

STATEMENT OF RICHARD M. LARRABEE
DIRECTOR, PORT COMMERCE DEPARTMENT
THE PORT AUTHORITY OF NY & NJ
ON
ASSESSING THE VULNERABILITY OF U.S. PORTS
BEFORE
THE COMMITTEE ON GOVERNMENTAL AFFAIRS
THE UNITED STATES SENATE
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Mr. Chairman, members of the Committee, thank you for the opportunity to testify on the important issue of port security, especially given the events of September 11. I am Rear Admiral Richard M. Larrabee, United States Coast Guard Retired and I am currently Director of Port Commerce at the Port Authority of New York and New Jersey. On behalf of our Board of Commissioners and staff, I extend our thanks to Congress for the outpouring of support for all in the New York/New Jersey region so directly impacted by these terrible events.

The Port of New York and New Jersey is the third largest in the nation and the largest port on the east coast of North America. Last year the port handled over 3 million containers and 560,000 autos. New York/New Jersey handles more petroleum products than any other port in the nation, along with a variety of other bulk and breakbulk commodities. The harbor also supports a wide range of passenger services including cruise ships and growing, as well as increasingly important, commuter ferry services. Ports like New York and New Jersey are key transportation links in global trade; ninety-five percent of US trade comes by ship. The Port of New York and New Jersey serves a region of 18 million people locally and a larger population of 80 to 90 million people within the ten state region surrounding the port. Serving consumer demand for international goods is an essential component of our national economy and ports provide the critical intermodal link for the transfer of those goods from ships to our national landside transportation network.

On September 11, the world witnessed the use of civilian transportation as a weapon to destroy property and take the lives of thousands of innocent people. The tragic events of that day underscore the critical need to meet America's transportation requirements while ensuring the safety and security of the nation. Much attention has paid to the aviation industry and this is very important given the role of air transportation in our society and economy and the number of citizens that use our aviation system every day. Just as important, however, is our maritime transportation system, which may not move as many

people, but is an essential component of our nation's goods movement system and, as a result, is tremendously important to the American economy and national security. Therefore, I thank you, Mr. Chairman, and the Committee for holding this hearing and continuing a national dialogue regarding port and cargo security.

In the immediate aftermath of the attacks on the World Trade Center, the Pentagon and the crash in Pennsylvania, the Port of New York and New Jersey was closed by actions of the US Coast Guard and local law enforcement as a precaution against a potential terrorist threat. This response by Federal, state and local enforcement agencies, along with the support and cooperation of private marine terminal operators and their security teams, was well coordinated and orderly. The port was reopened on the morning of Thursday, September 13 under new procedures heightened security measures established by the Coast Guard, Customs, local law enforcement and terminal operators. These measures at sea boarding of all vessels by joint Coast Guard, Customs and Immigration teams to inspect the cargo and crew manifests, ; Tug tug escort from sea to dock, ; Coast Guard Port Security Units (PSU) providing additional waterside security, including the protection of national assets; Security meetings among all Federal, State and local law enforcement twice a week and with terminal operators weekly.

Under the current manning and mission priorities, the Coast Guard and other Federal and state agencies are able to adequately respond in an intensive way to these types of events surge port protection, but these organizations can only sustain this level of security for a short period of time. Currently, there are not enough resources in terms of personnel and equipment to maintain that level of security over an extended period within the Port of New York and New Jersey, let alone the rest of the nation. That is, not without the rest of these agencies core missions being affected. In fact, today there are fewer resources being deployed in the Port of New York and New Jersey than in the days and weeks immediately following the September 11th attacks despite the fact that the threat hasn't changed. A significant number of resources from various federal and state agencies were dispatched to the Port of New York and New Jersey in the immediate aftermath of the attacks. Although the threat has not changed since then, the type and amount of resources that have been dedicated to port security over the last two and a half months have been drastically reduced. Some of the initial security measures have also been relaxed. In our port, over 20 additional Coast Guard assets and close to 1,000 reservists were brought in. Over time, that has been scaled back to just one additional cutter and 100 reservists, but again the threat has not been reduced.

All of these additional resources and new measures beg the question, "how effective has it been? Have we actually found anything on any of the vessels or in any of the

containers that we are inspecting? Part of the problem is that we don't know what we are looking for. What does a weapon of mass destruction look like?

I congratulate you, Mr. Chairman and the committee, for taking up this important issue at this time. Among the other challenges that we face in addressing the issue of port security are cargo visibility, accountability and responsibility for the contents of containers; the question of "Who is in charge?" in regards to both prevention of and response to a terrorist event; and understanding the threat and vulnerability.

