

# PROTECTING OUR COMMERCE: PORT AND WATERWAYS SECURITY

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## HEARING BEFORE THE COMMITTEE ON HOMELAND SECURITY HOUSE OF REPRESENTATIVES ONE HUNDRED NINTH CONGRESS

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## **PROTECTING OUR COMMERCE: PORT AND WATERWAYS SECURITY**

**Tuesday, March 22, 2005**

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
*Washington, DC.*

The committee met, pursuant to call, at 9:15 a.m., at the Vicksburg Convention Center, 1600 Mulberry Street, Hon. Christopher Cox [chairman of the committee] presiding.

Present: Representatives Cox, Linder, Thompson, Etheridge and Meek.

Chairman COX. The House welcomes you to the formal portion of the first field hearing of the Committee on Homeland Security of the United States.

Now we have the Mayor from Vicksburg, Mississippi.

Thank you for inviting U.S. here to hold this important hearing which will examine the security of our ports.

I would like to welcome the Rear Admiral Robert Duncan, Commander of the Eighth Coast Guard District; Mr. Jimmy Heidel, director, Warren County Port Commission, and vice president of the Vicksburg-Warren Chamber of Commerce; Ms. Cynthia Swain, director of safety and security, Port of New Orleans; and Deirdre McGowan, Ph.D. executive director, Inland Rivers, Ports and Terminals Association.

Thank all of you in advance for coming here to discuss these important issues and to answer the committee's questions. We are here today to discuss improving the security of the United States ports, and the issue of port security has been widely talked about in the media. And the issue of security in our inland rivers has not received as much attention. But, today, we sit here along the banks of the Mississippi River, which links with major inland ports and provides access to more than 1,800 rivers in 21 States. We can see that this is an important river, and our inland waterways are vital for the United States Maritime Transportation.

Since the tragedy of September 11, 2001, the departments of Federal and private entities have worked on security for our Nation from the terrorists. The Federal Government has been dispersed, and other local facilities have been hardened. We have to ask ourselves, what are the goals that we are seeking to achieve to end terrorism and how best can we achieve them? We must truthfully understand the previous terrorist attacks that face our ports in the United States and then focus on our collective efforts. If we were to try to protect against every potential attack, we will

disperse our efforts, and our attention will be late, and we might end up helping absolutely nobody.

The terrorist attack, it could be nuclear and harmful, biologically. It could be as simple as smuggling a weapon or such things like material through America borders. The extent to which the United States ports and waters can help is to articulate what must be understood about the threats from the ports. And the ports themselves must be completely aware of homeland security and take it seriously, these threats. And how the Department of Homeland and others are responsible for working constructively with each other and to prevent a terrorist incident in America.

Once again, I would like to thank the most Honorable Bennie Thompson for welcoming US and our witnesses for appearing for US today, and we look forward to your testimony.

Mr. THOMPSON. We would like to thank Warren County for all the hospitality that they have shown my colleagues over the last 2 years. And we are thankful for the relationship and willingness to hold the first hearing of the House Committee on Homeland Security here in Vicksburg, Mississippi.

And I would like to thank everybody who is in attendance today on our ports and waterways.

September 11th is referred to as a wake-up transition. As I ride on our shores, I see how terrorists pose a threat to our Maritime. And then with the USAA October of 2000 incident, killing of 1,700 sailors, we, in Mississippi, understand how real the threat is. And we witnessed some of this when the USAA was shipped to Pascagoula to be repaired. And we also witnessed this with the 9/11 ambush.

And some good steps have been taken to protect U.S. from terrorist attempts by improving our regulations employed by the Coast Guard. The Coast Guard has taken some steps in improving our ports. And all of these regulations, however, have not resulted in smooth sailing, but there is an attempt to complete those that are mandated. Compliance with these regulations has been far more difficult to receive on our part. For example, the Coast Guard estimates we will spend \$5.4 billion over the next 10 years to maintain security. Since 9/11, the wish has been to ask for more port security funding; by the end of this fiscal year, would have distributed 1715 to 40 to pay for security upgrades. However, this still falls short of what we need.

On the Port of New Orleans, the lack has presented a problem with leaving the facility vulnerable to terrorist attacks and crime. In fact, it has left the port with, and I quote, four half gates, none of which are able to do what one gate should do completely. We should make sure that these funds are available to New Orleans and other communities. And we should welcome the Coast Guard for doing all that they could. They are not getting all they need to get the job done.

Since 9/11, many homeland security departments have had larger increases in service budgets. The Coast Guard is operating with fleets of aircraft. Too few small boats and too few men and woman are protecting our ports for too long. The Coast Guard has done more with respect to safety, and our ports are going to remain secure.

Mr. Chairman, I look forward to the testimony, and, again, I thank you for having this hearing in Vicksburg, and I look forward to your testimony.

Chairman COX. Thank you, Mr. Thompson.

Chairman COX. Does any other member wish to be recognized? If not, I will introduce our witness, Admiral Robert Duncan, Commander, Eighth Coast Guard District, United States Coast Guard and director of the Maritime Defense Administration.

Admiral Duncan, thank you for being here. I appreciate your being here, and we want to talk about what are important issues that affect our ports and waterways.

**STATEMENT OF REAR ADMIRAL ROBERT DUNCAN,  
COMMANDER, EIGHTH COAST GUARD DISTRICT, UNITED  
STATES COAST GUARD**

Admiral DUNCAN. Good morning.

Mr. Chairman and distinguished members of the Committee. It is a pleasure to be here today to discuss the Coast Guard's role in enhancing the security of America's ports and inland waterways in order to facilitate the safe and efficient flow of commerce.

On 9/10/01, our primary maritime focus was on the safe and efficient use of America's waterways. Since 9/11, we have made great progress in securing America's waterways while continuing to facilitate the safe and efficient flow of commerce. There is no doubt that work remains, but there is also no doubt that we continue to improve maritime homeland security each and every day, thanks in large part to the continued strong cooperation with the domestic and international maritime industry as well as many U.S., Federal, State and local agencies.

Reducing Maritime Risk: The Coast Guards's overarching security goal is to prevent terrorist attacks within or exploitation of the U.S. maritime domain. Doing so requires a risk-based approach to identifying and intercepting threats well before they reach U.S. shores. We do that by using intelligence information and by conducting layered, multi-agency security operations nationwide while strengthening the security posture and reducing the vulnerability of our ports, with particular focus on our militarily and economically strategic ports. Using threat, vulnerability and consequences as a general model is fundamental to managing risks associated with terrorist attacks while retaining our quality of life.

The Eighth Coast Guard District: The Eighth Coast Guard District, headquartered in New Orleans, covers all or part of 26 States throughout the Gulf Coast and heartland of America. It stretches from the Appalachian Mountains and Chattahoochee River in the east to the Rocky Mountains in the west, and from the U.S.-Mexico border and the Gulf of Mexico to the Canadian border in North Dakota, which included 15, 490 miles of coastline and 10,300 miles of inland navigable waterways.

In a typical year, the men and women of the Eighth Coast Guard District are involved in more than 6,300 search-and-rescue cases, saving 770 lives, assisting 7,900 mariners and saving \$37.5 million in property. The district maintains 24,000 aids to navigation, responds to more than 4,200 marine environmental pollution incidents and conducts more than 1,500 law-enforcement boardings.

The ports of New Orleans and Houston, located in the Eighth District, are two of the busiest shipping ports in the Nation, with more than 2 million barrels of oil and 1 million tons of cargo imported daily.

Seventeen of the top 40 busiest U.S. ports by tonnage are located in the Eighth District. These ports are part of an international supply and delivery system that brings an extremely wide range of materials and goods into the country and exports an equally wide range of commodities from the United States. Imports include crude oil for our refineries, liquefied natural gas, LNG, bulk minerals and finished products. Exports include grains, refined petroleum products and chemicals, just to name a few.

There are more than 6,500 oil and gas producing wells, along with 130 mobile offshore drilling units in the Gulf of Mexico that keep the district's Marine Safety program gainfully employed. Five of the top seven fishing ports in the country are located in the district. They account for nearly 40 percent of the catch of U.S. commercial fishermen.

The Western Rivers consist of 41 rivers and lakes across 18 States and encompasses the heartland of the United States. The Western Rivers centers on the Mississippi River and its major tributaries, including the Ohio, Illinois, Missouri, Arkansas, Tennessee and Cumberland Rivers, over 10,300 miles of navigable waterways. The States of Pennsylvania, Ohio, West Virginia, Kentucky, Nebraska, Tennessee, Indiana, Arkansas, Iowa, Kansas, Missouri, Oklahoma, Louisiana, Mississippi, Alabama, Illinois, Minnesota and Wisconsin are all part of my area of responsibility.

The Western Rivers waterways are vital in moving bulk cargo and manufactured goods for foreign and domestic commerce. These rivers have provided a channel into the Nation's heartland, connecting the Gulf Coast with the coal and steel industries of Pittsburgh, Pennsylvania; and the grain exporters of the Twin Cities, Minnesota.

Charged with protecting this swath of America's heartland are approximately 3,956 Active Duty and selected Reserve members geographically located in the district. There are also 6,000 volunteer Coast Guard auxiliaries and 254 civilian personnel located in the district. I would specifically like to note that Coast Guard auxiliaries are playing an increasing role in maritime security by their assistance to local Captains of the Ports, COTPs. While unarmed and not performing any law enforcement missions, these citizens act as tremendous force multipliers and have proven themselves invaluable.

Maritime Security for America's Heartland. The Coast Guard's strategy for maritime security consists of four primary pillars: Enhance maritime domain awareness; create and oversee a maritime security regime; increase operational presence; and improve response and recovery posture.

While I will not detail all the Coast Guard is doing in support of this strategy, I would like to highlight a few issues specific to the Eighth District.

Enhancing Awareness: Aligned closely to the ISPS code, the Maritime Transportation Security Act of 2002, MTSA, implements domestic regulations for U.S. vessels and U.S. port facilities mir-



roring those required for foreign vessels and foreign ports. This includes the establishment of maritime security, MARSEC, levels that correspond to the international system and correlate to the Homeland Security Advisory System, HSAS, used throughout the United States.

Additionally, NTSA required the implementation of regulations requiring the use of Automated Information Systems, AIS, on all foreign flag and most U.S. flag commercial vessels transiting regulated Vessel Traffic Service areas. AIS allows the Coast Guard to electronically track the movement of vessels as they transit U.S. waters in U.S. ports.

In the Eighth District, we have also installed additional, AIS tracking receivers on offshore oil production platforms in the Gulf of Mexico, GOM, in an initiative to further push out our borders. Much like the Distant Early Warning, DEW, system of the Cold War, this GOM "DEW Line" extends the Coast Guard's vessel tracking capabilities into the reaches of international waters, greatly improving maritime domain awareness. Other sensors will be added to the system.

In 2002, the Eighth Coast Guard District and the State of Louisiana co-sponsored the Louisiana River Watch Program. Based on the tenets of the Neighborhood Watch Program, this awareness program asks those who work, live or recreate on or near the water to be aware of suspicious activity that might indicate threats to our country's homeland security. Citizens are urged to adopt a heightened sensitivity toward unusual events or individuals they may encounter in or around the ports, docks, marinas, riverside, beaches or communities. Anyone observing suspicious activity is simply asked to note details and contact law enforcement.

In 2004, the Coast Guard expanded the Louisiana River Watch and other similar programs to the national level and is calling it America's Waterway Watch. This collective national action is designed to increase the awareness of all Americans to suspicious activities on or near our coastline and river systems.

In yet another Eighth Coast Guard District initiative, the Inland River Vessel Movement Center, IRVMC, was created. IRVMC was established in fiscal year 2003 to help develop greater maritime domain awareness on the Western Rivers through the tracking of certain dangerous cargo, as specified by regulation, that are carried in barges. Each year, IRVMC tracks over 36,000 transits of barges carrying these hazardous cargo at 94 individual reporting points, over 10,300 miles of the inland rivers including thousands of transits through high density population areas. The location of barges carrying specified cargo is reported to the IRVMC either electronically or manually. IRVMC provides this information to the inland river COTPs. The COTPs then are able to schedule security boardings and escorts based on individual risks associated with the movement of the cargo through specific regions of the country. The information provided by IRVMC is essential to the Western Rivers Maritime Security Mission and provides the only MDA within the inland rivers system.

Create and Oversee an Effective Maritime Security Regime: The U.S. commercial vessel, including tank barges, fleet and U.S. maritime waterfront facilities are the heart and soul of the maritime in-

dustry. Under the MTSA, each vessel and each facility is now required to be operating under a Coast Guard approved security plan. Again, like the ISPS code, these security plans are designed to ensure the vessel is secure and under the positive control of the assigned crew. Security plans require each facility to implement mandatory access control measures to ensure that only authorized persons are able to gain access. Plan requirements establish designated restricted areas within the facility gates and screening protocols for ensuring that cargo-transport vehicles and persons entering the facilities are inspected to deter the unauthorized introduction of dangerous substances and devices. Vessel and facility owners are fully responsible and accountable for full security of their infrastructure and operations.

To date, the U.S. Coast Guard has reviewed and approved over 9,600 domestic vessel security plans and 3,100 domestic facility security plans. The Eighth Coast Guard District is responsible for 5,447, or 57 percent, of the domestic vessels and 1,291, or 42 percent, of the domestic facilities. Coast Guard personnel have inspected every single facility required to have a security plan to verify that they are operating in compliance with their approved plan. Additionally, Coast Guard personnel are in the process of examining every U.S. vessel required to have a security plan to verify that they, too, are operating in compliance with their approved plans.

Improve Response and Recovery Posture: The Western Rivers Area Maritime Security, AMS, Committee was chartered on January 30, 2004, in accordance with 33 CFR 103.300(b). The AMS Committee provides a forum for port stakeholders in the Western Rivers Region to work together in facilitating the Coast Guard's Ports, Waterways and Coastal Security, PWCS, mission to deter, detect, prevent and respond to attacks against U.S. territory, population and critical maritime infrastructure.

The AMS Committee functions as the regional AMS Committee for the Western Rivers Region. As such, it incorporates the geographic boundaries of the Captain of the Port, COTP, zones of Pittsburgh, Huntington, Paducah, Louisville, St. Louis, and Memphis. In addition, certain river portions of the COTP zones of Chicago, Mobile and New Orleans are incorporated into the committee. The AMS Committee is comprised of an Executive Steering Committee of voting members and at-large non-voting members. The Committee serves as an oversight body for the Area Maritime Security Subcommittees within the region that operate under the COTPs. The COTPs remain the Federal Maritime Security Coordinators, FMSC, for their respective COTP zones described in 33 CFR part three, including all ports and areas located therein, and oversee all AMS Subcommittee activities.

The AMS Committee coordinates maritime security activities among Western Rivers COTP zones to assure consistency in identifying critical port infrastructure and operations; identifying risks, threats, vulnerabilities, and consequences; determining mitigation strategies and implementation methods; developing and describing the process to continually evaluate overall port security.

Additionally, the AMS Committee prepares and maintains the Western Rivers Area Maritime Security Plan, hereinafter referred

to as the WRAMS Plan, incorporating annexes developed by the COTPs. The WRAMS Plan addresses port security issues and security operating procedures common to all COTP offices in the region. The AMS Committee does provide a regional focus to the COTPs in their efforts to complete risk-based AMS assessments and assist the COTPs in developing, reviewing and updating their individual annexes to the AMS Plan.

The AMS Committee provides guidance to individual AMS Subcommittees throughout the region and fosters a system-wide approach to maritime security within the region that emphasizes regional strategies and resources. Finally, the AMS committee serves as a link in communication threats and changes in Maritime Security, MARSEC, levels and disseminating security information to the AMS Subcommittees through the COTPs.

Membership of the Executive Steering Committee consists of representative from the Eighth Coast Guard District Inland Waterways Coordinator; Transportation Security Administration; Bureau of Customs and Border Protection; Maritime Administration; USACE Mississippi Valley Division and Great Lakes and Ohio River Division; Transportation Command; Towing Safety Advisory Committee; Chemical Transportation Advisory Committee; American Waterways Operators; Passenger Vessel Association; American Gaming Association; Inland Rivers Ports and Terminals; Barge Fleeting Representative; River Industry Executive Task Force.

The WRAMS plan serves as an umbrella plan for the Western Region into which all COTPs/FMSCs, Captains of the Ports/Federal Maritime Security Coordinators, have incorporated their AMS, Area Maritime Security, plans as separate annexes. It specifies COTP/FMSC security procedures for all MARSEC, Maritime Security, levels.

The COTPs/FMSCs in the Western Rivers Region have formed 21 local AMS subcommittees to address maritime security issues throughout their zones. Like the WRAMS Committee, these local committees are comprised of Federal, State and local officials as well as maritime industry representatives whose purpose is to assist the COTP/FMSC in the development, review and update of AMS, Area Maritime Security, plans; to assist in communicating threats and changes in MARSEC levels; and to assist in disseminating appropriate security information to port stakeholders.

All COTPs/FMSCs must complete an AMS exercise for their respective zones by December 31, 2005. The Eighth Coast Guard District, the COTPs/FMSCs and the local AMS committees are presently engaged in planning the exercises that will test and evaluate their respective annexes in the WRAMS Plan.

