# CUSTOMS & QUARANTINE AGENCY

"FIRST LINE OF DEFENSE"

# CITIZEN CENTRIC REPORT

## 2017

## PROTECTING OUR ISLAND, OUR PEOPLE, AND OUR RESOURCES

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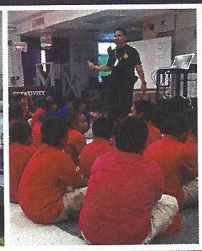
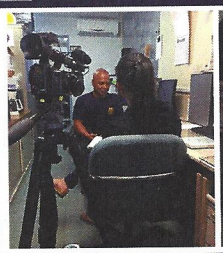
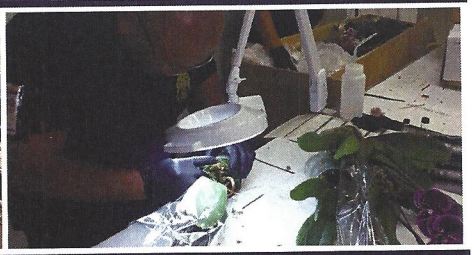
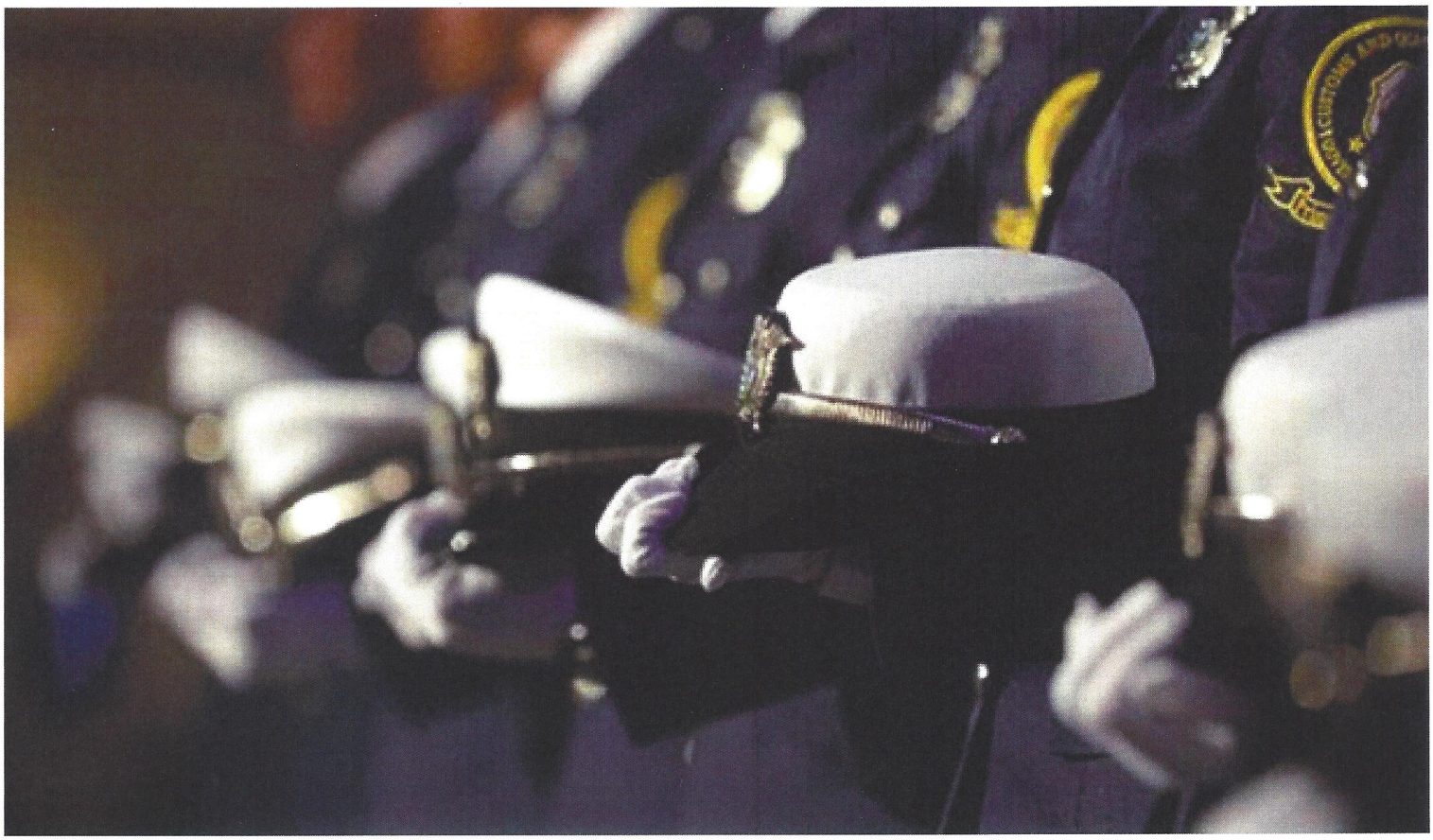