The biggest threat in the maritime industry may not necessarily be a rogue vessel slamming into a bridge, but an intermodal container being used to transport a weapon of mass destruction into the United States. The measures that Customs uses now focus on interdiction but we must focus more on prevention. Given that many major U.S. ports, like New York/New Jersey, are interconnected with national transportation systems and are located near major population centers, interdicting a container laden with a weapon of mass destruction through the inspection of the container here on U. S. soil is too late. Our goal should be to prevent the weapon from ever making it to the United States. The only way to do that is to make maritime security an international issue. Foreign countries must cooperate with us and hold the shipper and port of origin responsible for verifying the contents of a container, similar to what is currently done with the shipment of hazardous materials. Someone must be responsible and held accountable for the contents throughout the entire shipment. From point of origin to point of destination, a chain of custody must be established. Additionally, more detailed cargo information must be provided to U.S. authorities sufficiently in advance of the vessel's arrival so that there is a high level of assurance regarding the contents with adequate reaction time if necessary. Admiral Loy addressed the International Maritime Organization (IMO) last week and proposed that a working group be established to look at port security and terrorism, specifically at the issues of cargo visibility and accountability on the part of the port of origin. We support the Coast Guard's proposal and believe that the IMO is the most appropriate forum to address this issue of international concern.

I know, Mr. Chairman, that you and the members of the Committee are aware that when it comes to preventing or responding to a terrorist incident, the Coast Guard and Customs are only two of several Federal agencies that have a role in port security. In addition, there are state and local agencies that also have port security roles and responsibilities. But one of the fundamental questions still remains, "who's in charge?"

Therefore, among the challenges that we face in addressing the issue of port security is the question of "Who's in Charge?" In 1989, in the wake of the Exxon Valdez disaster, we faced a similar question when it came to identifying who was in charge in the event of

an oil spill in one of our harbors. Today, we have an answer to that question because the Congress and others took a coordinated approach to developing new laws that laid out clear responsibilities and roles for each of the agencies involved in responding to an oil spill event. This could serve as a model to coordinate the various agency jurisdictions to first prevent and, if necessary, respond to a terrorist attack on our ports. It is an issue we hope that the Office of Homeland Security will address.

Communication is the foundation for coordination among the various agencies responsible for port security. This includes sharing intelligence and threat assessment information among Federal, state and local agencies, as well as certain limited private interests, such as terminal operators, when in those instances the private companies have an explicit responsibility for securing their operations against a potential threat. As a port director, I cannot give you or my superiors a fair assessment today of the adequacy of current security procedures in place because I am not provided with information on the risk analysis conducted to institute these measures.

Mr. Chairman, as you and the Committee members are aware, Senator Hollings has been considering these issues of port security well before the events of September 11. He and Senator Graham are to be commended for their pro-active thinking on these issues. The Senate and others are actively considering the Port and Maritime Security Act of 2001. We look forward to reviewing this legislation continuing our work with Congress, port operators and private interests to ensure provide that adequate resources and funding are in place to provide the highest level of security, commensurate with the vulnerability and threat, while also maintaining the safe and efficient movement of commerce and protection of the public.

Our success in providing heightened port security in the wake of the September 11th attacks clearly indicates that no one entity is responsible or capable for providing port security, but rather, it is a shared responsibility among Federal, State and local law enforcement, and private security forces. Thus, any legislation must consider not only those partnerships but also private terminal operators and port authorities. The port industry must have the ability to work together with the local Coast Guard Captain of the Port to develop security guidelines and standards specific to the unique nature and vulnerability of each port area, rather than generic guidelines for all ports.

We commend Senators Hollings and Graham and Transportation Secretary Norman Mineta who, through the Marine Transportation System process, are working to develop a national policy on maritime security. We would, however, appreciate an opportunity to comment on any further revisions before the bill is finalized.

Providing for national security goes beyond law enforcement procedures and providing adequate resources. Investments in our transportation infrastructure are critical to both our national defense and our economic well-being. Given our heightened awareness of the need for greater security, along with our effort to increase capacity at our ports, we can begin to incorporate security needs into the design and construction of national transportation infrastructure. This could include the application of new technologies that allow us to enhance our security measures while minimizing the impact on the flow of cargo through our transportation systems.

Finally, Mr. Chairman, I want to commend and thank the Coast Guard, the FBI, the U.S. Customs Service, the Immigration and Naturalization Service and a number of other agencies for their tremendous response in the New York/New Jersey region and the unprecedented level of cooperation among Federal agencies and between Federal and local jurisdictions over the past few months. Their efforts are deeply appreciated. Our hope is that the Congress and the Administration will provide these agencies with the tools they need to sustain this level of service to the nation not only in times of crisis, but over the long term.

Thank you, again, for the opportunity to testify. I would be happy to take any questions.