

Testimony on the Progress on the Safe Port Act before the Committee on Homeland Security and Government Affairs

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Good Morning. My name is Captain Jeffrey Monroe, Director of Ports and Transportation for the City of Portland, Maine. Thank you for your invitation to speak on the progress of the Safe Port Act. Today, I will be commenting on three areas of port security that can be summarized as global, national and local.

Everyday some 75,000 Twenty-Foot Equivalent Unit (TEU) containers move in and out of ports in the United States alone. This poses a significant threat to ports and communities throughout the nation. Since 9/11, with the increasing focus on maritime security, we have reduced the threats to the United States through several programs including the Customs-Trade partnership Against Terrorism (C-TPAT), the Container Security initiative (CSI), The Smart Box program, and the Advanced Trade Data Initiative. The programs are designed to supply much needed information about supply chain partners and shipments and to protect a complicated supply chain.

While these programs are of critical value, their implementation is advancing much too slowly. Although the industry recognizes the value of securing the nation's supply chain, the requirement to secure cargo with C-TPAT specified seals is meeting resistance from shippers. The concern is that the costs of implementing an electronic seal program are high and standards for these devices have yet to be completed. The industry does not want to invest in expensive experimental technology until a proven and cost effective federal standard has been set for container security devices.

Another key concept that ties in with new technology is the Greenlane concept, which is being touted as an incentive to shippers to add these new devices. However, this program is also off to a slow start as Greenlanes in seaports do not exist at this point and there is no real movement for establishment.

While Customs tracking has improved, inspections increased, shippers recruited for pre-clearance programs and reporting of manifests have been made more efficient, new initiatives designed to improve cargo security continue to move at a very slow pace. However, it is apparent that although cargo security is one of the nation's most significant threat issues, multi-agency coordination and effective policy development remains a minor function of the Department of Homeland Security.

The current Office of Cargo Policy at DHS needs to be elevated in the DHS structure and must be more active in its outreach to industry. Further, this office must have a far reaching view of cargo security as part of a transportation system that includes maritime, aviation and surface. Recovery from attack or natural disaster requires a systematic

approach. It will make little difference if a port is able to open without the landside infrastructure ready to deliver and accept cargo. For too many years, our national transportation system has suffered from a modal approach as opposed to a systematic approach. It would be a major mistake for us to mirror this ineffective model in Homeland Security.

Cargo and the policies that impact the movement of goods related to security must have significant attention within DHS. We cannot continue to think myopically, focused on some small segment of security without looking at the entire picture. For example, this lack of a coordinated approach is currently providing us with a TWIC system that does not meet the original goals of the Transportation Worker Identification Credential. Instead of the one system as originally envisioned, it appears that there will be separate standards for maritime and aviation. The aviation system was able to credential and clear hundreds of thousands of workers in a relatively short period of time. Yet, some six years after 9-11, we are still in the process of implementing the TWIC standard for the maritime world, which is different from the system already in use. Additionally, to date, nothing has been done to address TWIC in regard to surface transportation.

As a professional merchant mariner, port director, airport director and member of the DHS National Maritime Security Committee, I had to go through four separate background checks, each with differing standards. This amazes me that one single and effective approach cannot be designed and implemented in a shorter period of time. That same issue will exist with cargo security, which will also cause significant delays. Although we are currently focused on containers, there is a wide range of cargo movements that seldom get addressed. Project cargo, bulk and neo-bulk cargoes, and other specialized activities all have their own element of security risk. A high level policy office could address not just one type of cargo, but all logistical movements.

Such an office could also reach out to a broad segment of the industry. I believe we have reached a point where a government/business summit should be held and reasonable targets dates for specifications and implementation of cargo security programs must be established and implemented.

The formation of a high level policy office for cargo security was proposed in legislation by Senator Collins last year. It was a good idea then and it is an even more essential idea now. I would encourage this committee to address this in the near future.