# Mission Statement

The Customs and Quarantine Agency (CQA), is the "First Line of Defense" for the island of Guam. CQA enforces hundreds of laws and regulations both local and federal, and is responsible for protecting borders, securing ports of entry, and facilitating trade, commerce, and travel. The mission of the Agency is to improve trade facilitation and protect the people of Guam.



## Message from the Acting Director

**Eric M. Palacios**
Acting Director

Håfa Adai,

These are exciting times at the agency.

In June, we received authorization to proceed with filling critical administrative professional vacancies, and then in July, we launched the process to hire 29 trainees for the 11th Cycle. To add to this, Governor Eddie Calvo in July signed into law a measure that gives CQA four acres of land upon which it will build a multi-function facility.

In the upcoming fiscal year, we have set goals that include closing the hazardous duty pay disparity, promoting our hard-working employees, and hiring additional officers.

**Eric M. Palacios**
Acting Director

# Operational Structure & Demographics

113 Uniformed CQA Officers
18 Civilian Support Personnel

## Airport Operations
46 Uniformed CQA Officers
1 Civilian Support Personnel

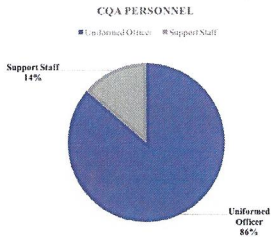
## Special Enforcement Operations
31 Uniformed CQA Officers
1 Civilian Support Personnel

## Maritime/Air Cargo Operations
18 Uniformed CQA Officers
3 Civilian Support Personnel

## Administrative Operations
1 Uniformed CQA Officer
8 Civilian Support Personnel

## Logistics & Support Operations
11 Uniformed CQA Officers
2 Civilian Support Personnel

## Director's Office
6 Uniformed CQA Officers
3 Civilian Support Personnel




| | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 |
|---|---|---|---|---|---|---|
| **Sworn Officer** | 123 | 120 | 143 | 128 | 116 | 113 |
| **Support Staff** | 18 | 19 | 29 | 16 | 18 | 18 |
| **Total** | 141 | 139 | 172 | 144 | 134 | 131 |

# Finance

CQA generates its revenues through the collection of fees. These fees are intended to recover the costs of services for customs operations mandated by local and federal law.

The CQA Passenger Inspection Fee applies to air passengers arriving at the Antonio B. Won Pat International Air Terminal and to passengers arriving via vessel at the Port Authority of Guam. At the airport, the fee is part of each passenger's airline ticket, collected by the Guam International Airport Authority, and deposited into the Government of Guam's Customs Inspection Fund.

The CQA Cargo Inspection Service Fee applies to all shipments imported into Guam at the Integrated Air Cargo Facility and the Commercial Port. These fees are collected daily and likewise deposited into the Government of Guam's Customs Inspection Fund.

| Revenue | FY 2015 | FY 2016 | FY 2017 |
|---|---|---|---|
| Interest Income | $ 93.18 | $ 139.33 | $ 496.95 |
| Passenger Inspection Fee (GIAA) | $ 11,976,513.26 | $ 12,669,323.49* | $ 13,282,718.82* |
| Passenger Inspection Fee (Port Authority) | $ 26,738.13 | | |
| Cargo Inspection Fee (GIAA) | $ 230,668.44 | $ 892,0155.37** | $ 1,773,364.73** |
| Cargo Inspection Fee (Air Cargo) | $ 69,563.28 | | |
| Cargo Inspection Fee (Port Authority) | $ 636,943.37 | | |
| Other Payments | $ 20,407.62 | $ 1,898.70 | $ 21,451.30 |
| **Fiscal Year Revenue** | **$ 12,960,927.30** | **$ 13,563,376.89** | **$ 15,078,031.80** |