Port of Vicksburg, Mississippi: There are eight Maritime Transportation Security Act, MTSA, regulated facilities in and around the Port of Vicksburg, Mississippi. All eight facilities have been inspected for compliance with 33 CFR 105, and have Coast Guard-approved Facility Security Plans.

Marine Safety Unit Baton Rouge has established an Area Maritime Security committee in Vicksburg. Representatives from the Madison Parish Sheriff's Office, Louisiana side of the river, Warren County Sheriff's Office, Vicksburg Police Department, Facility Security Officers for all MTSA-regulated facilities, the U.S. Army

Corp of Engineers, Warren County Office of Emergency Preparedness, and the Vicksburg Port Commission are all participating members of the Committee.

Critical non-MTSA regulated facilities and infrastructure has been identified, assessed for risk, and mitigation strategies are in place with local law enforcement. MSU Baton Rouge Port Security planners also met with the security supervisor for the Grand Gulf Nuclear Power Plant located south of Vicksburg and conducted a tour of the facility to identify any potential maritime security concerns associated with the power plant.

Unclassified Field Intelligence Reports describing potential suspicious activity in and around infrastructure and facilities in Baton Rouge are shared with local law enforcement agencies in Vicksburg. This information is intended to heighten the awareness of the law enforcement community in Vicksburg and help them identify potential suspicious activity in their area worth reporting to the Coast Guard.

Two Public Access Facilities have been identified in the port area to accommodate MTSA-regulated passenger vessels that make routine port calls in the area. The Coast Guard has coordinated with the appropriate local law enforcement agencies and the passenger vessel operators to establish security mitigation procedures.

Boat launch facilities and logistics for accommodating Marine Safety Unit Baton Rouge's trailer-able port security boat have been identified in the event Coast Guard port security patrol assets are ever needed to be deployed in the port.

Conclusion: In closing, the Coast Guard is dedicated to leading the way for maritime security, and nowhere is that more true than in the Eighth District. It demands a coordinated effort and continued vigilance by all involved, and is a charge the Coast Guard and the men and women of the Eighth District are proudly meeting.

I know I have gone over my time, but I thank you for the time that you have given me.

I have details on each of those, and I will be glad to respond if you are interested in those. With this, I will conclude my testimony, thank you.

[The statement of Admiral Duncan follows:]

PPREPARED STATEMENT OF REAR ADMIRAL ROBERT F. DUNCAN

#### **Introduction**

Good morning Mr. Chairman and distinguished Members of the Committee. It is a pleasure to be here today to discuss the Coast Guard's role in enhancing the security of America's ports and inland waterways in order to facilitate the safe and efficient flow of commerce.

On 9/10/01, our primary maritime focus was on the safe and efficient use of America's waterways. Since 9/11, we have made great progress in securing America's waterways, while continuing to facilitate the safe and efficient flow of commerce. There is no doubt that work remains, but there is also no doubt that we continue to improve maritime homeland security each and every day -thanks in large part to the continued strong cooperation with the domestic and international maritime industry as well as many US federal, state, and local agencies.

#### **Reducing Maritime Risk**

The Coast Guard's overarching security goal is to prevent terrorist attacks within or exploitation of the U.S. maritime domain. Doing so requires a risk-based approach to identifying and intercepting threats well before they reach U.S. shores. We do that by using intelligence information and by conducting layered, multi-agency security operations nationwide; while strengthening the security posture and reducing the vulnerability of our ports, with particular focus on our militarily and eco-

nomically strategic ports. Using threat, vulnerability and consequences as a general model, is fundamental to managing risks associated with terrorist attack while retaining our quality of life.

#### **The Eighth Coast Guard District**

The Eighth Coast Guard District, headquartered in New Orleans, covers all or part of 26 states throughout the Gulf Coast and heartland of America. It stretches from the Appalachian Mountains and Chattahoochee River in the east to the Rocky Mountains in the west, and from the U.S.-Mexico border and the Gulf of Mexico to the Canadian border in North Dakota, which includes 15,490 miles of coastline and 10,300 miles of inland navigable waterways.

In a typical year, the men and women of the Eighth Coast Guard District are involved in more than 6,300 search and rescue cases—saving 770 lives, assisting 7,900 mariners and saving \$37.5 million in property. The district maintains 24,000 aids-to-navigation, responds to more than 4,200 marine environmental pollution incidents and conducts more than 1,500 law-enforcement boardings.

The ports of New Orleans and Houston, located in the Eighth District, are two of the busiest shipping ports in the nation, with more than two million barrels of oil and one million tons of cargo imported daily. Seventeen of the top 40 busiest U.S. ports by tonnage are located in the Eighth District. These ports are part of an international supply and delivery system that brings an extremely wide range of materials and goods into the country and exports an equally wide range of commodities from the United States. Imports include crude oil for our refineries, liquefied natural gas (LNG), bulk minerals and finished products. Exports include grains, refined petroleum products and chemicals just to name a few.

There are more than 6,500 oil and gas producing wells, along with 130 mobile offshore drilling units in the Gulf of Mexico that keep the district's Marine Safety program gainfully employed. Five of the top seven fishing ports in the country are located in the district. They account for nearly 40 percent of the catch of U.S. commercial fishermen.

The Western Rivers consists of 41 rivers and lakes across 18 states and encompasses the heartland of the United States. The Western Rivers centers on the Mississippi River and its major tributaries, including the Ohio, Illinois, Missouri, Arkansas, Tennessee, and Cumberland Rivers (over 10,300 miles of navigable waterways). The states of Pennsylvania, Ohio, West Virginia, Kentucky, Nebraska, Tennessee, Indiana, Arkansas, Iowa, Kansas, Missouri, Oklahoma, Louisiana, Mississippi, Alabama, Illinois, Minnesota and Wisconsin are all part of my area of responsibility. The Western Rivers waterways are vital in moving bulk cargoes and manufactured goods for foreign and domestic commerce. These rivers have provided a channel into the nation's heartland, connecting the Gulf Coast with the coal and steel industries of Pittsburgh, Pennsylvania; and the grain exporters of the Twin Cities, Minnesota.

Charged with protecting this vast swath of America's heartland are approximately 3,956 active duty and selected reserve members geographically located in the district. There are also 6,000 volunteer Coast Guard Auxiliarists and 254 civilian personnel located in the district. I would specifically like to note that Coast Guard Auxiliarists are playing an increasing role in maritime security by their assistance to local Captains of the Ports (COTPs). While unarmed and not performing any law enforcement missions, these citizens act as tremendous force multipliers and have proven themselves invaluable.

#### **Maritime Security for America's Heartland The Coast Guard's strategy for maritime security consists of four primary pillars:**

- Enhance Maritime Domain Awareness;
- Create & Oversee a Maritime Security Regime;
- Increase Operational Presence; and
- Improve Response and Recovery Posture

While I will not detail all the Coast Guard is doing in support of this strategy, I would like to highlight a few issues specific to the Eighth District.

#### *Enhancing Awareness*

Aligned closely to the ISPS code, the Maritime Transportation Security Act of 2002 (MTSA) implements domestic regulations for US vessels and US port facilities mirroring those required for foreign vessels and foreign ports. This includes the establishment of maritime security (MARSEC) levels that correspond to the international system and correlate to the Homeland Security Advisory System (HSAS) used throughout the United States. Additionally, MTSA required the implementation of regulations requiring the use of Automated Information Systems (AIS) on all foreign flag and most US flag commercial vessels transiting regulated Vessel Traffic Service areas. AIS allows the Coast Guard to electronically track the movement of vessels as they transit US waters in US ports. In the Eighth District, we have also

installed additional AIS tracking receivers on offshore oil production platforms in the Gulf of Mexico (GOM) in an initiative to further push out our borders. Much like the Distant Early Warning (DEW) System of the Cold War, this GOM “DEW Line” extends the Coast Guard’s vessel tracking capabilities into the reaches of international waters greatly improving maritime domain awareness. Other sensors will be added to the system.

In 2002, the Eighth Coast Guard District and the State of Louisiana co-sponsored the Louisiana River Watch Program. Based on the tenets of the Neighborhood Watch Program, this awareness program asks those who work, live, or recreate on or near the water to be aware of suspicious activity that might indicate threats to our country’s homeland security. Citizens are urged to adopt a heightened sensitivity toward unusual events or individuals they may encounter in or around ports, docks, marinas, riversides, beaches, or communities. Anyone observing suspicious activity is simply asked to note details and contact local law enforcement. In 2004, the Coast Guard expanded the Louisiana River Watch and other similar programs to the national level and is calling it America’s Waterway Watch. This collective national action is designed to increase the awareness of all Americans to suspicious activities on or near our coastlines and river systems.

In yet another Eighth Coast Guard District initiative, the Inland River Vessel Movement Center (IRVMC) was created. IRVMC was established in fiscal year 2003 to help develop greater maritime domain awareness on the Western Rivers through the tracking of Certain Dangerous Cargoes (as specified by regulation) that are carried in barges. Each year IRVMC tracks over 36,000 transits of barges carrying these hazardous cargoes, at 94 individual reporting points, over 10,300 miles of the inland rivers, including thousands of transits through High Density Population Areas. The location of barges carrying specified cargoes is reported to the IRVMC either electronically or manually. IRMVC provides this information to the inland river COTPs. The COTPs then are able to schedule security boardings and escorts based on individual risks associated with the movement of the cargo through specific regions of the country. The information provided by IRVMC is essential to the Western Rivers Maritime Security mission and provides the only MDA within the inland rivers system.

#### *Create & Oversee an Effective Maritime Security Regime*

The U.S. commercial vessel (including tank barges) fleet and U.S. maritime waterfront facilities are the heart and soul of the maritime industry. Under the MTSA, each vessel and each facility is now required to be operating under a Coast Guard approved security plan. Again, like the ISPS code, these security plans are designed to ensure the vessel is secure and under the positive control of the assigned crew. Security plans require each facility to implement mandatory access control measures to ensure that only authorized persons are able to gain access. Plan requirements establish designated restricted areas within the facility gates and screening protocols for ensuring that cargo-transport vehicles and persons entering the facilities are inspected to deter the unauthorized introduction of dangerous substances and devices. Vessel and facility owners are fully responsible and accountable for full security of their infrastructure and operations. To date, the US Coast Guard has reviewed and approved over 9,600 domestic vessel security plans and 3,100 domestic facility security plans. The Eighth Coast Guard District is responsible for 5,447 or 57 percent of the domestic vessels, and 1,291, or 42 percent, of the domestic facilities. Coast Guard personnel have inspected every single facility required to have a security plan to verify that they are operating in compliance with their approved plan. Additionally, Coast Guard personnel are in the process of examining every U.S. vessel required to have a security plan to verify that they too are operating in compliance with their approved plans.

#### *Improve Response and Recovery Posture*

The Western Rivers Area Maritime Security (AMS) Committee was chartered on January 30, 2004, in accordance with 33 CFR 103.300(b). The AMS Committee provides a forum for port stakeholders in the Western Rivers Region to work together in facilitating the Coast Guard’s Ports, Waterways, and Coastal Security (PWCS) mission to deter, detect, prevent and respond to attacks against U.S. territory, population, and critical maritime infrastructure.

The AMS Committee functions as the regional AMS Committee for the Western Rivers Region. As such, it incorporates the geographic boundaries of the Captain of the Port (COTP) zones of Pittsburgh, Huntington, Paducah, Louisville, St. Louis, and Memphis, as described below. In addition, certain rivers portions of the COTP zones of Chicago, Mobile, and New Orleans are incorporated into the Committee. The AMS Committee is comprised of an “Executive Steering Committee” of voting members, and “At-Large” non-voting members. The Committee serves as an oversight body for the Area Maritime Security Subcommittees within the region that op-

erate under the COTPs. The COTPs remain the Federal Maritime Security Coordinators (FMSC) for their respective COTP zones described in 33 CFR Part 3, including all ports and areas located therein, and oversee all AMS Subcommittee activities.

The AMS Committee coordinates maritime security activities among Western Rivers COTP zones to assure consistency in:

- (1) Identifying critical port infrastructure and operations.
- (2) Identifying risks (threats, vulnerabilities, and consequences).
- (3) Determining mitigation strategies and implementation methods.
- (4) Developing and describing the process to continually evaluate overall port security.

Additionally the AMS Committee prepares and maintains the Western Rivers Area Maritime Security Plan, hereinafter referred to as the "WRAMS Plan," incorporating annexes developed by the COTPs. The WRAMS Plan addresses port security issues and security operating procedures common to all COTP offices in the region. The AMS Committee does provide a regional focus to the COTPs in their efforts to complete risk-based AMS assessments and assist the COTPs in developing, reviewing, and updating their individual annexes to the AMS Plan. The AMS Committee provides guidance to individual AMS Subcommittees throughout the region and fosters a system-wide approach to maritime security within the region that emphasizes regional strategies and resources. Finally, the AMS committee serves as a link in communicating threats and changes in Maritime Security (MARSEC) levels, and disseminating security information to the AMS Subcommittees through the COTPs.

Membership of the Executive Steering Committee consists of representatives from:

- Eighth Coast Guard District Inland Waterways Coordinator
- Transportation Security Administration
- Bureau of Customs and Border Protection
- Maritime Administration
- U.S.A.C.E. Mississippi Valley Division and Great Lakes and Ohio River Division
- Transportation Command
- Towing Safety Advisory Committee
- Chemical Transportation Advisory Committee
- American Waterways Operators
- Passenger Vessel Association
- American Gaming Association
- Inland Rivers Ports and Terminals
- Barge Fleeting Representative
- River Industry Executive Task Force

The WRAMS plan serves as an umbrella plan for the Western Rivers Region into which all COTPs/FMSCs (Captains of the Ports/Federal Maritime Security Coordinators) have incorporated their AMS (Area Maritime Security) Plans as separate annexes. It specifies COTP/FMSC security procedures for all MARSEC (Maritime Security) levels.

The COTPs/FMSCs in the Western Rivers Region have formed twenty-one local AMS subcommittees to address maritime security issues throughout their zones. Like the WRAMS Committee these local committees are comprised of federal, state and local officials, as well as maritime industry representatives, whose purpose is to assist the COTP/FMSC in the development, review and update of AMS (Area Maritime Security) plans; to assist in communicating threats and changes in MARSEC levels; and to assist in disseminating appropriate security information to port stakeholders.

All COTPs/FMSCs must complete an AMS exercise for their respective zones by December 31, 2005. The Eighth Coast Guard District, the COTPs/FMSCs and the local AMS committees are presently engaged in planning the exercises that will test and evaluate their respective annexes in the WRAMS Plan.

#### **Port of Vicksburg, Mississippi**

There are eight Maritime Transportation Security Act (MTSA) regulated facilities in and around the Port of Vicksburg, Mississippi. All eight facilities have been inspected for compliance with 33 CFR 105, and have Coast Guard-approved Facility Security Plans.

Marine Safety Unit Baton Rouge has established an Area Maritime Security Committee in Vicksburg. Representatives from the Madison Parish Sheriff's Office (Louisiana side of the river), Warren County Sheriffs Office, Vicksburg Police Department, Facility Security Officers for all MTSA-regulated facilities, the U.S. Army Corp of Engineers, Warren County Office of Emergency Preparedness, and the

Vicksburg Port Commission are all participating members of the Committee. Critical non-MTSA regulated facilities and infrastructure has been identified, assessed for risk, and mitigation strategies are in place with local law enforcement. MSU Baton Rouge Port Security planners also met with the security supervisor for the Grand Gulf Nuclear Power Plant located south of Vicksburg and conducted a tour of the facility to identify any potential maritime security concerns associated with the power plant.

Unclassified Field Intelligence Reports describing potential suspicious activity in and around infrastructure and facilities in Baton Rouge are shared with local law enforcement agencies in Vicksburg. This information is intended to heighten the awareness of the law enforcement community in Vicksburg and help them identify potential suspicious activity in their area worth reporting to the Coast Guard.

Two Public Access Facilities have been identified in the port area to accommodate MTSA-regulated passenger vessels that make routine port calls in the area. The Coast Guard has coordinated with the appropriate local law enforcement agencies and the passenger vessel operators to establish security mitigation procedures.

Boat launch facilities and logistics for accommodating Marine Safety Unit Baton Rouge's trailerable port security boat have been identified in the event Coast Guard port security patrol assets are ever needed to be deployed in the port.

**Conclusion**

In closing, the Coast Guard is dedicated to leading the way for maritime security and nowhere is that more true than in the Eighth District. It demands a coordinated effort and continued vigilance by all involved, and is a charge the Coast Guard and the men and women of the Eighth District are proudly meeting.

Chairman COX. Thank you for your testimony.

Our next witness is Jimmy Heidel, director, Warren County Port Commission, and vice president of the Vicksburg-Warren Chamber of Commerce.

**STATEMENT OF JIMMY HEIDEL, EXECUTIVE DIRECTOR, WARREN COUNTY PORT COMMISSION, AND VICE PRESIDENT, VICKSBURG-WARREN COUNTY CHAMBER OF COMMERCE**

Mr. HEIDEL. Mr. Chairman, thank you for this opportunity this morning.