We cannot afford to continue to work with obscure standards and poorly coordinated programs. We feel the lack of progress in our ports. For example, The Port of Portland includes activities in both of the cities of Portland and South Portland. In 2006, the Port was the 26th largest port in the United States in gross tonnage. We are the largest oil port on the east coast, the largest tonnage port in New England and the largest foreign inbound transit port in the United States (Source-US Army Corps of Engineers). Though geographically small in size the port continues to be a microcosm of all port activities, with growing container and break bulk businesses, international ferry and domestic ferries serving and commercial and recreational boating interests. Our transportation

system alone, in a City of 65,000 and a region of 350,000 handled some 6.5 million passengers in our system and nearly 30 million tons of cargo.

The Port is the home of a mix of public and private stakeholders committed to ensuring that the letter and the spirit of the Maritime Transportation Security Act (MTSA) are always an integral part of any port planning initiative. To that end, our success to date in becoming a model of interoperability would not have been possible without the cooperation of professionals and public officials and the funding we have received through the port security grants program.

Through seven rounds of funding of approximately \$6MM, we have been able to meet the requirements of the MTSA. These funds have allowed us to purchase the fences, lighting and screening technology required to date and we are ready for the next steps in TWIC development. But we have gone further.

Portland has developed an all-hazard approach to planning. We have examined each of our security requirement solutions for attributes beyond prevention. All Homeland Security funding now flows through one center to ensure that systems are interoperable and to avoid redundancy. We coordinate our programs with our neighboring cities and meet often with public and private stakeholders. Besides our close working relationship with the United States Coast Guard, we also maintain ongoing coordination with the TSA, US Customs and Border Protection, and federal, State and local law enforcement. We have done this out of necessity, utilizing available funds to the maximum advantage.

However, we view transportation security as a partnership between maritime, aviation and surface transportation agencies and providers and share resources and information across the wide spectrum of activities. We also recognize our important place in the community and understand that we are not only protection the traveling public but our citizens as well.

Lessons learned from a number of natural disasters have also taught us that this all-hazard approach is necessary not only for deterrence of terrorist attacks but for the recovery of commerce and continuity of government programs and services. Only the close monitoring of all-hazard programs will identify fault lines in our approach. Only communication with our neighbors will allow us the resiliency required to protect our citizens. We do not understand why this same model cannot work in Washinton.

As we continue to hear that resources should be directed to only “bigger ports”, we realize that to allocate funding to ports based on simple quantitative analysis does not sufficiently consider the enormous impact a disruption in port commerce would have on the entire region. It does not consider our status as an international border crossing and it does not reflect recent history. The reasons that two of the 9/11 hijackers chose to begin their assault on the US from Portland have never been fully explained.

We recognize that Portland is of a size that makes participation among all parties somewhat easier than a more highly urbanized area. But the commitment to an all-hazard

approach and the integration of all stakeholders is possible through the leadership of the communities and a desire to put the good of the entire system ahead of individual interests.

The equipment and training that we have been able to acquire through our grant programs awards allows us this practice for disaster and to insure we share the best intelligence available. We know that we are far better prepared than we were in 2001 or even 2005. We know that we are still learning the best ways to achieve a totally integrated security and response package. And we know that it will take more funding, more commitment of our time and continuing leadership. We are prepared to continue our work.

Above all however, the Department of Homeland Security must get its arms around the critical issue of port and supply security. The leadership must begin in Washington and work its way throughout DHS, to the State level and ultimately to the communities dealing with these issues. We simply must do a better job in looking at the entire picture and while the various key pieces of legislation related to port and cargo security have moved us ahead; our national bureaucracy remains an impediment to effective implementation of that legislation.

In speaking to you from the trenches, I hope that the intentions of this Committee, Congress and our Administration are to dramatically increase the effectiveness of cargo and Homeland security. To that end, I hope that we will put as strong an emphasis on cargo security as we have on other elements of Homeland Security and that we will remove the bureaucratic boundaries that inhibit making our entire system as secure as humanly possible.

Thank you.