* Passenger Inspection Fees of GIAA and Port Authority for are combined under "Passenger Inspection Fee (GIAA)."
** Cargo Inspection Fees of GIAA, Air Cargo, and Port Authority for are combined under "Cargo Inspection Fee (GIAA)."

| | Expenditures | FY 2015 | FY 2016 | FY 2017 |
|---|---|---|---|---|
| Personnel Services | Regular | $ 7,313,150.58 | $6,882,301.98 | $ 6,700,494.54 |
| | Overtime | $ 4,411.26 | $ 53,252.83 | $ 407,758.53 |
| | Benefits | $ 2,763,347.41 | $ 2,500,427.94 | $ 2,389,746.88 |
| | Insurance Benefits (Medical, Dental, Life) | $ 0.00* | $ 0.00* | $ 0.00* |
| | **Fiscal Year Personnel Services Expenditure** | **$ 10,080,909.25** | **$ 9,345,982.75** | **$ 9,497,999.95** |

* No appropriations for FY Budget.

| | | FY 2015 | FY 2016 | FY 2017 |
|---|---|---|---|---|
| Operations | Travel | $ 0.00 | $ 0.00 | $ 0.00 |
| | Contractual Services | $ 421,905.93 | $ 337,852.21 | $ 385,358.31 |
| | Office Space Rental | $ 2,758,755.34 | $ 2,879,133.64 | $ 3,013,333.56 |
| | Supply & Material | $ 105,899.48 | $ 79,447.33 | $ 85,231.24 |
| | Equipment | $ 14,044.00 | $ 9,991.22 | $ 6,075.96 |
| | Miscellaneous | $ 54,330.00 | $ 51,070.00 | $ 47,330.00 |
| | Utilities | $ 114,953.35 | $ 101,683.10 | $ 108,401.20 |
| | Prior Year Retirement Contribution (MLWOP) | | $ 536,612.00 | **$ 0.00** |
| | **Fiscal Year Operations Services Expenditure** | **$ 3,469,888.10** | **$ 3,995,789.50** | **$ 3,645,730.27** |

# Performance Measurement

The Customs and Quarantine Agency's is charged with protecting our island, people, and resources whilst facilitating legitimate commerce and travel to grow our economy and industry.

Therefore, the CQA measures its performance by the following:

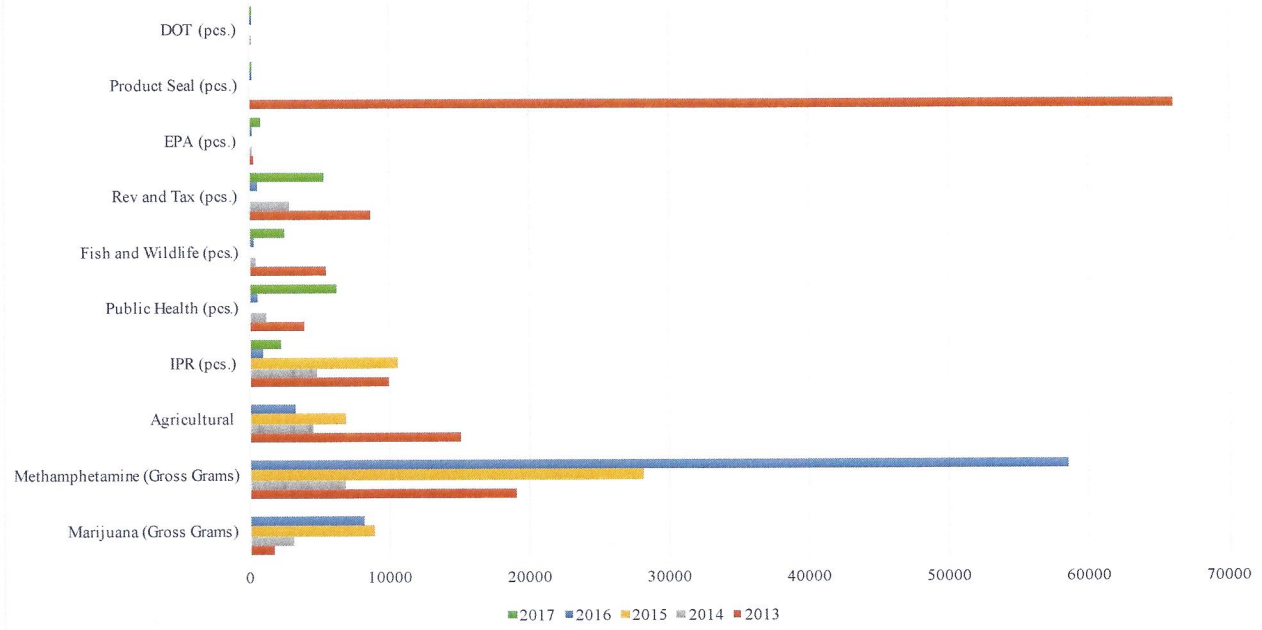
(1) Passengers inspected and cleared; and
(2) Interdictions of pests, diseases, drugs, criminals, counterfeit and unsafe goods, bioterrorism and terrorists.