Operated by the Warren County Port Commission, the Port of Vicksburg began shipping operations in October 1968. Each year, more than 3 million tons of cargo passes through the port, which has its own U.S. Customs Port of Entry.

The port consists of a slack water channel 9,500 feet in length and 300 feet wide with 12 feet minimum depth. Vicksburg Harbor is connected to the Mississippi River by a 4,800-foot long channel maintained at 150 feet wide and 12 feet deep.

Based on its efficiency in loading and unloading cargo, the Port of Vicksburg was selected as one of the best inland ports in the Nation by the Ports and Waterway Institute at Louisiana State University. Facilities at the Port include a 15-ton bridge crane and a T-dock equipped with a 125-ton crane. Rail-served warehousing facilities are also available.

One of the most outstanding features of the port is the LASH program. This program enables a barge to be sealed for international travel in Vicksburg and transferred directly to New Orleans where the barge is then loaded with products still sealed. Ten barge lines service the Port of Vicksburg year-round without seasonal limitations.

The port is accessible from U.S. Highway 61, which interchanges with Interstate 20, 6 miles away. The site is within a commercial trucking zone and is served by 21 truck lines.



A feasibility study through a contract with the U.S. Army Corps of Engineers from the Mississippi Department of Transportation will determine the need and economic impact on a region encompassing a 100-mile radius around Vicksburg-Warren County, Mississippi.

Recently, another U.S. Department of Transportation study revealed highway and rail transportation has increased to the point that alternate modes of transportation, such as water transportation, will have to be utilized more in the future. Another fact that was pointed out is water transportation is the least costly of the three modes of transportation.

Presently, there are 322 acres of industrial land at the Port of Vicksburg and another 25 acres along the Yazoo Diversion Channel that have access to water transportation on the Mississippi River and its tributaries.

There are 24 companies employing 2,413 people directly and indirectly who use water transportation at the Port of Vicksburg. These figures do not include the U.S. Army Corps of Engineers or two other companies that are at the Port and use rail and truck.

The 24 companies, situated on 322 acres, employing 2,413 people, transport approximately 3,750,000 tons per year through the Port of Vicksburg and employ 2,413 people with an annual payroll of \$113,615,320.

Utilizing existing data on employee payrolls, tons, both direct and indirect on existing port property, the following economic impact can be projected.

The 322 acres of land occupied by companies utilizing water transportation average 10 employees per acre. The payroll is \$113,615,320 for direct and indirect employees or approximately \$511,780 in payroll per acre. The average tonnage generated is 3,750,000 tons or 11,646 tons per acre.

The economic impact of 80 acres of new industrial land fully utilizing water transportation would be an additional 872 employees at an annual payroll of \$40,942,400 and an increase of 931,680 tons per year.

The U.S. Chamber of Commerce projects a payroll turnover seven times within a community. Therefore, an annual payroll of \$40,942,400 would generate an economic impact of \$286,596,800 in the 100-mile radius of Vicksburg-Warren County, of which 60 percent remain in the Vicksburg-Warren county area.

This same impact could be felt adversely if the Port of Vicksburg's security came under attack or that of one of its companies. The State and national economy would have an even greater impact if the Mississippi River Bridge, the only rail crossing between Memphis, Tennessee, and Baton Rouge, Louisiana, were to become a target.

The administration has developed a comprehensive National Strategy For Homeland Security focused on several key Areas: intelligence and warning; border and transportation security; protecting critical infrastructure; defending against catastrophic threats; and emergency preparedness and response.

We must prepare an approach to security that incorporates prevention and protection in a way that respects our liberty and our privacy and fosters our prosperity. We cannot afford to be over-

whelmed by fear or paralyzed by the existence of threats, but be prepared and aware.

Risk management is fundamental to managing the threat, while retaining our quality of life and living in freedom. Risk management must guide our decision-making as we examine how we can best organize to prevent, respond and recover from an attack.

These words were taken from a speech delivered by our Homeland Security Secretary Michael Chertoff.

How quickly your company can get back to business after a terrorist attack or tornado, a fire or flood often depends on emergency planning done today. A commitment to planning today will help support employees, customers, the community, the local economy and even the country. It also protects your business investment and gives your company a better chance for survival.

Business continuity and crisis management can be complex issues depending on your particular industry, size and scope of your business. However, putting a plan in motion will improve the likelihood that your company will survive and recover.

America's Waterway Watch is a national awareness program that asks those who work, live or recreate on or near the water to be aware of suspicious activity that might indicate threats to our country's homeland security. Americans are urged to adopt a heightened sensitivity toward unusual events or individuals they may encounter in or around ports, docks, marinas, riversides, beaches or communities.

Since the events of terrorism on September 11th and as part of the National Homeland Security effort, our community is fortunate to have very proactive local leaders from the city and county working together to address and implement mandated procedures to protect Vicksburg and Warren County.

As a port city, there are standardized incident management processes, protocols and procedures that have been put into place. Working together with the United States Coast Guard and their safety unit, a Harbor Safety and Security Committee has been established. Daily awareness intelligence and anti-terrorism reports are received and acted upon as necessary. Working together with the Warren County Sheriff's Department, patrol boats are launched as needed to monitor our bridges and harbor through the Warren County Sheriff's Department. There is a 24-hour security presence at the Mississippi River Bridge and the Highway 80 Bridge. Local and county law enforcement, city and county fire department leaders, the U.S. Coast Guard, the Mississippi State Highway Patrol office and our local Emergency Management Agency communicate frequently on emergency procedures needed to activate and protect our community. Business leaders from all industry at the Port of Vicksburg have come together to share essential information and contact numbers necessary to respond quickly and efficiently to ensure our industry is aware and prepared for any emergency to protect our port and community.

In addition, our Warren County Emergency Director, Mr. L.W. "Bump" Callaway is actively pursuing a Buffer Zone Protection Grant through the Mississippi Office of Homeland Security, and the U.S. Marshals Service is conducting a survey to ensure the protection of our Warren County Courthouse.

The people of Warren County can take great pride in knowing our community leaders and law enforcement are committed to assure our citizens the events of September 11th were not taken lightly, and security is in place to help keep our environment and economy free from threat.

[The statement of Mr. Heidel follows:]

PREPARED STATEMENT OF JIMMY HEIDEL

Protecting Our Commerce Enhancing Port and Waterway Security

Economic development is a long-term process that requires a vision and hard work. In order to make progress, we have to continue to work together and plan for the future of our children and those to come.

The Vicksburg-Warren County area economy is very diversified, with growth in manufacturing, tourism, regional retail sales, casino gaming, U.S. Army Corps of Engineers Lower Mississippi Division Headquarters, U.S. Waterways Experiment Station, Mississippi River Commission Headquarters, new regional medical facilities, and all four modes of transportation.

There are many potential projects that will provide infrastructure and emphasis for our area to prosper and provide a great quality of life for our citizens. One of those is the Port of Vicksburg.

Operated by the Warren County Port Commission, the Port of Vicksburg began shipping operations in October 1968. Each year, more than three million tons of cargo passes through the port, which has its own U.S. Customs Port of Entry.

The port consists of a slack water channel 9,500 feet in length and 300 feet wide with 12 feet minimum depth. Vicksburg Harbor is connected to the Mississippi River by a 4,800-foot long channel maintained at 150 feet wide and 12 feet deep.

Based on its efficiency in loading and unloading cargoes, the Port of Vicksburg was selected as one of the best inland ports in the nation by the Ports and Waterways Institute at Louisiana State University. Facilities at the Port include a 15-ton bridge crane and a T-dock equipped with a 125-ton crane. Rail-served warehousing facilities are also available.

One of the most outstanding features of the Port is the LASH program. This program enables a barge to be sealed for international travel in Vicksburg and transferred directly to New Orleans, where the barge is then loaded, with products still sealed. Ten barge lines service the Port of Vicksburg year-round without seasonal limitations.

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We must prepare an approach to security that incorporates prevention and protection in a way that respects our liberty and our privacy, and fosters our prosperity. We cannot afford to be overwhelmed by fear or paralyzed by the existence of threats, but be prepared and aware.

Risk management is fundamental to managing the threat, while retaining our quality of life and living in freedom. Risk management must guide our decision-making as we examine how we can best organize to prevent, respond and recover from an attack.

These words were taken from a speech delivered by our Homeland Security Secretary, Michael Chertoff.

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The people of Warren County can take great pride in knowing our community leaders and law enforcement are committed to insure our citizens the events of September 11th were not taken lightly and security is in place to help keep our environment and economy free from threat.

Chairman COX. Thank you very much.

Ms. Cynthia Swain, who is the director of safety and security, Port of New Orleans.

**STATEMENT OF CYNTHIA SWAIN, DIRECTOR OF SAFETY AND SECURITY, PORT OF NEW ORLEANS**

Ms. SWAIN. Good morning. I am Cynthia Swain, the director of port safety and security for the Board of Commissioners of the Port of New Orleans. Thank you for the invitation to testify at this hearing. It is my hope this committee is both resolved and empowered to initiate the necessary actions to address the many issues that are presented here today.

Approximately one year ago, the port's president and CEO, Gary LaGrange, gave testimony before the Senate Committee of Commerce, Science and Transportation. At that hearing, he reported that the port had made significant infrastructure, operations and procedural enhancements in an effort to address the potential for terrorist activity and comply with the impending deadline, July 1, 2004, for Maritime Transportation Security Act, MTSA, regulatory compliance. A couple of the then ongoing projects referenced have since been completed, including: TSA II Cruise Terminal Lighting & Fencing, \$600,000; TSA II Signs, barricades, barriers, \$50,000; the TSA1 Upriver Gate Access project and the DHS Upriver Perimeter Enhancement project are both scheduled for completion by September 2005.

Both of these projects experienced delays, in part due to the accommodation of a U.S. Customs and Border Protection Radiation Portal Monitor project. This project was slated for installation at the Port of New Orleans, Felicity Street exit. After more than a year of planning, coordination, and actual site preparation on the part of the project consultants and port security and engineering staff, funding was discontinued, and the project was suddenly aborted. The TSA I Gate Access project, even when completed, will not be used at 100 percent capacity. The project's scope of work included the use of port identification credentials or the Transportation Worker Identification Card, TWIC, which was projected to be in use fully at ports across the Nation by 2004. The Port of New Orleans was denied funding for a port credential system in the last funding round because it was, "in line to receive a TWIC system."

There are currently 34 prototype TWIC test sites throughout the country. The Port of New Orleans, however, is apparently in the wrong line, because it is no closer to getting a TWIC system today than it was then. What is the message here?

The COPS Hiring Grant provides funding for three of the six police officer positions originally requested. All three positions have been filled. A portion of their salaries and benefits will be paid by the grant for three years. The Harbor Police Department currently has one captain, one corporal and three officers permanently assigned to Homeland Security positions.

The Port of New Orleans has received \$8 million in Federal grant awards, and like all port authorities who have been fortunate enough to receive awards, we are grateful. However, the Port of New Orleans, like all other U.S. port authorities, finds that the funding amounts are not sufficient to address the completion of remaining enhancements to be made. In most, if not all cases, the

funding award does not pay for 100 percent of the finished projects. Ports must still bear the cost of mandatory “matching” amounts, internal labor and management costs and project overruns not covered by the award. The financial burden of these costs cannot be ignored. Last year, the Port of New Orleans paid more than \$1.5 million to supplement and initiate security projects. This was over and above the Port Safety and Security Division’s operating budget of \$5.5 million and a capital equipment budget of \$275,000.

The port applied for more than \$10 million in security funding in TSA rounds III and IV. No awards were received from either of these last two initiatives. Of the \$46 million in grant awards from TSA–IV, more than \$4.5 million was awarded to private entities. It is extremely disconcerting and counterproductive for the government to supplement private industry from the same funding source the public ports depend upon prior to ensuring that each and every U.S. port authority has received adequate funding. This practice diminishes the importance of port security at every level and gives the appearance that ports have adequately addressed their vulnerabilities. Since TSA–IV, the Port has identified more than \$300,000 of additional fencing requirements at its terminals, again to meet with MTSA regulations. The Vulnerability Assessment prepared in 2001 needs to be revised, and an annual security audit, another MTSA requirement needs to be commissioned.

These projects are currently scheduled to be paid for with port operating and capital improvement funds. As a result, pending projects to improve commercial operations will need to be postponed or cancelled. This, of course, makes the security projects and requirements even more costly.

While it is true the ports industry, specifically vessel operations, was not the target of or the instrumentality used in the recent terrorist attacks, the impact of terrorism on the port industry could conceivably be greater. The new Fantasy line cruise vessels are capable of carrying more than 3,000 passengers. The number of lives lost during an attack on a vessel or an act of bioterrorism would be catastrophic. According to U.S. Coast Guard estimates, a strategically sunken cargo vessel at or near the mouth of the Mississippi River would close the river for over a year. Such an event would have a global cataclysmic impact on every aspect of life as we know it today. Because the cruise industry at the Port of New Orleans and ports worldwide reflects not only the millions of dollars already invested, but millions of anticipated revenues as well. Consequently, no port can afford to have its cruise business crippled or eliminated.

The American Association of Port Authorities, therefore, expressed grave concern about the elimination of the Department of Homeland Security’s Port Security Grant Program. Including infrastructure security and programmatic issues of port security among those of other transportation entities such as trains, trucks and other means of private and public conveyance will ensure a decrease in the funding and attention being sought by ports. A February 2005 report by the AAPA disclosed that the U.S. port industry is projected to double its current 2 billion tons of cargo throughput over the next 15 years. If ports are expected to remain competitive, the time to prepare is now. Ports should be using funds for

capital improvements and growth initiatives and not be forced to expend limited funds on security enhancements at existing facilities.

The Port of New Orleans has long recognized the need and importance of safety and security at its facilities. It is one of the few U.S. ports that has its own sworn and dedicated Harbor Police Department. To further supplement its safety force, the Port of New Orleans commissioned the design and purchase of an emergency response vessel, the General Roy S. Kelly, a prototype firefighting vessel that also accommodates port protocol tours. This vessel is now being used to perform under wharf inspections and daily river patrols to maintain and monitor waterside restricted area locations when vessels are berthed at port facilities. This vessel was not designed to be used at the level of activity described, and the added duties are taking a toll on this 10-year-old vessel. Last year, the Port spent more than \$50,000 on unbudgeted repair costs and is preparing to spend more than \$80,000 in additional repairs this fiscal year, all without receiving any supplementary funds. This vessel is routinely dispatched to assist the U.S. Coast Guard with waterside emergencies because there are simply no other assets in the river that can respond in a timely manner. It takes the Coast Guard over one hour to get one of its vessels in the river and approximately 30 minutes before a helicopter can respond.

The Port has requested patrol vessels capable of withstanding the currents of the Mississippi River in every TSA round of funding. Every request has been denied. The General Kelley's crew and others like it should be recognized for the services they provide. Ports need funding assistance to purchase vessels, equipment and to defray heightened maintenance and operating costs due to increased use for security functions.

Chairman COX. Time is almost up.

Ms. SWAIN. The Harbor Police Department's mission, while one narrowly focused on the maritime industry and port community, has always included assisting Federal, State and local law enforcement agencies. That focus has been greatly expanded due to the trend toward greater interoperability between law enforcement agencies in many areas including communications, weaponry, intelligence and weapons of mass destruction and bio-terrorism readiness.

The technological equipment, supplies, weapons, training and additional staffing all create funding concerns that must be addressed. Training, drills and exercises are costly to conduct. MTSA regulations require that one full-scale exercise and four drills be conducted annually. The planning, equipment and personnel overtime requirements are significant, especially since other safety exercises related to port operations are still needed.

The call for interoperability has alerted many responding agencies—62nd WMD CST, ATF, NOPD SWAT, etc.—to the fact that they know very little about the maritime community, particularly the Mississippi River and the Industrial Canal. Many of these agencies have no experience boarding or searching a cargo or passenger vessel.

The Port Safety and Security Division is often called upon to host, coordinate and participate in training for these agencies. In

only one instance has the Port been financially supplemented for these endeavors, yet there are costs associated with each request. An internal tabletop exercise limited to port employees, private security, and U.S. Coast Guard observers will cost approximately \$2,000 in administration, supplies, accommodations and participant salaries. A full-scale exercise involving outside responding agencies, industry and port staff could triple in cost.

I am almost finished.

Finally, domestic terrorism, such as the World Trade Center incidents and the Oklahoma Federal Building bombing, proves that being reactive to terrorism, from any source, comes at an immeasurable cost—loss of lives. Government must respond to the funding needs identified by port authorities commensurate with that of the Nation’s alert level—Elevated—Yellow—Significant Threat of Terrorist Activity—as though it is real and not merely an innocuous memorial of a one-time terrorist incident in our Nation’s past.

The only way to do that is to create and fund proactive prevention and response initiatives. To do less will create frustration among law enforcement agencies, a continued vulnerability of critical assets and, perhaps worst of all, a false sense of security or a renewed atmosphere of complacency among the people, all of which would contribute to another opportunity for history to repeat itself—countless Americans dead and yet another date to live in infamy.

