened the Security of This Country:***

Is awareness with regards to terrorism better since September 11, 2001? Yes, is security better? **NO!** This merger has done nothing but weakened the security of this country while undermining the civil liberties of many American citizens. Morale is low, turnover is high. CBP officers are not using radiation detectors because they constantly go off at airports because of the material in the buildings. Warehouses and other places where dangerous material can enter the country are not being manned by CBP officers because most of these officers are now manning airports.

➤ ***There Is No Oversight:***

DHS is still responsible to everyone, which makes it accountable to no one. According to legislators, creating a permanent committee will not solve the oversight problem. According to critics, the panel must be given broad authority over the department, similar to the House Armed Services Committee's authority over the Pentagon, to ensure accountability.

In Corporate America, it would be corporate suicide for a CEO to think that by cross-training his top marketing people to become accountants, his accountants to learn the shipping department, and his human resources staff to learn sales --this will somehow improve the company's overall wealth. This is progress in reverse! This type of venture cross training - is counterproductive. If need be, the CBP should ask private sector organizations for guidance on how to better accomplish a more productive merger. But then the U.S. government would have to acknowledge the truth. They would have to publicly admit that DHS is a failed organization.

Merging border agencies like Customs, INS, and USDA was a bad idea. All of these agencies have unique and specialized training to accomplish their respective missions. They do not need to be cross-trained to perform other functions, especially when they are barely capable of carrying out the duties of their own functions. Cross-training of this magnitude has done nothing but deteriorate the main functions of all the agencies. I agree the wheel needs to be reinvented, but DHS should bring in outside help.

THE PLIGHT OF BLACK AIR TRAVELERS:

Till this day, many people do not have any idea on what I actually blew the whistle on. My whistleblowing included the most egregious human rights violations that one could imagine could take place in this country.

In October 1998, I made a life-altering decision! I became a Federal Whistleblower (truth-teller)! As black females exited the country, their names were retrieved and entered into the Customs computers so when they re-entered back into the country - they would be automatically flagged for a more severe form of inspection which included making them strip totally naked in search rooms and held there for hours; being carted off to hospitals in government vehicles and given x-rays without pregnancy tests where many later found out they were pregnant. Many were shackled to hospital beds for up to 4 days and force-fed a laxative even when they were 8-months pregnant . All of these violations took place so my co-workers could work 12 and 16 hour shifts and make overtime money especially close to holidays so they could take off and spend time with their families.

This type of practice occurred for years before I decided to come forward. At the same time I started to come forward over 1300 black women international travelers (judges, doctors, lawyers, teachers, etc.) in Chicago also came forward to tell their stories of excessive abuse by Customs and joined a historic class-action lawsuit. Read more at "***Class-Action Lawsuit Settlement Should be an Insult to Black Women International Travelers***"

(http://www.thecathyharrisstory.com/ClassActionLawsuitSettlement_1_.pdf).

Also download for free the "***Cathy Harris International Travel Survival Guide***" (<http://www.angelspress.com>).

Cathy Harris is the Founder and Executive Director of CEADA and this article are excerpts from upcoming books "***The Cathy Harris Story: Courage Under Fire***" (<http://www.thecathyharrisstory.com>) and "***The Failure of Homeland In-Security: The Government's Dirty Little Secrets from an Insider***" (<http://www.homelandinsecurity.com>). She is available for Lectues, Seminars, and Workshops and can be reached through her company, CEADA, P.O. Box 870849, Stone Mountain, GA 30087, Phone: (770) 873-2072, Website: <http://www.ceada.com>, Website: <http://www.cathyharrisspeaks.com>, Email: info@cathyharrisspeaks.com.

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