Charged with securing all Guam's ports of entries, the CQA is divided into four divisions to support the mission: The Inspection and Control Division, the Special Enforcement Division, the Logistics and Support Division, and the Administrative Support Division.

The following data spans five years and gives a glimpse into the various laws and regulations we enforce at the border as well as how many seizures were made in each year.

## Seizures

| | 2013 | 2014 | 2015 | 2016 | 2017 |
|---|---|---|---|---|---|
| **Marijuana (GG)** | 1,739 | 3,041 | 8872.79 | 8,073.45 | 726.81 |
| **Methamphetamine (GG)** | 19,023 | 6,833 | 28,082.1 | 58,442.21 | 9,733.29 |
| **Agriculture** | 14,891 | 4,557 | 6,786.5 | 3,240 | -- |
| **Intellectual Property Rights** | 9,933 | 4,724 | 10,544 | 887 | 2,193 |
| **Public Health** | 3,890 | 1,153 | N/A | 580 | 6,145 |
| **U.S. Fish & Wildlife** | 5,412 | 348 | N/A | 237 | 2,446 |
| **Department of Revenue and Taxation** | 8,544 | 2,820 | N/A | 482 | 5,246 |
| **EPA** | 320 | 37 | 0 | 119 | 821 |
| **Guam Product Seal** | 66,000 | 0 | 0 | 103 | 195 |
| **Department of Transportation** | 0 | 8 | 0 | 3 | 20 |



# Challenges

**Manpower**
The Agency has only 113 Uniformed Officers and 18 Civilian Staff. 46 uniformed officers were staffed at the Antonio B. WonPat International Air Terminal (ABWIAT) to facilitate the entry of over 1.8 million visitors to Guam. According to a rudimentary study conducted a few years ago, successful security of our borders requires 100 officers to be staffed at the ABWIAT per 1.6 million visitors annually. The current shortage of Customs Officers affects our ability to effectively protect our island community against:
(1) Illegal narcotics and drugs (Methamphetamine, Ecstasy, Cocaine, and Marijuana);
(2) Biosecurity threats (i.e.: Influenza, Foot and Mouth Disease);
(3) Communicable diseases (i.e.: Ebola, Hepatitis A, Tuberculosis, and Zika); and
(4) Invasive species (i.e.: Coconut Rhinoceros Beetle, Greater Banded Hornet, and the Little Fire Ant).

**Customs Data System**
The Customs and Quarantine Agency has no digital database in which to collect, store, process, analyze, or query information. As customs administrations within the region continue to develop and progress with support from larger nations such as Australia, New Zealand, and France, the CQA has continued to fall behind the digital curve. In 2014, CQA was awarded a federal grant to develop a Customs Management Information System. The Agency intends to pursue the ASYCUDA system which is currently used by other customs administrations in the region.