Chairman COX. Thank you for your testimony.

[The statement of Ms. Swain follows:]

PREPARED STATEMENT OF CYNTHIA W. SWAIN

Good morning. I am Cynthia Swain, the Director of Port Safety and Security for the Board of Commissioners of the Port of New Orleans. Thank you for the invitation to testify at this hearing, “Protecting Our Commerce: Enhancing the Security of America’s Ports and Inland Waterways.” It is my hope this committee is both resolved and empowered to initiate the necessary actions to address the many issues that are presented here today.

Approximately one year ago the Port’s President and CEO, Gary LaGrange, gave testimony before the Senate Committee of Commerce, Science and Transportation. At that hearing he reported that the Port had made significant infrastructure, operations and procedural enhancements in an effort to address the potential for terrorist activity and comply with the impending deadline (July 1, 2004) for Maritime Transportation Security Act (MTSA) regulatory compliance. A couple of the then “ongoing” projects referenced have since been completed, including:

- TSA II Cruise Terminal Lighting & Fencing \$600,000
- TSA II Signs, barricades, barriers \$50,000

The TSA I Upriver Gate Access project and the DHS Upriver Perimeter Enhancement project are both scheduled for completion by September 2005. Both of these projects experienced delays, in part due to the accommodation a U.S. Customs and Border Protection Radiation Portal Monitor project slated for installation at the Port of New Orleans Felicite Street exit. After more than a year of planning, coordination, and actual site preparation on the part of the project consultants and port security and engineering staff, funding was discontinued and the project was suddenly aborted. The TSA I Gate Access project, even when completed, will not be used at 100 percent capacity. The project’s scope of work included the use of port identification credentials or the Transportation Worker Identification Card (TWIC) which was projected to be in use fully at ports across the nation by 2004. The Port of New Orleans was denied funding for a port credential system in the last funding round because it was “in line to receive a TWIC system.” There are currently 34 prototype TWIC test sites throughout the country. The Port of New Orleans, however, is apparently in the wrong line, because it is no closer to getting a TWIC system today than we were then. What is the message here?

The COPS Hiring Grant provides funding for three (3) of the six (6) police officer positions originally requested. All three positions have been filled. A portion of their



salaries and benefits will be paid by the grant for three years. The Harbor Police Department currently has one captain, one corporal and three officers permanently assigned to Homeland Security positions.

The Port of New Orleans has received \$8 million in federal grant awards, and like all port authorities who have been fortunate enough to receive awards, we are grateful. However, the Port finds, like all other U. S. Port authorities, that funding amounts are not sufficient to address the completion of remaining enhancements to be made. In most, if not all cases, the funding award does not pay for 100 percent of the finished projects. Ports must still bear the cost of mandatory "matching" amounts, internal labor and management cost and project overruns not covered by the award. The financial burden of these costs cannot be ignored. Last year the Port of New Orleans paid more than \$1.5 million dollars to supplement and initiate security projects. This was over and above the Port Safety and Security Division's operating budget of \$5.5 million and a capital equipment budget of \$275,000.

The Port applied for more than \$10 million in security funding in TSA rounds III and IV. No awards were received from either of these last two initiatives. Of the \$46 million in grant awards from TSA-IV, more than \$4.5 million were awarded to private entities. It is extremely disconcerting and counterproductive for the government to supplement private industry from the same funding source the public ports depend upon prior to ensuring that each and every U.S. port authority has received adequate funding. This practice diminishes the importance of port security at every level and gives the appearance that ports have adequately addressed their vulnerabilities. Since TSA-IV, the Port has identified more than \$300,000 of additional fencing requirements at its terminals, again to meet with MTSA regulations. The Vulnerability Assessments prepared in 2001 needs to be revised, and annual security audits, another MTSA requirement needs to be commissioned. These projects are currently scheduled to be paid for with port operating and capital improvement funds. As a result, pending projects to improve commercial operations will need to be postponed or cancelled. This, of course, makes the security projects and requirements even more costly.

While it is true that the port industry, specifically, vessel operations was not the target of or the instrumentality used in the recent terrorist attacks, the impact of terrorism on the port industry could conceivably be greater. The new "Fantasy" line cruise vessels are capable of carrying more than 3,000 passengers. The number of lives lost during one vessel incident or an act of bio-terrorism would be catastrophic. According to U. S. Coast Guard estimates, a strategically sunken cargo vessel, at or near the mouth of the Mississippi River would close the river for over a year. Such an event would have a global cataclysmic impact on every aspect of life as we know it today. Because the cruise industry, unlike the airline industry, is driven by leisurely discretionary travel, an atmosphere of fear created by an actual or threatened terrorist attack would devastate that burgeoning industry. The presence of the cruise industry at Port of New Orleans and ports worldwide reflects not only the millions of dollars already invested, but millions of anticipated revenues as well. Consequently, no port can afford to have its cruise business crippled or eliminated.

The American Association of Port Authorities (AAPA), therefore, expressed grave concern about the elimination of the Department of Homeland Security's Port Security Grant Program. Including the port security infrastructure and programmatic issues of port security among those of other transportation entities such as trains, trucks, and other means of private and public conveyance, will ensure a decrease in the funding and attention being sought by ports. A February 2005 report by the AAPA disclosed that the U.S. port industry is projected to double its current "two billion ton of cargo" throughput over the next 15 years. If ports are expected to remain competitive, the time to prepare is now. Ports should be using funds for capital improvements and growth initiatives and not be forced to expend limited funds on security enhancements at existing facilities.

The Port of New Orleans has long recognized the need and importance of safety and security at its facilities. It is one of the few U.S. ports that has its own sworn and dedicated Harbor Police Departments. To further supplement its safety force, the Port of New Orleans commissioned the design and purchase of an emergency response vessel, the General Roy S. Kelley, a prototype firefighting vessel that also accommodates port protocol tours. This vessel is now being used to perform under wharf inspections and daily river patrols to maintain and monitor waterside restricted area locations at vessels berthed at port facilities. This vessel was not designed to be used at that level of activity, and the added duties are taking a toll on this ten-year-old vessel. Last year the Port spent more than \$50,000 on unbudgeted repair costs, and is preparing to spend more than \$80,000 in additional repairs this fiscal year—all without receiving any supplementary funds. This vessel is routinely dispatched to assist the U.S. Coast Guard waterside emergencies be-

cause there are no other assets in the river that can respond in a timely manner. It takes the Coast Guard over one hour to get one of its vessels in the river and approximately 30 minutes before a helicopter can respond. The Port has requested a patrol vessel(s) capable of withstanding the currents of the Mississippi River in every TSA round of funding. Every request has been denied. The General Kelley's crew and others like it should be recognized for the services they provide. Ports need funding assistance to purchase vessels, equipment and to defray heightened maintenance and operating costs due to increased use for security functions.

The Harbor Police Department's mission, while once narrowly focused on the maritime industry and port community, has always included assisting federal, state and local law enforcement agencies. That focus has been greatly expanded due to the trend toward greater interoperability between law enforcement agencies in many areas including: communications, weaponry, intelligence, and weapons of mass destruction (WMD) and bio-terrorism readiness. The technological equipment, supplies, weapons, training and additional staffing all create funding concerns that must be addressed. Training, drills, and exercises are costly to conduct. MTSA regulations require that one (1) full scale exercise and four (4) drills be conducted annually. The planning, equipment and personnel (overtime) requirements are significant, especially since other safety exercises related to port operations are still needed. The call for interoperability has alerted many responding agencies (62nd WMD CST, ATF, NOPD/SWAT, etc.) to the fact that they know very little about the maritime community, particularly the Mississippi River and the Industrial Canal. Many of these agencies have no experience boarding or searching a cargo or passenger vessel. The Port Safety and Security Division is often called upon to host, coordinate and participate in training for these agencies. In no instance has the Port been financially supplemented for these endeavors, yet there are costs associated with each request. An internal tabletop exercise limited to port employees, private security, and U.S. Coast Guard observers will cost approximately \$2000.00 in administration, supplies, accommodations, and participant salaries. A full scale exercise involving outside responding agencies, industry and port staff could triple in cost.

Finally, domestic terrorism such as the World Trade Center incidents and the Oklahoma Federal Building bombing prove that being reactive to terrorism, from any source, comes at an immeasurable cost - loss of lives. Government must respond to the funding needs identified by port authorities commensurate with that if the nation's alert level—Elevated—Yellow "Significant Threat of Terrorist Activity" as though it is real and not merely an innocuous memorial of a one-time terrorist incident in our nation's past. The only way to do that is to create and fund proactive prevention and response initiatives. To do less will create frustration among law enforcement agencies, a continued vulnerability of critical assets, and perhaps worst of all, a false sense of security or a renewed atmosphere of complacency among the people. All of which, would contribute to another opportunity for history to repeat itself—countless Americans dead, and add yet another date to live in infamy.

Chairman COX. Our final witness is Dr. McGowan.

**STATEMENT OF DEIRDRE MCGOWAN, Ph.D., EXECUTIVE DIRECTOR, INLAND RIVERS PORTS AND TERMINALS, INC.**

Ms. MCGOWAN. Thank you, and it is an honor to be here.

I would like to introduce the current Acting Regional Director of the Central Region of the Maritime Administration, James Murphy and Avery Rollins, without whom none of what I am about to talk about would have been possible.

I have 5 minutes of speaking time. There are some handouts that are available for all of you, so please

I would like to directly go to the Recent Inspector General Audits of Port Security Grant Programs. There is reason to suspect that some, repeat some, grant awards were based on politics rather than risk. If not true, the impression is understandable. DOT/Maritime Administration and the Coast Guard worked in the field to identify ports of greatest concern and concurrent corrective action.

As TSA made the grant awards, only 4 percent of the total dollars went to the 300 plus inland ports, which handle 1.3 billion ton miles of the Nation's waterborne cargo, with 72 percent of that

cargo traveling on the tributaries of the Mississippi River. Those that scoff at the risk vulnerability relationship of an inland port should remember that Oklahoma City was never identified as a prime terrorist target. The clusters of refineries and chemical plants along our inland rivers are tempting targets indeed. We know it, and Al-Qaëda knows it.

Container Tracking. Important, of course, and not to be minimized, but let's remember that the USS Cole was not attacked by a container.

A more likely scenario is a small suicide craft determined to block, for example, the Beaumont Ship Channel—narrow, vulnerable, potentially toxic and the fourth busiest port in the United States. The locks are a weak link in our transportation chain, too, and any failure could precipitate economic chaos and critical shortages; and there are other such vulnerable locations throughout the system. Such tempting targets, and not one is a container.

Proof of Concept. In the beginning of the Port Security Grant program, there was a small window opened to creative, imaginative solutions which could be tested and, if successful, universally replicated. That door was slammed shut. No public reason given.

Limited funding demands that new ideas be considered and tested. IRPT received such a grant and was able to provide threat analyses and employee education at 59 ports and terminals along the inland river system that handled cargoes of concern at less than \$10,000 each. What a bang for the buck.

Focus on Technology. Technology is only part of the answer but has been extolled by some as the solution to all of our security problems but can also be outdated even before installation is complete. There has been a surge of so-called experts willing to provide technical answers for a price, the price often beyond the reach of smaller ports handling difficult cargoes. More emphasis needs to be put on "people aspects," training eyes and ears. Our own people are our greatest resource.

Stakeholder Involvement. Security solutions have often been imposed from the top down, often with mandates. We need more public/private cooperative partnerships like the WRAMS, Western Rivers Area Marine Security Committee. It is working in partnership that will strengthen our country from the water up.

Since 9/11, there seems to have been more cooperation and sharing of information among the various Federal agencies and with the private sector. Supporting that continued cooperation should be a priority.

Recovery Efforts. There has been little public attention paid to port recovery, whether from terrorism, accident or nature. The Maritime Administration has a proven track record from efforts in Honduras and Nicaragua following the devastation from Hurricane Mitch. I say we better do it now before we are jammed up.

I thank you for this opportunity to testify.

[The statement of Ms. McGowan follows:]

PREPARED STATEMENT OF DEIRDRE MCGOWAN

Security is a process—not an end. I am honored to speak on security issues for the inland river system, an integral part of our country's economy. I have chosen to write in the first person and to speak from my own port security experience. We were already presenting seminars on port security as early as January 2000 and

by “we” I mean a cooperative effort with participation from the U.S. Coast Guard, the USDOT Maritime Administration with additional cooperation from the FBI and representatives from the Justice Department (Alcohol, Tobacco and Firearms). I have attempted to make six points in my verbal remarks. Here I present an expansion of those observations.

(1) RECENT INSPECTOR GENERAL AUDITS OF PORT SECURITY GRANTS: There is reason to suspect that some, repeat some, grant awards were based on politics rather than risk. If not true, the impression is understandable. DOT/ Maritime Administration and the Coast Guard worked in the field to identify ports of greatest concern and concurrent corrective action. As TSA made the grant awards, only 4 percent of the total dollars went to the 300 + inland ports, which handle 1.3 billion ton miles of the nation’s waterborne cargo with 72 percent of that cargo traveling on the tributaries of the Mississippi River. Those that scoff at the risk/vulnerability relationship of an inland port should remember that Oklahoma City was never identified as a prime terrorist target. The clusters of refineries and chemical plants along our inland rivers are tempting targets indeed. We know it and Al-Quáida knows it.

The audit actually reported, “the program has not yet achieved its intended results in the form of actual improvements in port security.” Ninety-five percent of all international commerce enters the United States through the 350 ports but 80 percent moves through only 10 ports. That makes those ten particularly attractive targets—damage could cause many deaths, injuries and seriously disrupt the flow of goods and by extension our entire economy. The inspector general found that the Department of Homeland Security appeared to be intentionally distributing the money as widely as possible -hence the term “pork security”. An analysis will reveal a need for broad assistance to many ports, large and small and further that a fundamental doctrine of anti-terrorism is hardened targets invite strikes against more vulnerable one.

For example, the audit criticized grants awarded to St. Croix (were they aware that as many as 80,000 passengers a week ply the Virgin Islands? Protecting people is a priority too). They criticized an award to Everett, Mass.—home to one of the country’s most important liquefied natural gas facilities—and near a major metropolitan area besides. Furthermore, any weapon of mass destruction smuggled in through a small port could as easily paralyze U.S. economic activity as one brought into a large port.

(Reference: *New York Times* February 20, 2005 and *Port Security News Service*, March 3,2005)

(2) CONTAINER TRACKING: Important of course and not to be minimized. But let’s remember that the USS Cole was not attacked by a container! A more likely scenario is a small suicide craft determined to block, for example, the Beaumont 4th busiest port in Ship Channel—narrow, vulnerable, potentially toxic, and the the United States. The locks are a weak link in our transportation chain, too, and any failure could precipitate economic chaos and critical shortages—and there are other such vulnerable locations throughout the system. Such tempting targets—and not one is in a container.

The fourth leading port in terms of tonnage in 2002, (with 85.9 million short tons of foreign and domestic shipments), is rarely recognized Beaumont, Texas, also the home of one of our National Defense Reserve Fleets, miles of pipelines and is one of the top military deployment ports. The narrow channel’s vulnerability is analogous to that of a BB stuck in the sand of an hourglass—nothing can get through until it is un-jammed. And then there are the locks above St. Louis and along the navigable tributaries. A lock shut-down, (whether by knowledgeable terrorists, accident or lock failure) jeopardizes our grain exports, fuel shipments, power plant supplies and other critical components of the economy. Attempts to direct marine freight to other modes will fail because of congestion. Few recognize that Huntington, West Virginia, an inland port on the Ohio, handles 80 million short tons a year—much of it in petroleum and coal. Let’s don’t deny that shutting off power supplies, petroleum products and our entire economy is as simple as a well-placed suicide boat on a mission or even underwater infiltration and concurrent detonation. We still don’t know how to differentiate that one lethal craft from the everyday flotilla of pleasure boats plying every river in this country. The enormity of our responsibility for port security extends from our coasts and up every navigable river throughout the system.

There are surely many dedicated capable professionals working to solve the problems associated with multiple container screenings at ports already backlogged.

Supply chain safety has to be an essential element of our homeland security plan but is beyond the scope and experience of IRPT.

(Reference: *The U.S. Waterway System—Transportation Facts*, Navigation Data Center, U.S. Army Corps of Engineers)

(3) PROOF OF CONCEPT: In the beginning of the Port Security Grant program, there was a small window opened to creative, imaginative solutions—which could be tested and, if successful, universally replicated—that door was slammed shut -no public reason given. Limited funding demands that new ideas be considered and tested. IRPT received such a grant and was able to provide threat analyses and employee education at fifty-nine ports and terminals along the inland river system that handled cargoes of concern at less than \$10,000 each. What a bang for the buck!

IRPT was able to complete threat assessments at 59 ports and terminals within a one year time frame. They were selected by the various USCG Captains of the Port as warranting special attention because they handled cargoes of concern. A summary of our findings, with appendices, is made a part of this report to the House Homeland Security Committee. The individual findings were provided to each port/terminal with copies forwarded to the Maritime Administration, USCG and the Transportation Security Administration. No, not all of the 59 were members of our association—our criteria were USCG identified ports/terminals.

None of this public service would have been possible had it not been for the Proof of Concept provision in Round I of the Port Security Grant Program. When this provision was severed without public explanation, then small, replicable and universally applicable solutions were also severed and the grant money was seemingly tied to hardware at specific ports—and in some cases to private for-profit property contiguous to a river or port. Yes, IRPT applied again with ideas that could have solved problems shared by many ports (communications interoperability, a port recovery plan, additional threat assessments, etc.) but was rejected since there was no longer a proof-of-concept provision and IRPT, of course, was not a port *per se*. It may have been that the need for “hardware” should have had priority, but in these later stages the need for innovation seems apparent.

(4) FOCUS ON TECHNOLOGY: Technology is only part of the answer—but has been extolled by some as the solution to all of our security problems—but can also be outdated even before installation is complete. There has been a surge of so-called experts willing to provide technical answers for a price—the price often beyond the reach of smaller ports handling difficult cargoes. More emphasis needs to be put on “people aspects”—training eyes and ears. Our own people are our greatest resource.

I’ve been to meetings and heard presentations on all sorts of new technologies—surveillance, bio-identification, container tracking and more. But while effective and necessary, these are also expensive and beyond the reach of many of the smaller ports—even though they may handle very hazardous cargo. There seems to be little public discussion paid to technology to protect the ports from waterside infiltration. Hopefully, technology is in the developmental stage for this particular area of vulnerability.

The point is that the training of our waterside hourly employees seems to have been somewhat overlooked. Suspicious activity is now reported to the Coast Guard and that reporting is appreciated—but requires many man hours to investigate. Part of the problem has to be that some of those reporting “suspicious activity” have not been trained in the identification of anomalies and are unable to differentiate the real threat from the phantom threat. Whether training a high school drop-out receptionist to deal with a bomb threat to the fork-lift operator reporting a person of interest, our people are our eyes and ears, but their observation skills may need honing. How many times has each of us been the victim of an expensive technological glitch? Our workers need education on terrorism awareness and are hungry for it, (see their comments incorporated into the final ITPT report attached).

(5) STAKEHOLDER INVOLVEMENT: Security “solutions” have often been imposed from the top down, often with mandates. We need more public/private cooperative partnerships like the WRAMS (Western Rivers Area Marine Security). It is working in partnership that will strengthen our country from the water up. Since 9/11 there seems to have been more cooperation and sharing of information among the various federal agencies and with the private sector. Supporting that continued cooperation should be a priority.

Yes, the WRAMS is an excellent start. It is interesting and rewarding to participate in the fluctuating dynamics of discussion from totally different perspectives. I am convinced the recommendations evolving from WRAMS are stronger and more

effective than any of the participants could generate alone. Even more public / private partnerships should be encouraged—perhaps along the lines of our harbor-safety committees.

At the Transportation Research Board Marine Technology Committee Conference last November there were presentations made on cutting edge technologies—all very impressive and all out of reach. Both the stakeholder panel and audience response, (the speaker left before hearing the stakeholder response or answering any questions), was a litany of low-tech requests for assistance—such as a call-in number for guidance since templates really serve no purpose in developing vessel and security plans. They wanted to understand the relationships among risk, vulnerability and threat—and wanted that understanding related to the requirements of their own security plans. Some of the ports have seemed definitely doomed to overkill.

(6) RECOVERY EFFORTS: There has been little public attention paid to port recovery—whether from terrorism, accident or nature. The Maritime Administration has a proven track record from efforts in Honduras and Nicaragua following the devastation from Hurricane Mitch—couldn't we tap into that expertise and develop functional recovery plans?

I have been told that the hesitancy in developing port recovery plans is tied to a public relations concern that there would be a panic reaction to “preparing for the worst”. Maybe so. Nevertheless, we saw what happens to freight movement and passenger congestion when an accident blocked traffic at the Port of New Orleans for a few days—and that disruption was minimal with no infrastructure damage. I think we need to confront the possibility of port shutdown due to terrorism or nature. Various governmental agencies have their own plans in place but I am unaware of a comprehensive, multi-jurisdictional, multi-agency cooperative plan.

When Hurricane Mitch devastated Honduras and Nicaragua, the Maritime Administration, National Oceanic and Atmospheric Administration, the US Army Corps of Engineers, FEMA and other federal agencies worked together to re-develop the ports. They learned many lessons that could be applied, extrapolated and enhanced into recovery plans for our ports. Advances in technology could provide a multi-layered set of action plans covering almost every contingency.

In summary, I believe there needs to be less rigidity in the application of the Port Security Grant Program—and the recommendations of the USCG/MARAD teams need to be incorporated into any such award. We have to continue exploring technological options and at the same time we need to better use our people on site. We can do so by listening, respecting and educating. The encouragement of more public/private partnerships (like WRAMS) striving to develop individual solutions as opposed to imposed mandates could cut the expenses for the Department of Homeland Security, the taxpayers and the ports themselves. All of us need to face reality and develop recovery plans together.

**Final Report for:**

INLAND RIVERS, PORTS AND TERMINALS, INC.—PRELIMINARY PORT FACILITY  
ASSESSMENTS PER REQUIREMENT OF DTMAL G02028

PREPARED BY: DEIRDRE MCGOWAN, PH.D., EXECUTIVE DIRECTOR, IRPT

*www.irpt.net / adminrtVirpt.net*

**Port Security Grants, Round 1, Proof of Concept: June 17, 2002–September 30, 2003**

**REPORT OVERVIEW**

Introduction  
Project Objectives  
Process  
Project Results  
General Observations  
Implications for Port Security  
Further Actions  
Appendices

**INTRODUCTION**

The 303 inland river ports and 1,800 shallow draft terminals are of national economic and strategic importance, representing \$1.5 trillion in cargo and 13 million jobs that generate \$500 billion in personal income. They move numerous products and military materiel vital to U.S. economic interests.

Inland Rivers, Ports and Terminals, Inc., has been the industry's professional association since 1974. The Board of Directors and general membership voted to allow IRPT to negotiate and serve as fiscal agent for this grant. The actual security assessments and employee education presentations were subcontracted by IRPT.

## **PROJECT OBJECTIVES**

### **Proof of Concept**

Security risk assessments were to be completed on selected inland port infrastructure systems including personnel training, physical and technical analysis and operational considerations.

- Complete risk assessments at inland river ports and terminals that handle cargoes of concern
- Identify security risks unique to each port
- Determine the effectiveness of the security protection system currently in place at each port
- Initiate employee training in identification and reporting of observed anomalies
- Complete modified generic port fault tree for all ports assessed
- Identify possible corrective actions for each port assessed

### **Project Objectives—Success**

Per the commitments made in the grant application, the assessment and training approaches developed and applied by Inland Rivers, Ports and Terminals, Inc., are replicable, quantified, standardized, accountable, traceable, consistent in terminology, and defensible.

- Risk assessments were completed at 59 inland river ports and terminals that were identified and prioritized by USCG as handling cargoes of concern. They are listed in Appendix A with their completion dates.
- Blind evaluations by facilities managers of the process were returned to the IRPT offices and a collation of those ratings has been made a part of this report as Appendix B.
- A list of all of the "positives" uncovered at the various facilities has been made a part of this report as Appendix C.—A list of all of the "negatives" uncovered at the various facilities has been made a part of this report as Appendix D.
- Employee training was implemented with 212 employees attending, with course evaluations completed by most of them. A summary of their evaluations is enclosed as Appendix E.
- Security recommendations for each port were developed and prioritized.

## **PROCESS**

### **Pre-Assessment**

This was a new endeavor and had to meet all commitments made in the proposal, comply with procurement requirements, incorporate the input from the IRPT officers and provide guidance and insight to the facilities assessed. Concurrently it had to be flexible to incorporate any agreed upon changes requested by the granting agencies or by IRPT.

- Advertised nationally for Statements of Interest and Qualifications.
- Developed Request for Proposals.
- Forwarded Request for Proposals to all who had responded to request for statement of I & Q and all others who requested it (total 14).
- Preliminary screening undertaken utilizing responsiveness to request and qualifications of principals as criteria.
- Responses reviewed by IRPT Executive Committee and Chairman, IRPT Security Committee.
- Contract award ranking determined at IRPT Board meeting September 4, 2003.
- Contractor references verified.
- Contract awarded and subsequently negotiated. Biographical information on the consultants is included as Appendix F.
- Assessment procedures and employee curriculum developed.
- System test scheduled for October 16, 2003 at Port Bienville, MS.
- Invitations to observe/participate/critique initial assessment issued to USCG, USACOE, MARAD.
- Preliminary assessment undertaken and systems for management feedback and training evaluations refined.
- USCG Captains of the Ports contacted through District 8 Headquarters to request their selection of ports to be prioritized for assessments.
- Scheduling port assessments begun and continued through June, 2003.

- Initial scheduling packets forwarded to each port director to confirm verbal scheduling commitments—packets included an overview of the grant specifications, biographical information on the consultants, and a copy of the *USCG Facility Security Planning Guide* for their initial use.
- Individual visits made to each identified facility to review the responses to the *Facility Guide* and follow through with the assessment process.
- Assessments implemented beginning December 10, 2002.

#### *Problems Identified*

During the course of the project, numerous problems surfaced. Guidance was requested from MARAD and/or USCG. Problem statements were forwarded to them with requests for suggestions or direction.

- Scheduling the assessments was extremely difficult and took much longer than anticipated.
- The *Inland River Guide* and the *Journal of Waterborne Commerce Statistics* were used to assist in the identification of facilities handling cargoes of concern. Some of that information was dated or erroneous.
- Many national companies would not participate because of their perceived exposure to subsequent litigation.
- Some employees were not available for training for various reasons and the training was requested on video.
- There was a nebulous definition of what constituted a public port/terminal.
- USCG requested that several Texas ports be assessed that did not meet the criteria for “inland” port but are considered as part of the inland water transportation corridor.
- Access to the USCG security assessment format identified as PISRAT 2.0 was lacking.
- In some instances, terminals handling CDCs (Certain Dangerous Cargoes) were unwilling to provide details regarding product amounts handled or stored, citing “proprietary information.”

#### **Resolutions Incorporated**

A combination of email, telephone responses and personal contact yielded constructive solutions to many of the problems identified which impacted completion of the project.

- Scheduling: Began scheduling process sixty days out and adjusted time-spent estimates per port/terminal accordingly.
- Data: Recognized that some cargo data was erroneous. As one response replied, “the only consolation has been, is, and will be, that some data are better than none.”
- Declination: Proceeded without including any facility that declined assessment. One response to IRPT stated, “Those who did not choose to participate in Round I will want to get in later.”
- Video Training: Generated bids to produce a training video but had no suitable budget category in the grant for implementation.
- Public Port: Agreed upon an operational definition that a private terminal is closed to common carriage and is so located that a terrorist incident would not affect the public at large. The exception to that definition would be if a port or terminal was such that its disruption would have an adverse effect upon the commerce of the United States.
- IRPT assessed the additional quasi-bluewater ports as requested by the Captains of the Ports.
- PISRA T 2.0: Access was requested to enable those undertaking the IRPT threat assessment process to adjust the reporting format as necessary to comply with the specifications of NVIC 11-02. After several discussions, IRPT operated from the assumption that the reporting format did comply with those requirements and proceeded accordingly.

#### **PROJECT RESULTS**

At the conclusion of the project, the identified inland river ports had assessments completed and available employees had been trained in various aspects of terrorism recognition and intervention. Effectiveness of the security protection system currently in place and recommendations for improvement were presented at management de-briefings at the conclusion of each visit. Written reports for the facility directors followed shortly thereafter.

- Summaries of vulnerabilities and strengths are included in the appendices attached.



- Printed and CD-ROM reports for each port/terminal were forwarded to MARAD throughout the year with copies provided for distribution to USCG and TSA.
- Photographs of each port/terminal indicating areas of concern were included in the CD-ROM transmittals.
- Printed copies of each report, with pictures, were provided to MARAD with a copy retained by IRPT.
- Employees who participated in the training provided comments such as “very good and timely information” and “trainers very knowledgeable of the subject.” Additional comments are a part of Appendix E.
- A CD-ROM of the training offered to port and terminal employees has been made a part of this report.
- The assessments were of great assistance to the facilities since they were deemed to provide what was necessary to comply with NVIC 11-02.
- The assessments often provided the basis for subsequent security enhancement requests from either TSA or individual port commissions.
- Port directors and terminal managers who forwarded their evaluations of the process were universally positive, as seen in Appendix B.
- Copies of the assessment reports were forwarded to each facility director via certified mail, return receipt requested.
- Law enforcement personnel and facility security officers attending the training sessions requested copies of the PowerPoint presentation “Terrorism Awareness” for use in their own training.

#### **GENERAL OBSERVATIONS:**

In completing the threat assessments and questioning/listening to staff and employees at the various ports, several factors appeared to be almost universally applicable.

- Generally speaking there is a lack of security awareness even at the facilities handling cargoes of concern.
- Facility directors were aware they needed security improvement and they were interested in making their facilities more secure but lacked knowledge of security issues and techniques.
- Facility directors generally had no concept of what makes a facility secure.
- There was little general awareness of NVIC requirements regarding facility operation even if the facility was handling dangerous cargo.
- There are many small ports in the inland river system that need attention but can't afford to implement security measures.

#### **IMPLICATIONS FOR PORT SECURITY**

The results of the IRPT Threat Assessment and Employee Education Project suggest some of the following implications:

- There needs to be a standardized plan and approach to address inconsistencies.
- There need to be standard definitions applied universally.
- There needs to be a better identification and tracking system for cargoes of concern.
- The river system needs to be viewed as a single entity rather than a series of discrete units.
- Port security should be developed on a regional basis.

#### **FURTHER ACTIONS**

Standardize the application of U.S. Coast Guard regulations for similar facilities which handle CDCs (Certain Dangerous Cargoes), such as those for operating a facility that handles ammonium nitrate fertilizer.

Example: One facility had open bays of ammonium nitrate (no locked doors); their front end loaders were parked nearby and accessible to anyone; there was no perimeter fence around the facility; the road leading to the facility was essentially a public road with no restriction to public access; there were no alarm systems and the area was poorly lit. The facility operator advised that the USCG inspected them on a yearly basis. A second facility of similar size and location that handled ammonium nitrate was directed by the USCG to have a 24/7 presence at the facility. The facility hired additional staff to meet USCG requirements. The facility had closed and locked doors at the storage area, there was a perimeter fence around the facility and it was well lit.

Urea is a fertilizer found in many terminals serving the needs of the agricultural industry and those storage areas should be included in subsequent threat assessments.

Although not as easy to use as ammonium nitrate in the construction of a bomb, urea can be used in constructing a powerful explosive compound. The main explosive charge at the World Trade Center bombing of February 1993 was an improvised explosive device utilizing a urea base. The resulting blast produced a crater 150 feet in diameter and five floors deep. Section 841(d) of the United States Code (U.S.c.) and 27 CFR 55.23 refer to urea as an explosive material.

Certified courses of study on port security should be developed for facility directors and managers and required as part of continuing education. The balance of the smaller inland ports should be assessed and guidance provided to the directors for increased security enhancement.

A standard protocol should be developed for certification of security assessments performed in the private sector to ensure that they meet U.S. Coast Guard specifications.