**Rent**
According to the OPA's Executive Summary, Analysis of Government of Guam Leases, Report No. 17-02, "The Guam Customs and Quarantine Agency (CQA) had the highest annual lease cost for office space at $2.8M, nearly 82% more than the second highest agency. The most significant of these leases is for a 29,347 sq. ft. office/inspection area [GIAA] with an annual lease cost of 2M."

**Funding**
The CQA's Customs, Agriculture and Quarantine Inspection Service Charge (CAQISC) Program began in 1996 with support from the Federal Aviation Administration, Department of Transportation upon their determination that the program did not violate the Anti-Head Tax Act as long as revenue collected by the GIAA is remitted to the CQA for services provided by the Agency. Any over collection of funds must be remitted back to the airlines. Furthermore, program legislation created a Special Fund for CAQISC revenue. The program therefore provides the Agency a mechanism to charge inspection fees to recoup the cost of operation, enabling the Agency to self-sustain so that it is no longer dependent on the general fund to operate.

With the theoretical ability to self-sustain, the Agency is currently looking for support in realizing the benefits the program may offer by streamlining its processes so that rate adjustments better reflects operational costs annually.

**Legislation**
The CQA's enabling legislation was last modernized in 1994. Since then, the Agency has had over 20 years to identify areas for reform to better facilitate and accomplish the mission.

# Future Outlook

On July 6, 2018, the 34th Guam Legislature unanimously passed Bill 216-34 designating administrative jurisdiction of four acres of government property adjacent to the Jose D. Leon Guerrero Commercial Port of Guam to the Customs and Quarantine Agency. On July 17, 2018, Governor Calvo signed the bill into Public Law 34-112. The CQA is now working to secure funding for the customs facility which is expected to be built by 2021.

Hiring CQA Officers: Approximately 170 by FY 2018.

Successful implementation of a modernized CQA Passenger Inspection Fee process to more efficiently recover operational costs associated with CQA services.

CQA was awarded $625,000.00 to develop a Customs Management Information System which will move our processes from a manual based operation into a digital one and allow the Agency to focus resources on safety and security at the borders.

Promotions for CQA Personnel.
Agency promotions per rank:
7/2006 - Promotions for Officer III
- Promotions for Lieutenants
9/2006 - Promotions for Officer III
- Promotions for Lieutenants
- Promotions for Major
8/2008 - Promotions for Officers II
9/2010 - Promotions for Lieutenants

CQA seeks to adjust its pay scale to become comparable with other law enforcement entities thereby reducing the rate of attrition.

CQA entered into an Interagency Biosecurity Work plan with the Department of Agriculture toward heightening the established agricultural biosecurity effort. The goal is to improve Guam's protection against dangerous or invasive species and disease, and to effectively prevent, respond, contain and eradicate agricultural threats.

CQA and the Port Authority of Guam Police entered into a Memorandum of Agreement to coordinate and concentrate activities toward the detection of contraband, illegal weapons, and illicit substances aboard maritime conveyances.

With tourism as Guam's main industry, CQA looks to continuously improve on its services to ensure the safety of all visitors and residents against threats such as pandemic diseases, drugs, and biosecurity treats.

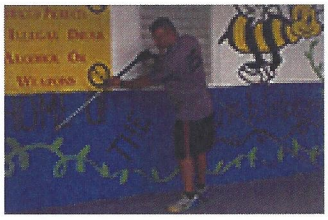
CQA seeks to effectuate the following legislation:

- Legislation to support the requirement of submitting documents and data into a CMIS.
- Legislation to support CQA's direct collection of fees and authority to manage its own funds.
- Legislation that articulates the customs authority at all ports of entry.
- Legislation to hire officers and additional support every year until an adequate staffing pattern is reached.

# CQA in the Community

CQA participates in community outreach programs to help assist individuals and entities as part of its community involvement efforts. For FY 2016, CQA was involved in the following:

CQA participated in the 2016 Annual Relay for Life Event, held at the George Washington High School Field.



In 2016, CQA participated in the Adopt a School Program by repairing, repainting, water blasting, and preparing the Agana Heights Elementary School's campus in anticipation of the starting school year and return of students.

Many CQA divisions actively participate in numerous community outreach programs which involve demonstrations conducted at Guam public schools as an educational effort to promote anti-drug awareness amongst students at all grade levels.

CQA participated in Red Ribbon Week in October of 2016.