#### APPENDIX A—PORTS & TERMINALS ASSESSED

| Port  | Terminals  | Assessment Date |
|---|--|-----------------|
| <b>Alabama</b>  |  |                 |
| Florence—Lauderdale County Port Authority<br>James Lowe—Exec. Dir.<br>PP. O. Box 1169<br>Florence, AL 35631   | Tennessee Southern Railroad, American Metal Chemical Corp., Muscles Shoals Marine Service, Inc., F&L Sand & Gravel (Rudolph Marine & Salvage L.L.C.), Roberson Scrap Works, Lauderdale (Alabama) Farmers Coop, Royster Clark | Apr 23–24, 2003 |
| <b>Arkansas</b>   |  |                 |
| Port of Little Rock<br>Paul Latture—Exec. Dir.<br>7500 Lindsey Road<br>Little Rock, AR 72206                  | Logistics Services, Inc.   | Feb 5–7, 2003   |
| Yellow Bend Port Authority<br>Kenny Gober—Exec. Dir.<br>P. O. Drawer 725<br>McGehee, AR 71654                 | Oakley Port of Yellow Bend   | Feb 2, 2003     |
| Miller's Bluff Port<br>Cross Oil Terminal<br>Charles Clark-Manager<br>484 East 6th St.<br>Smackover, AR 71762 | Cross Oil Terminal   | Feb 3–4, 2003   |
| <b>Louisiana</b>  |  |                 |
| Alexandria Regional Port<br>John Marzullo—Exec. Dir.<br>P. O. Box 628<br>Alexandria, LA 71303                 | Terral River Services  | Jan 15–16, 2003 |
| Port of Shreveport—Bossier<br>John W. Holt—Exec. Dir.<br>P. O. Box 52071<br>Shreveport, LA 71135              | Oakley Louisiana, Inc., Red River Terminals, Davison Terminal Services, Omni Specialty Packaging, Southern Composite Yachts, Inc, Blount Brothers Construction   | Jan 12–15, 2003 |

## APPENDIX A—PORTS &amp; TERMINALS ASSESSED—Continued

| Port  | Terminals   | Assessment Date    |
|---|---|--------------------|
| <b>Mississippi</b>  |   |                    |
| Port of Aberdeen<br>PerryLucas—Port Dir.<br>125 West Commerce<br>Aberdeen, MS 39730   | Tom Soya Grain Company,<br>Taylor Gas Liquids, Pearson<br>Technologies, Inc | Apr 21–22,<br>2003 |
| Greenville Port Commission<br>Harold Burdine—Port Dir.<br>P. O. Box 446<br>Greenville, MS 38701   | Greenville Port Terminal  | May 27–28,<br>2003 |
| Hancock County Harbor<br>& Port Commission<br>Hal Walters—Port Dir.<br>P. O. Box 2267<br>Bay St. Louis, MS 39521                                | Linea Peninsular, Stevedoring<br>Services of America,<br>Wellman, Inc       | Oct 15–16,<br>2002 |
| Natchez—Adams<br>County Port Commission<br>Pat Murphy—Port Dir.<br>P. O. Box 925<br>Natchez, MS 39121   | Natchez Port Terminal<br>Davison Terminal                                   | Jan 7–8,<br>2003   |
| Warren County<br>Port Commission<br>Jimmy Heidel—Port Dir.<br>P. O. Box 709<br>Vicksburg, MS 39181  | Kinder Morgan   | Nov 18–20,<br>2003 |
| Yazoo County<br>Port Authority<br>Gerald P. Fraiser—Port Dir.<br>P. O. Box 172<br>Yazoo City, MS 39194  | MissChem Nitrogen   | Jan 6–7,<br>2003   |
| <b>Missouri</b>   |   |                    |
| Howard/Cooper County<br>Regional Port Authority<br>Paul Davis—Operator<br>609 Main Street<br>Boonville, MO 65233                                | Interstate Marine   | Apr 10–11,<br>2003 |
| Kansas City Port Authority<br>(Midwest Terminal)<br>DavidGriffin—VicePresident<br>For Operations<br>1851Woodswether Rd<br>Kansas City, MO 64105 | Midwest Terminal  | Apr 7–8,<br>2003   |
| New Madrid County<br>Port Authority<br>Timmie Lynn Hunter—<br>Exec. Dir.<br>435 Main Street<br>New Madrid, MO 63869                             | St. Judel/New Madrid, Fleet-<br>ing Service                                 | June 1–2,<br>2003  |
| Pemiscot County<br>Port Authority<br>David Madison—Exec. Dir.<br>619 Ward Avenue<br>Caruthersville, MO 63830                                    | Trinity Marine Products   | June 3–5,<br>2003  |

## APPENDIX A—PORTS &amp; TERMINALS ASSESSED—Continued

| Port  | Terminals  | Assessment Date           |
|---|--|---------------------------|
| <b>Missouri</b>   |  |                           |
| Southeast Missouri Regional Port Authority<br>Dan Overby—Director<br>2110 Main Street<br>Scott City, MO 63780                     | Girardeau Stevedores Contractors, First Missouri Terminals   | May 29—<br>June 2<br>2003 |
| <b>Oklahoma</b>   |  |                           |
| Muskogee City—County Port Authority<br>Scott Robinson—Dir.<br>4901 Harold Scoggins Dr.<br>Muskogee, OK 74403                      | Muskogee City Water Plant, Koch Materials Company, Johnston Enterprises, Fansteel Specialty Metals, Quality Liquid Feed, Inc, Consolidated Grain & Barge       | Feb 20–22,<br>2003        |
| Tulsa Port of Catoosa<br>Dick Voth—Director<br>5350 Cimarron Road<br>Catoosa, OK 74015  | Brenntag Southwest, Inc, Terra Nitrogen, Southern Missouri Oil Company Inc, Safety-Kleen Corp, Catoosa Fertilizer Company, Frontier Terminal & Trading Company | Feb 17–20,<br>2003        |
| <b>Pennsylvania</b>   |  |                           |
| Pittsburgh Port Comm.<br>James McCarville—Ex. Dir.<br>425 Sixth Avenue<br>Suite 2990<br>Pittsburgh, PA 15219                      | Neville Chemical Company, U.S. Steel, Clairton Works, Eastman Chemical, Jefferson Plant, Freeport Terminals Inc, Industrial Terminal                           | Dec 9–18,<br>2003         |
| <b>Tennessee</b>  |  |                           |
| Port of Chattanooga (J I T Terminal)<br>John Bennett—Manager<br>P. O. Box 4800<br>530 Manufacturers Road<br>Chattanooga, TN 37405 | J I T Terminal   | May 7–8,<br>2003          |
| <b>Texas</b>  |  |                           |
| Port of Brownsville<br>Raul B. Besteiro—Dir.<br>1000 Foust Road<br>Brownsville, TX 78521  | Austin Star Detonator, CITGO, INTERLUBE, RTW Terminals, TransMontaigne Product Services Inc  | Jan 29–31,<br>2003        |
| Port Isabel—San Benito Navigation District<br>Robert Cornelison—Dir.<br>250 Industrial Drive<br>Port Isabel, TX 78578             | Port Isabel  | Mar 24–25,<br>2003        |
| Victoria County Navigation District<br>Howard Hawthorne—Exec. Dir<br>P. O. Box 2760<br>Victoria, TX 77902                         | Equalizer, Inc   | Jan 28–29,<br>2003        |

## APPENDIX B—FACILITY MANAGEMENT EVALUATIONS

The form for the Port Management Evaluation of Threat Assessment and Employee Training is handed to port management by the consultants to be forwarded directly to IRPT. Thus anonymity is protected.

### 14 Total Returns

(1) Did the persons conducting the Threat Assessment and Employee Training act in a professional manner while conducting the assessment?

Yes 14

#### Comments:

Very professional.

Very much so.

Both men did an excellent job. We had nine people attend the training and they were very pleased with the information provided.

On time. Required expertise. Good communication skills. Took time to explain. Gave detailed outbriefing.

Very knowledgeable and conducted themselves in a very professional manner.

(2) Were they friendly and courteous to port and facility employees?

Yes 14

They put everyone at ease.

Yes and to neighboring companies visited as part of the assessment.

They put everyone at ease.

(3) Were they on time for appointments and meetings?

Yes 14

They were early due to air travel, no problem.

Yes, both days. Kept me advised.

Never a problem.

Early due to air travel, no problem.

(4) Did they answer your questions on port and facility to your satisfaction?

Yes 14

They provided some very valuable insight to the problem at hand.

Very Good information.

They answered the questions to my satisfaction.

Questions were encouraged and answered.

Very knowledgeable.

They were informative and offered good suggestions.

All questions were answered.

(5) Other comments

This was a long trip with poor connections from Mississippi.

I greatly appreciated the help.

Excellent and professional in all aspects.

They did a wonderful job on the assessment as well as the training session.

Both possess excellent communication skills. Our crew members were attentive and interested throughout the training session.

They gave me all the information I requested and agreed to send additional information.

I believe they are doing an excellent job for IRPT.

I do not understand why type and amount of product flowing through the port are not factors included/considered as a part of vulnerability/threat assessment.

Very informative and worthwhile.

We were very pleased with the professionalism. The training and assessments provided by them will be of value in completing our port security plan.

We appreciate IRPT selecting our facility to receive the benefit of this service.

Excellent and professional in all aspects.

Very helpful in guiding us in the right direction on our security needs.

We had already made some assessments on our own and they agreed with our comments and expanded in some areas where we were lacking.

They also were very cooperative with our tenants and answered all questions posed to them.

Very good information. They answered the questions to my satisfaction. Some of the information provided is now being used as part of our security procedures.

## APPENDIX C—POSITIVE FINDINGS

### Emergency Preparedness

- The Port has established a Port Security Committee, which will complete Port Security Plan security enhancements.
- The Port has an excellent emergency communications system to notify and update tenants of an emergency in the Port.
- Liaison with community groups, law enforcement and public safety offices are excellent.
- The U. S. Coast Guard required Port and Facility Security Plans were discussed and the initial draft of the Port's Security was reviewed with management during the assessment.
- The Port has in place Emergency Response Plans including Threatening Communications (Bomb Threats), Workplace Violence and Criminal Incident Response Plans.

### Appendix C—Continued

#### Physical Security & Access Control

- Terminal's good housekeeping practices demonstrate attention to the facility and it provides a passive security deterrent.
- Vehicle access to the facility is controlled by card access.
- The facility has an excellent perimeter fence.
- The truck loading rack is located within the fenced secure area.
- The truck rack is operated by the same card access system used at Red River Terminal.
- The tank farm is secured with a perimeter fence.
- The facility is well lighted.
- The perimeter fence line is well maintained.
- Visitors sign in and are issued badges.
- Port tenants have adequate perimeter fencing and lighting.
- The Port has identified and is considering several access control security improvements.
- The Port office is alarmed.
- Proper signage directing visitors to the office and/or security procedures.
- The property is legally posted including land side and waterside for possible trespassing prosecution.
- The receptionist has a panic alarm.

#### Human Resources

- Employee security awareness is at the appropriate level.
- Facility has a drug and alcohol policy.
- Two-man company driver teams make truck shipments of product. Background investigations are conducted on new employees of the Port.
- Port has its own security guard service.
- Facilities within the Port have their own security guard services.

#### Physical Location

- Located in a developed end of the property within sight of a Sheriff's Deputy's residence.
- Facility handling explosives is remotely located in the Port with a large buffer zone from other port tenants.
- Former employee lives near entrance to Port located in rural area.
- Current employee lives on Port property.

#### Other

- Facility has a recent history of minimal or no security incidents.
- Portable equipment and materials are secured after hours.
- The Port has a State Police Water Patrol craft moored in the Port.

## APPENDIX D—NEGATIVE FINDINGS

### Emergency Preparedness

- General lack of awareness of U.S. Coast Guard NVICs (Navigation and Vessel Inspection Circulars) requirements for certain ports and facilities.
- Lack of liaison with local Emergency Response organizations and lack of emergency response plans.
- The Port has no Emergency Response Plans.
- Emergency Response Plans do not include security subjects such as: threatening communications, bomb search plans, workplace violence or employee security awareness training.
- The Port lacks a Threatening Communications Response Plan.
- The Port has not established a Port Security Committee.
- The Port has no emergency communications system to notify and update tenants of an emergency in the Port.
- Liaison with community groups, law enforcement and public safety offices needs improvement.

### Physical Security & Access Control

- The facility does not have a perimeter fence.
- A portion of the facility is unfenced.
- In some instances, tenant perimeter fencing is inadequate.
- There is no formal access control system.
- There are multiple uncontrolled public ingress/egress routes.
- Public access to the levee road, barge channel and turning basin is unrestricted.
- The current Closed Circuit Television system (CCTV) does not include recording outgoing traffic.
- The facility does not have an intrusion detection system.
- Public road and railroad right-of-way are access points for undetected intrusion.
- Trucks waiting to load are allowed to park adjacent to an unattended ammonium nitrate facility after hours.
- The truck rack is unsecured and is accessible to the public via the port's unsecured public road.
- Truck drivers park in the immediate area at night awaiting early morning loading.
- Facility lighting is minimal in the tank farm and employee parking lot.
- There is no CCTV coverage of the unmanned truck rack or the office where the operating computers are located.
- The facility is unattended between 11:00 p.m. and 5:00 a.m.
- Fencing does not segregate the employee parking lot, truck loading/unloading areas and the tank farm.
- Key control of the two secured gates is compromised and proper gate locking procedures are not followed. The gates have been improperly locked, negating the tenant's lock 13 times in 7 months of operation.
- The facility shares a dock with other tenants and there is no CCTV coverage of the dock.
- The Port office is not alarmed.
- There is a significant volume of anticipated truck traffic, 50–70 trucks/day, with personal recognition as the accepted access control method.
- There is a lack of signage directing visitors to the office and/or security procedures.
- The property is no legal posting of the property, either land side or waterside for possible trespassing prosecution.
- There is a high volume of seasonal truck traffic.
- There is public access to the Port 24 hours a day.
- There is no electronic monitoring of vehicle traffic at the ingress/egress gate or within the Port area.
- There is no after-hours surveillance of an ammonium nitrate facility's wharf or fleeting areas.
- An unfenced ammonium nitrate facility is located on a publicly accessible road with open loading bays and loading equipment parked nearby.
- Public tours of the Port are promoted with minimal oversight.
- There is unrestricted access to the Port Offices via the rear entrance.
- The receptionist does not have a panic alarm.
- There is no telephone record capability for the primary telephone operator at the Port's office.

**Appendix D—Continued****Human Resources**

- The Port or facility does not have an alcohol and drug policy.
- The Port or facility does not conduct background investigations on new employees.
- Port does not have a security guard service.
- Critical facilities within the Port do not have their own security guard services.

**Physical Location**

- Barge fleeting operations extend to remote area of the waterway.
- The Port or facility is located in a high crime area.
- Port or facility location is remote with little law enforcement patrol presence.

**Other**

- There is a City–County Park located within the Port’s property.
- There is no regular water patrol of the Turning Basin.
- A Port Museum is included in the same building with the Port offices. Facility has regular criminal incidents.
- Port or terminal’s housekeeping practices need improvement.

**APPENDIX E—Employee Training**

July 8, 2003

## IRPT THREAT ASSESSMENT/EMPLOYEE EDUCATION PROJECT

*Seminar Evaluations*

Total Responses 24

\* Cumulative 151 (Includes numbers from February 21,2003 report)

5 = high 1 = low

- a. The instructor organized material effectively.  
5: 18 = 75% 4: 5 = 21% 3: 1 = 4%
- Cum. (151) 110 = 73% 38 = 25% 4 = 2%
- b. The instructor was knowledgeable of subject matter.  
5: 20 = 87% 4: 2 = 9% 3: 1 = 4%
- Cum. (153) 128 = 84% 22 = 14% 3 = 2%
- c. The instructor presented information clearly and at a proper pace.  
5: 15 = 65% 4: 8 = 33% 3: 1 = 4%
- Cum. (149) 105 = 70% 40 = 27% 5 = 3%
- d. The length of the course was appropriate.  
5: 7 = 29% 4: 12 = 50% 3: 4 = 17% 2: 1 = 4%
- Cum. (146) 93 = 64% 46 = 32% 8 = 5% 1 = .1
- e. Course goals were met.  
5: 11 = 46% 4: 8 = 33% 3: 4 = 17% 2: 1 = 4%
- Cum. (154) 84 = 55% 57 = 37% 13 = 8% 1 = .1%
- f. Overall how was this in meeting your expectations?  
5: 9 = 38% 4: 11 = 46% 3: 3 = 13% 1: 1 = 4%
- Cum. (154) 74 = 48% 63 = 41% 14 = 9% 2: 2 = 1.3% 1: 2 = 1.3%

*Comments:*

I felt that more time could have been given toward recognizing potential terrorist activity. Security measures that can help to prevent terrorist acts or surveillance. Thank you for including Connors in the seminar.

Very informative.

Good program.

Appreciate being part of the presentation.

Enjoyed it.

Very informative. (2)

Job well done!

Good basic information.

Pass out material before starting.

Pass on current news information, give audience “inside information” or what they believe is inside information. Stirs interest and involvement.

More info on previous terrorist attacks.

Details that tie all this into our everyday jobs/situations.

Good awakening to possibilities.

Needs to be a bit longer.



Very informative.  
 Very good.  
*Added July 8*  
 More instruction on developing emergency plans.  
 Was a good class.  
 Hand out more reading material.  
 Very informative.  
 Have meetings on a regular basis to inform us of latest strategy and information available.  
 I feel a couple more hours would be beneficial.  
 The instructor had too many "uhs".  
 Mr. Rollins seems to be very knowledgeable and interesting.  
 Everything was very good. I like the way everything went.  
 Good job, very informative.  
 Get Coast Guard more involved.  
 Good course.  
 The information was practical and presented to where we can use it at our facilities.  
 Great job.  
 Exceeded meeting expectations.

## APPENDIX F—BIOGRAPHICAL INFORMATION

### **CISR, L.L.C.—John D. Gwin, President**

As a Security Advisor for Exxon & ExxonMobil for 25 years, Gwin has conducted hundreds of risk/threat assessments involving inland waterway terminals, refinery/chemical plants, marketing (fuel) terminals, production facilities, pipeline operations and retail service stations. During the same period, he was responsible for conducting investigations on behalf of the corporation involving violations of corporate policy and/or criminal law. Gwin was a Special Agent of the FBI for five years prior to joining Exxon and a Battery Commander in the United States Army.

Prior to retirement in 2001, Gwin's portfolio included 23 ExxonMobil U.S. manufacturing sites (refineries/chemical plants). He conducted threat assessments at these sites using Department of Energy Risk Assessment methodology. Gwin has attended numerous training programs sponsored by the American Society for Industrial Security pertaining to physical security and assessment techniques.

Gwin has participated in the development and presentation of security programs regarding: response plans for bomb threats and workplace violence, terrorist threats, substance abuse in the workplace, potential labor violence and other criminal activity such as armed robbery and kidnapping prevention.

### **Rollins & Associates, Inc.—E. Avery Rollins, President**

In an FBI career that spanned 31 years, Rollins developed an expertise in Middle Eastern Terrorism and bombing matters. Early in his career, he completed a year of training in the Arabic language (Iraqi dialect) at the US Army Defense Language Institute after which he conducted terrorism investigations in New York City and Washington, D.C. In 1978 he completed training in Explosive Ordnance Demolition at the Hazardous Devices School, Redstone Arsenal. Thereafter, much of his work revolved around bombing matters related to domestic and international terrorism.

With the terrorist bombing of the Murrah Federal Building in Oklahoma City in April 1995, a building security committee was formed at the McCoy Federal Building in Jackson, MS. The committee was composed of representatives from each federal agency in the building, and representatives of local law enforcement. At the time Rollins was a Supervisory Special Agent with the FBI, supervising the Terrorism and Bombing Matters programs and was selected Building Security Committee Chair. The committee reviewed security procedures in place at the time, identified weaknesses in the program and made recommendations for improvements to the General Services Administration. He provided training in bomb threat, bomb response and building evacuation to federal employees.

After retirement from the FBI, Rollins began providing security consulting and investigative services to the private sector. In June 2002, Rollins completed a six-month project for the Mississippi Department of Transportation (MDOT). Rollins was contracted to conduct threat assessments and develop security plans for its three administrative offices, six district offices, and a representative number of its 113 smaller project offices around the state. Threat assessments, including nighttime security reviews, were conducted at 29 offices in Mississippi over the six-month period. The threat assessments included a physical site inspection, review of records and security procedures, and interviews of MDOT employees at each office. District

office sites varied in size from 15 acres to over 60 acres. Findings, recommendations and specific security plans were prepared for the administrative and district offices while generic security plans were prepared for the smaller offices.

Chairman COX. Thank you to each of our witnesses that are here.

We will now proceed with questions, and I will recognize myself for 5 minutes.

Let me begin, Admiral Duncan, by asking about the portion of your testimony concerning the Marine Safety Unit. We toured the Grand Gulf facility and met with the people in the security center. Are there any maritime security—were there any—

Admiral DUNCAN. There are 15 nuclear power plants. We found all to be in compliance with a high level of standard security in that it covers the access areas and has the ability to stand off if there is some kind of a threat.

We have identified threats by others and created a system that tracks all the—certain dangerous substances.

Chairman COX. But was the assessment of this group there is a security vulnerability in the Grand Gulf?

Admiral DUNCAN. I think we looked at that from a vulnerability standpoint, but the report I have on it is we are on top of it.

Chairman COX. That is what I wanted to know.

Ms. Swain, in your testimony you said there could be a holdup in the Mississippi River for over a year and that that could have a global economic impact. You also mentioned the threat of a terrorist attempt on a cruise vessel. Would it be possible to close the river by that, as opposed to a cargo vessel?

Ms. SWAIN. Definitely. The type of vessel at the location and, specifically, more importantly, like I said, the cruises have 3,000 passengers or more and the crew, so you are talking about a significant loss of life. And the Coast Guard can probably give you more of the terms that goes with the referring of a vessel up to that. We had, I think, there the river was crossed for 5 days, and that put a cost of \$60 million to ports with 5 days for the closure.

Chairman COX. If the ports were to close for as long as possible, what would be the modality of that attack? It is 5 days?

Ms. SWAIN. Five days as a result of a vessel accident. A larger submarine could be more. And so that vessel that is in the river, they come and see where the vessel was and make arrangements.

Chairman COX. I am concerned about the 5 days. If an accident happened, and your testimony is that it could be over a year if it was accomplished in a terroristic way, What exactly effect would that have as a result of it being closed for so long?

Ms. SWAIN. Location, location, location. The amount and the size of the vessel, and maybe the Admiral can speak to that.

Chairman COX. On the size question, is the size of a cruise vessel sufficient compared to a cargo in order to accomplish that as a result?

Admiral DUNCAN. Definitely, it is. Yes, sir.

Chairman COX. While I got you, Ms. Swain, I want to ask you a question about maritime transportation security in which you alluded to in your testimony that you mentioned. I think the point of your testimony was the expense of it. But I want to ask you this. Can you amend it in any way?

Ms. SWAIN. If I have funding so that way we could pay for the exercises, which are very expensive. The Port of New Orleans is doing a lot of internal training with the Port employees; And if we reserve about 50 people, that is when you talk about salary and overtime. That is going to be \$2,000 for administration; and involving all the different people responding, EMS and so forth, could triple in cost.

Chairman COX. Mr. Heidel, I want to ask you about your own inland ports and local authority and maritime. Specifically, when something like this happens, do you have the intelligence available to you?

Mr. HEIDEL. We have gone through extensive training with the Coast Guard. They have set the levels, and the information was sent to U.S. for review. We are available for alert. Matter of fact, we had all of our training that has been completed along with your police department and so forth.

We are in the process now of scheduling another meeting of all of our industries, the ones that uses the Port and the ones that don't use the Port. But they need to be a support role to help assist these that do use the water system. It is training that is important, and we have had an analysis done on the parts of the area that are sensitive that could be easily be entered by terrorists to make sure that those are the gaps that we fill in before we move forward.

Chairman COX. My time has expired, and I think we will have a chance to hear from the Representative from Mississippi.

Mr. THOMPSON. Admiral Duncan, given the level of requirements placed on you after 9/11, have you had the necessary manpower and other resources to do your job in a timely manner?

Admiral DUNCAN. Thank you for the question, sir.

My bottom line is, yes. I think, as I sit here, we are able to handle risk. You are aware that our budget has reached about a 50 percent increase. We have grown fast. We have grown fast, and we have a certain quality that we want to maintain, so we will make that a priority to maintain that quality.

Mr. THOMPSON. Part of the time is that it appears in certain security situations you are more or less responding because of the time thing, I think, of the Coast Guard's response is slower. I guess I am speaking to Ms. Swain, member of the committee. The comment you made, I guess, you have to respond because it is in the Port. But the question is, is it the Port's primary function to respond or are you the secondary?

Ms. SWAIN. It depends. We have a mandate to respond to maritime emergency as well.

But, on a higher level, if there is a situation of an object floating in the river and it starts to become a problem, that would be primarily a Coast Guard situation. We have been asked to assist and to start our—investigate those kinds of incidents, so, therefore, it is why we are asking for access to that kind of work, to have that kind of training and put the right people on board to conduct those types of investigation.

Mr. THOMPSON. If we made funds available to do those things, the Port of New Orleans would be available to—

Ms. SWAIN. We would be available. If you are going to give it, we will take it, and we will buy vessels with it. I will assure it. We see it as a fundamental need.

When you were talking about putting the cruise vessel on the water—around the cruise vessel—the river is large, but people come up in and out of it and so forth, and they are not Maritime, and they don't understand they have breaches, in a sense. But we don't have any vessels of speed or something to deter them to keep them out of harm's way from the water. Our water side, ours is particularly vulnerable. We have added a lot of fencing. We have, so far, the harbor to handle the regular land security, but the Port side is something new for U.S. And it is nothing—well, I feel we are extremely vulnerable.

Mr. THOMPSON. Thank you.

Chairman COX. The gentleman from Georgia, Mr. Linder, you are recognized.

Mr. LINDER. If we were in Memphis, how many carts would it take to move through traffic?

Mr. HEIDEL. If you are talking about the cargo carrying two containers, a barge can carry up to 30 containers, if that helps you. And, if so, you can move a lot more cargo by water. So, of those 30, you would have to have 15 rail cars to move that 30 trucks, if that.

Mr. LINDER. How many containers can go down the river?

Admiral DUNCAN. If I may, sir, there are more details in the written report. It carries those cargoes through, so that is 36,000 barges. That is not—and some of that is the dangerous cargo.

Mr. LINDER. What percentage of the Coast Guard is Reservist?

Admiral DUNCAN. We called about 3 percent of our available active Reserve force in this district. We called up, you know, somewhere in the order of 1,800. Of that, 300 is active duty. We bought them up for a specific period of time.

Mr. LINDER. Do you board beyond the two-mile barrier off shore? How far can you go?

Admiral DUNCAN. As far as we can reach the vessels.

Mr. LINDER. And in that process, have you all been able to interact with the ports and the rivers and have you ever sat down to try determine what important things you need to talk about to get some kind of idea on how to go about it? You ever do that?

Ms. MCGOWAN. Not exactly in the realms have we done that. But in the private sector, from the Coast Guard, we did talk about those kind of things; and I talked with my Port people. I got a couple of workshops going for free for members and non-members to help them. Among those people who were there, there are all kinds of individuals who came together; and a lot of that is summarized in the report that I describe here, too.

Mr. LINDER. Thank you, Mr. Chairman.

Chairman COX. Gentleman from North Carolina.

Mr. ETHERIDGE. Admiral Duncan, you talked about your budget has increased about 50 percent and that you rely heavily on resources after the 9/11 incident. Earlier, several things popped out, and one of them is the use of Reservists. Their training is going to vary greatly.

My question is, what are they taking to inspect, to receive and the level and courses and the other parts of that—do you have to take a course or is it tapes or whatever the courses are to ensure the safety in Greenville, Mississippi?

Admiral DUNCAN. Yes, sir, that is a good question that I personally want to mention. The Maritime Security folks have taken 2 months and went through a specialized applied center. I had experienced people who are there that had to go through 2 months of training on that, also, for specific limitations of the regulations.

Other than those, we were using our military to go through like how to operate the load. They have the weapon crew that they had in addition to the boats, in general, and focus on the time of work that they had to do. So they had to prepare for that 24 months, and they had to maintain those areas as we send people in and out.

Mr. ETHERIDGE. But given your answer then, your plan is not to have a permanent team but to continue to rotate and use Reservists as your personnel.

Admiral DUNCAN. No, sir. We have a group of people in the Coast Guard in the past to hold many of those positions and, as we are growing, we hope to take off with that as quickly as we are able to do that.

Mr. ETHERIDGE. You mentioned a few things where you were asked about ships coming in the country. My question is, what is the time requirement for barge transporting to submit cargo information to the inland area?

Admiral DUNCAN. A couple of years ago, that cargo or barge had to let U.S. know 4 hours in advance of moving or arriving so that we could track the movements on them. I will receive the response or the request, and the office faxes it or let U.S. know where the operators are, and that gives me—pinpoint movements.

Now the special—this was put in. I keep that. That is available any time. And we get that and see and looking at how you are planning your day and that is for our safety. So if you got Baton Rouge or Vicksburg or any part of the Mississippi, you have the intelligence to look at if there are any concerns about touring.

Mr. ETHERIDGE. That raises another question. How clear is this system that you are talking about? For example, I want to know what it does to track or to prove or—how clear is this system that I can't tap into it?

Admiral DUNCAN. We recognize a lot of people may want to get into it, and we care about who has access to it. These are internal records and materials as well, so we are very careful.

Mr. ETHERIDGE. So the people you share it with, there is background and clearance and they are verified.

Admiral DUNCAN. I would say in most cases.

Mr. ETHERIDGE. What does, "most cases" mean?

Admiral DUNCAN. All, yes, sir. Presently, that is what is being done.

Mr. ETHERIDGE. I guess it is for those other barges that are coming in as well. Is that what you are saying?

Admiral DUNCAN. I am not—you have got other barges that don't have access to that system. They don't get the information of what is moving in that river. Is that your question?

Mr. ETHERIDGE. Yes. If you have a hazardous material and someone is coming down, you may or may not want them—make sure that someone has a checkpoint in place.

Admiral DUNCAN. Yes, sir. They carry some AIS or they are communicating. So we are not trying to displace the safety alert of ships coming around the bend. So there is a safety that seeks to prevent those kinds of things being advertised. What is in the system is for safety if we want to contact anyone.

Chairman COX. Any more questions?

Gentlemen from North Carolina.

Mr. ETHERIDGE. This is a learning process for me, specifically, when it comes down to ports on—not only in Mississippi but also ports that are in the region.

Director Swain, I want to ask this of you, because I know there are two things that you spoke about. One, the Department of Homeland Security, specifically, and also the government accountability saying that the Coast Guard didn't have adequate staffing or funding to be able to carry out what was needed to be done. I was reading some of your testimony, and I understand that many of the people in your Port, even your customers, said they will not pay a fee. Can you elaborate about that? Because it is not the first time I have heard of boats that say they are not going to pay, period.

Ms. SWAIN. Well, I think that was because when the Gulf Port Association got together—and the reason they got together was because they didn't want the Port of New Orleans to have a fee for our competitors. So that was the purpose of them doing it. So that the fee, today, it would not be a deal breaker for getting or losing business.

If—I am not answering your question, I think.

Mr. ETHERIDGE. It is not only the responsibility of the Federal Government, but it is also a responsibility of everyone to be able to do so. And, you know, we don't want to hurt anyone. But, at the same time, our neighbors, as it relates to port fees, because of the specific access, how are we going to help the business? Because we talk about protecting the homeland. It is also affecting the economy, and I don't want to put one port at a disadvantage versus another one because it will say it is cheaper to go to a port in, like, Tampa versus here.

Ms. SWAIN. Exactly. That is what we were trying to avoid by attaching the fee strictly among our competitors. And I should say, it is still out on the port security fee. It was supposed to go into effect April 1st. Then I hope we don't delay it for another month or so.

We have been hearing some drum rolls, which is normal and, again, ours more adversely because the government has not given U.S. the backup or the go-ahead. So that is like at the airport and paying security fees. They are in there, and we pay that fee, and pretty soon we forget that it is there.

We find it more—and, again, to put it on cruise passengers vessel because, of course, it means that we become less secure and because people who travel by cruise line go to a cruise at their leisure and not because they have to be someplace.

Mr. ETHERIDGE. We are going to have a second round, correct?

Chairman COX. That is correct.

Time has expired. I left off with you have mentioned some things I want to tie together and ask you about.

You mentioned container shipping and you have also criticized the overemphasis of technology at the expense of training people and it might not be a multi-agency plan for port reservist. I want to ask you a little more in detail, all container tracking, when it contains biological weapons, seems to be—can you have a deal inside of one of these containers that would pick it up?

Admiral DUNCAN. The technology we have right now is it can go to the second port if it is very busy at moving things through the first port.

Chairman COX. Thank you.

I want to go on and ask Dr. McGowan. You tell me a little bit more, from your experience, what you mean that some of your ports have to be overkill.

Ms. MCGOWAN. Every meeting that I go to, it just seems like we talk about the containers on the inland, containers on barges, but not ever are we asked to track containers. That is what I am really saying. I am always saying that we taught employees how to identify a problem. They really want to learn. They want to do right, so to speak. And I felt like they are a vast resource you know—and it doesn't matter how much education the employee has. To me, doing the right thing was all that I wanted to do was learn how. So I don't know if I answered that part of your question or not.

Chairman COX. Did you—and let me ask you further about your understanding. I will ask for your common knowledge. Is there, in fact, no comprehensive session multi-agency port recovery plan in the United States?

Ms. MCGOWAN. I have not been told about it. Have you, Cynthia?

Ms. SWAIN. No.

Admiral DUNCAN. I could address a couple of points on that. We have quite a responsibility in making sure that that is taken care of.

We have heard Ms. Swain talk about the incident that closed the Mississippi River just a year ago. It was concerted in a port and all the resources we had to bring that up as quickly as possible and re-route the traffic to Gulfport. We received a cruise ship that was going through the South, and we put them through to a barge.

Chairman COX. We have some nods on what you are talking about.

Ms. MCGOWAN. I am looking forward to the draft on the first of April.

Ms. SWAIN. We get so accustomed to working together, sharing things and knowing what each other is doing on a day-to-day basis, so that when something happens with a barge or a carrier or whatever it is, we are able to come together. But it still doesn't mean that we don't have a national response plan.

Chairman COX. Any questions, Mr. Thompson?

Mr. THOMPSON. I have a basic question. I will start with you, Admiral Duncan. If we have a major emergency in the port along the river, do you have the ability, right now, to talk on a radio so that everybody responding to that emergency is on the same response?

Admiral DUNCAN. That is a growing concern. I can say that in some parts we can bring the State of Louisiana in to bring a hand.

We know the people who are operating, we know the State agency, we know the Federal agency, and we can pull those together. But that is a process that is going take a little bit of time to have a very fast response. Is that what you are alluding to, sir?

Mr. THOMPSON. OK, well, so presently we don't have that capability.

Admiral DUNCAN. We have some locations that are less than others.

Mr. THOMPSON. All right. Thank you.

Do you know if we have that capability in Vicksburg.

Admiral DUNCAN. I am not—I can do that, yes, sir. I can't answer your question about Mississippi.

Mr. THOMPSON. OK. Mr. Heidel, to your knowledge, can we get everybody responding on the same frequency?

Mr. HEIDEL. I think that we are in the process of making that happen. We did have—from the meeting that we had and the coordination we have had with the river along with the Coast Guard, I would say that we can respond pretty quickly to the situation.

Mr. THOMPSON. Well, you know, we have got studies that kind of say that it is inoperable and inadequate. And that is one of the challenges for 9/11, is that the New York Fire Department couldn't talk to the New York Police Department; and when it did, went out, everyone didn't hear the call.

So I am wondering—and that sort of leads me to the question, is if, in fact, from a first response standpoint people are responding, but it is more or less you don't know who is there until you get there because you haven't been able to talk with anyone. We have tried, when we campaign, to get everybody on the same frequency, not only who is helping you and the people, but you also know who is coming. I guess what I hear is that is a work in progress. Is it?

Ms. SWAIN. It has been a work in progress for many years, and we are beginning to work around with these gentlemen in patchwork. The harbor has a different radio. We can, at least, talk to one another. If you create a NIMS incident for the different agencies, then you can pair a harbor, both together, and see that everybody can get the word. So it is kind of patchwork and make sure—and a lot of the problems with that is it costs money to do it and they don't want to give U.S. their system and put up firewall and all of this and things like that.

Mr. THOMPSON. One of the things—and not to cut you off, but one of the things we have out here and depending on is this radio to do all of this. But the issue is, can we make the technology so we don't have to buy radios to communicate?

Admiral DUNCAN. I may have sent you the wrong way when I answered with the response of it is either side of the levy. There is a little more to that, and it needs to take a little more time to think about. If somebody is on the same radio, yeah, you can't hear anybody talking. Although we had radio, yeah, that we worked with each other, we put—that wouldn't discover the navigation. So it is little more complicated that.



Mr. THOMPSON. One more question. Do we have that in place right now?

Admiral DUNCAN. The NIMS?

Mr. THOMPSON. What you have described, do we have that in place right now?

Admiral DUNCAN. To answer your question in the context, there was a—oh, here? Yes, sir.

I think we would come together very quickly by sending in a PFO principal to manage that Federal response so that there is a linkage between U.S. and the Federal response.

Mr. THOMPSON. Maybe I am not asking it right. I guess, if an emergency occurred today, is the NIMS operational for Vicksburg, Warren County?

Admiral DUNCAN. I believe it is, sir. I think we know the people in the area and we can come together very quickly.

Chairman COX. Gentlemen from Georgia.

Mr. LINDER. The Admiral, in talking about sharing information between ships, you said, we have intelligence. Tell me, where do you get your intelligence?

Admiral DUNCAN. We have own intelligence in different places, and we also tie all the NIMS communications together, and we reach those sources as well.

The other side is how we use that. How do we get that to people? Because most of this is private and you are operating out of a refinery and I would like that—that comes out of the intelligence arena, and I would like you to be aware of that so you can organize ineffective, effective ways. There are security information methods for doing that as well.

Mr. LINDER. Thank you.

You or your people with whom you work, what are the risks? Is the risk as much as the risk might be in New York City? Have you ever sat down and thought about that? That is what we are challenging here this morning. Have you done that?

Ms. MCGOWAN. Not in the way that you have just outlined.

My knowledge, just working in it, the Coast Guard and the Maritime Administration is—if in the event they got together and joined their resources—there was a study done, and it studied one of our ports of Louisiana with one of the ports of Memphis; and because the inland port and terminal is not a port, we could not get any, even for this little test thing, to see if we could do what we needed to be doing.

Mr. LINDER. When the Coast Guard and the Maritime folks get together from the department to tell the risk, do they determine that the port is more vulnerable than the other port and can they tell at a certain point?

Ms. MCGOWAN. That would be Mr. Murphy working together in the Central Region at that time on those port securities, if they are able to.

Chairman COX. Gentleman from North Carolina.

Mr. ETHERIDGE. I am going to talk to you a little bit about a question that was raised that I can get better educated about it. I noticed yesterday that the river that is along—more than any other place in America, and they wind up at the New Orleans Port. And we have talked about the funding. When we look at funding

to all the others—this deals with cargo of that type—are we just looking at shipping, the risk that comes in and as it relates to the funding for the security issues for homeland security?

Admiral DUNCAN. I started responding to that, sir. All the ports are at the front end of system to make sure that, roughly, all parts are secure and safe.

Mr. ETHERIDGE. Then that leads to another question. I think it gets to something Ms. Swain said, and we may have touched on that. If we go looking only at the—if you are looking at those high-profile cargoes, then you ignore all the other pieces. My question is, if we don't—how do we make this really work, not just the shipping of it?

Who wants to take on that.

Ms. SWAIN. Well, I don't know about—you can spend a lot of money and we can spend an extra amount to sort them out. If I were to say, I am looking for a creative solution, once we figure it out, you know, and do it short term, we can do it in many other places. And when one fails, it fails, and we move onto the next one. To me, it is not just more fence and more cameras. That is my solution.

Admiral DUNCAN. I know that the department is looking at these issues presently and has done something. I think we touched on some of these here today. So it is a lot to grasp when I go around and hear about who is getting more money than others.

From my knowledge and standpoint, the importance of security awareness is at stake. The country—every American is part of this. We know that if we catch a man in a suit out fishing, they know that people shouldn't be out fishing in a suit, and they are going to call somebody, and it makes U.S. aware of things like that. But I really think it is most important of getting this right.

It makes our job all the better. It is very important to get an all-out awareness going. Because we would still have people forget and put a weapon in their luggage and get on the cruise liner. Nobody forgets that they are not supposed to take a gun on a plane. And, again, it is the same, that the ports are less vulnerable, but it is a reality thing.

Chairman COX. We are going to let the gentleman from Florida ask questions.

Mr. MEEK. I would like to yield my time to Mr. Thompson.

Mr. THOMPSON. Thank you very much.

I guess the question is, Ms. Swain, you indicated that sometimes you have to respond to emergencies in the Port of the New Orleans. Sometimes it takes about an hour to get a Coast Guard present. I am wondering, if a similar emergency occurred in Vicksburg, how long would it take to get a Coast Guard present.

Mr. HEIDEL. Presently, we have located—our port Coast Guard feels they respond pretty fast to what is going on. We also are fortunate enough, as I said earlier, to have the Sheriff's Department there, which mobilizes the help in those emergencies, also.

Mr. THOMPSON. I guess—can we have that in New Orleans?

Admiral DUNCAN. Sir, I would have to check on that. I really don't think it takes an hour to get a Coast Guard. I have to go back and see why it would take an hour. That is an unusual number.

Mr. THOMPSON. I am sure you can get that information from Ms. Swain.

Ms. SWAIN. Be happy, too.

Mr. THOMPSON. We are here to talk about that. One of my concerns is, if we have a unit in Baton Rouge and a unit in Memphis and a certain kind of emergency occurs, how—I am just wondering how would we accommodate, today, that in between?

Admiral DUNCAN. We have a present system in every place to quickly respond.

Mr. THOMPSON. I guess someone would have to come from Baton Rouge, and we don't have any in Vicksburg.

Mr. HEIDEL. We have boats on the water in both of those places. We have a presence there. It may not be a boat response. It might be a different type of response or from another agency. Am I being correct, by my sheriff out there, for presence out there? He would know better than me.

Presently, the Coast Guard does not monitor the Port. The Sheriff's Department does the monitoring.

Mr. THOMPSON. We have got the Sheriff here.

One other question, Admiral Duncan, since the Coast Guard have primary response, have you received the security plan for all the ports along the river?

Admiral DUNCAN. My staff does. Yes, we do receive them.

Mr. THOMPSON. You receive them. Have you now taken the plan and gone to the ports to see, actually, what was on the plan is actually there?

Admiral DUNCAN. Yes, sir.

Mr. THOMPSON. So there is nothing that has not been verified?

Admiral DUNCAN. To my understanding, we verify what is in those plans, sir.

Ms. SWAIN. They verify and verified it twice. That is why they have no shortage of staff. There was a verification at our port, approved the plan, and then there is verification that is going on afterward with that. That is why we have to make—we have to get better maps, because they were OK for acceptance. When we look at that opportunity, how we read them, we see it is a dynamic working document. We check that when they are coming back and make changes but verify it, they do.

Admiral DUNCAN. That was part of those Reservists.

Chairman COX. Does any other member of the panel have any further questions and want to be recognized for closing statements?

Gentlemen from North Carolina.

Mr. ETHERIDGE. I would like to thank the folks here, and let me thank you for inviting US to Mississippi and, specifically, to Vicksburg. My first trip back from a number of years ago. I appreciate your hospitality, your testimony today. The information we gained will certainly be available, I assure you. I have learned a great deal about inland ports. Thank you.

Thank you, Mr. Chairman.

Chairman COX. Gentleman from Florida.

Mr. MEEK. I want to thank everyone. I have learned quite a bit. Thanks to Vicksburg, all of the elected leaders of this fine city, to the people and to the people who are trying to make this community stronger. And, also, Mr. Chairman, to the historical as it re-

lates to the committee. This is a major part of our planning. It is important that we educate ourselves on these issues and the needs of the community as we learn how to protect them. If we do our jobs better, then we can help them to make their jobs better on the home front.

Chairman COX. I am going to make a pronouncement at this time, but I want to thank you very much for the education on our ports that you provided to U.S..

Second, I want to thank the witnesses for coming out and educating this committee. We have learned a lot today. I have to say that when you see how hard people work, how dedicated people are, we have a lot to be proud of. To do security, on top of that smiling and, most importantly, sharing information. Working has never been—I think we are going to be very, very successful as a result of coming together to discuss this matter for our future. That is why we spend the extra money on training, so that we know the technology, not just because of the money we are spending on security but rather the productivity.

Thank all of you for your education and also to the Vicksburg community, and I appreciate your being in Vicksburg and the Representative.

We are very, very glad to have closing remarks at this time.

Mr. THOMPSON. Let me thank the witnesses. You have been very good, very thorough and very subjectively put issues out front.

For the sake of the audience and these members of the committee to my left, I want to thank them for not postponing the hearing and making the efforts to be in attendance; and I thank the audience for coming and just the whole Vicksburg, Warren County area for being here. As the Admiral said, today, to whatever extent, it really boils down all of U.S. being a little more aware about our surroundings and what we say, not crying wolf all of the time. You need to let someone know so it could be checked.

The responsibility is a task. 9/11 changed the plot in the country, that we will never be the same. I am reminded every time I go to the airport that it is either that fingernail file or something I should have left or I got the wrong pair of shoes on and got to take them off. But it will never be the same.

So I appreciate the Chairman for agreeing to have the hearing, and I also echo the statements of the committee members that we need to do this as often as we can so that we get a feel for what is going on. So, again, Mr. Chairman, thank you very much for spending time in Vicksburg, Mississippi.

Chairman COX. I thank the gentlemen.

There is nothing further. This field hearing of the Homeland Security Committee is now adjourned.

[Whereupon, at 11:16 a.m., the committee was adjourned.]

## APPENDIX

### MATERIAL SUBMITTED FOR THE RECORD

#### QUESTIONS AND RESPONSES OF THE COAST GUARD

##### VESSEL AND FACILITY SECURITY PLAN INSPECTIONS

**Question:** The Government Accountability Office (GAO) issued a June 2004 report about the Coast Guard's inspection of vessel and facility security plans required by the Maritime Transportation Security Act of 2002 or MTSA. The report stated that the Coast Guard will face numerous short and long term challenges. The first challenge is the sheer number of security plans that must be inspected; according to GAO the Coast Guard plans to inspect over 3,000 port facilities and 9,000 vessels to ensure that owners and operators are compliant with their security plans. The second challenge that faces the service is the number of Coast Guard personnel able to conduct the inspections. I understand that the service has leaned heavily on its reserve force since 9/11, which is a nice resource to call on for a temporary basis, but I believe the Coast Guard is going to have long term staffing needs to enforce the MTSA. **What steps has the Coast Guard taken to ensure that you have enough personnel to conduct MTSA security plan verifications?**

**Answer:** The 2005 enacted budget provided funding for 791 personnel and associated support funds for MTSA enforcement. The fiscal year 2006 budget requests an additional \$31 million to fully-annualize the additional staff hired to ensure MTSA enforcement.

As an interim measure while those positions are filled, the Coast Guard employed Title-10 Coast Guard Reservists and contractor personnel to achieve MTSA implementation and enforcement milestones. The Coast Guard developed and implemented training programs to provide its personnel with the requisite knowledge and skill to conduct facility and vessel security inspections. Ongoing field level training in accordance with established requirements continues to provide an increasing base of qualified security inspectors necessary to maintain the program. The Coast Guard's classroom training curricula, which provides the basic training to new personnel entering the field, has also been updated to reflect the new requirements and ensure new personnel arrive at field units with appropriate preparation to perform these functions.

The Coast Guard has completed the initial review and approval of over 3,000 facility and 11,000 vessel security plans. With this initial surge of activity complete, the Coast Guard is now transitioning to a steady state of MTSA operations and enforcement. Reservists recalled in support of MTSA implementation will be demobilized by the end of fiscal year 2005, but will continue to augment active duty forces during regular drills and through the Active Duty Special Work-Active Component (ADSWAC) program as needed to support all Coast Guard missions.

##### IRVMC DISSEMINATION OF INFORMATION

**Question:** **The Coast Guard established the Inland River Vessel Movement Center to gather and track information barges loaded with Certain Dangerous Cargoes (CDCs) along the Western Rivers. What is the time requirement for barge operators transporting CDCs to submit their cargo information to the Inland River Vessel Movement Center? Where does the information collected by the center get disseminated to?**

**Answer:** Barge operators are required to submit information to the Inland River Vessel Movement Center (IRVMC) four hours before the barge carrying the CDC is added to the tow of the vessel. Barge operators (when moving barges with CDCs) are also required to report their position to the IRVMC at approximately 100 designated checkpoints throughout the Inland River System. The IRVMC then posts this information electronically, providing a Common Operational Picture (COP) to

District Eight Inland River and Coastal Captains of the Port. Additionally, the Captain of the Port in Chicago (Ninth Coast Guard District) receives the same COP tracks. All Captains of the Ports use this information to continually track movement of the CDCs through their area of responsibility and to target vessels transiting their areas for escorts, boardings, etc.

#### EXERCISE AFTER-ACTION REPORTS

**Question: The GAD issued a report in January in response to a request from Ranking Member Thompson about the use of terrorism exercises to coordinate effective seaport security procedures. The GAD stated that the Coast Guard's after action reports from port terrorism exercises were either late or not sent at all. The report also stated that the content of the after-action reports submitted by the Coast Guard was insufficient to incorporate lessons learned for future exercises. What steps has the Coast Guard taken to ensure that local units are submitting thorough after-action reports in a timely fashion?**

**Answer:** The Coast Guard acknowledges the need to improve the After-Action Reporting (AAR) system. Improving AARs will be one of the Commandant's top priorities in the fiscal year 2006 Contingency Planning Guidance to operational commanders. Additionally, increased emphasis is being placed on AARs in the Coast Guard's primary Contingency Planner/Exercise Planner training course. A core group of individuals are also being certified as Master Exercise Practitioners with increased expertise in the development of AARs and lessons learned.

#### CG RESOURCE LEVERAGING OF SMALL BOATS

**Question: The Coast Guard's Deepwater program has received a great deal of attention since 9/11 due to the fact that the Coast Guard's fleet of cutters and aircraft need to be replaced. Looking at the background information provided by the Coast Guard, the six Marine Safety Offices on the Western Rivers have a total of 19 small boats. How is the Coast Guard leveraging resources to ensure there are enough small boats for the Coast Guard to perform all of its missions?**

**Answer:** Over the past three years, the Coast Guard has added over 170 new Response Boat Smalls (RB-S) and crews throughout the nation to perform all Coast Guard missions. In the President's Fiscal Year 2006 budget Request, the Coast Guard is requesting 14 additional RB-S's and crews. These boats are highly capable and well suited for the inland rivers.

In fiscal year 2005, the Coast Guard plan to establish a Security Patrol Detachment (SPD) in Huntington, WV, as a prototype program to address the geographically and mission unique requirements on the inland rivers. As this pilot project yields a better understanding of inland river operations, the Coast Guard will review its resource allocation in other strategic ports on the inland river network.

**Question: The Coast Guard just established a prototype river security team at the Marine Safety Office in Huntington, West Virginia. This team will perform the function of the Marine Safety and Security Teams or MSSTs deployed to large coastal ports whose primary mission is deter, protect, and respond to maritime security incidents at large river ports. Do you know if the Coast Guard intends to deploy teams to other inland river ports?**

**Answer:** Given the geography and unique local features of the inland river system for over 10,000 nautical miles of navigable waterways, the MSST is not the best operational solution.

In fiscal year 2005, the Coast Guard plans to establish a Security Patrol Detachment (SPD) in Huntington, WV, as a prototype program to address the geographically unique security requirements on the inland rivers. As this pilot project yields a better understanding of inland river operations, the Coast Guard will review its resource allocation in other strategic ports on the inland river network.

The Coast Guard has deployed MSSTs on four occasions to the inland river ports of Memphis, TN and St. Louis, MO to meet temporary operational requirements. Future deployments of MSSTs will be based on a combination of port activity, threat analysis, and intelligence.