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THE PORT AUTHORITY OF NY & NJ  
ON  
SECURITY IN THE NATION'S PORTS AND ON THE WATERWAYS  
AT THE  
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Thank you for the opportunity to speak to you this afternoon on the important issue of security in our nation's ports and on the waterways, especially given the events of September 11.

The Port of New York and New Jersey is the third largest in the nation and the largest port on the East Coast of North America. Last year the port handled over 5,000 ships, 3 million containers and 560,000 autos. New York/New Jersey handles more petroleum products than any other port in the nation, along with a variety of other bulk and breakbulk commodities. The harbor also supports a wide range of passenger services including cruise ships and a growing and increasingly important, commuter ferry service. Ports like New York and New Jersey are key transportation links in global trade; ninety-five percent of US trade comes by ship. The Port of New York and New Jersey serves a region of 18 million people locally and a larger population of 80 to 90 million people within the ten state region surrounding the port. Serving consumer demand for international goods is an essential component of our national economy and ports like ours provide the critical intermodal link for the transfer of those goods from ships to our national landside transportation network.

On September 11, the world witnessed the use of civilian transportation as a weapon to destroy property and take the lives of thousands of innocent people. The tragic events of that day underscore the critical need to meet America's transportation requirements while ensuring the safety and security of the nation. Much attention

has been paid to the aviation industry given the role of air transportation in our society and economy as well as the number of citizens that use our aviation system every day. Just as important, however, is our maritime transportation system, which may not move as many people, but is an essential component of our nation's freight distribution system and, as a result, is tremendously important to the American economy and national security.

In the immediate aftermath of the attacks on the World Trade Center, the Pentagon and the crash in Pennsylvania, the Port of New York and New Jersey was closed by action of the US Coast Guard and local law enforcement as a precaution against a potential terrorist threat. This response by Federal, state and local enforcement agencies, along with the support and cooperation of private marine terminal operators and their security teams, was well coordinated and orderly. The port was reopened on the morning of Thursday, September 13 under heightened security measures established by the Coast Guard, Customs, local law enforcement, the Port Authority, and terminal operators.

Under current manning and mission priorities, the Coast Guard and other Federal and state agencies are able to adequately respond in an intensive way to surge port protection, but these organizations can only sustain this level of security for a short period of time. Currently, there are not enough resources in terms of personnel and equipment to maintain that level of security over an extended period within the Port of New York and New Jersey, let alone the rest of the nation. That is, not without the rest of their core missions being affected. In fact, today there are fewer resources being deployed in the Port of New York and New Jersey than in the days and weeks immediately following the September 11<sup>th</sup> attacks despite the fact that the threat hasn't changed.

Among the other challenges that we face in addressing the issue of port security are cargo visibility; accountability and responsibility for the contents of containers; accessibility of an individual to a marine terminal; the question of "Who is in

charge?” in regards to both prevention of and response to a terrorist event; and understanding the threat and vulnerability.

The biggest threat in the maritime industry may not necessarily be a rogue vessel slamming into a bridge, but an intermodal container being used to transport a weapon of mass destruction into the United States. The measures that Customs currently uses focus on interdiction, however we must focus more on prevention. Since most major U.S. ports, like New York/New Jersey, are interconnected with national transportation systems and are located near major population centers, interdicting a container laden with a weapon of mass destruction through its inspection here on U. S. soil is already too late. Our goal should be to prevent the weapon from ever making it to the United States. The only way to do that is to recognize that the leading edge of the boundary for homeland defense is, in fact, foreign ports. Maritime security is an international issue. From point of origin to point of destination, a chain of custody must be established so that the shipper and port of origin may be held accountable for verifying the contents of a container, similar to what is currently done with the shipment of hazardous materials. Therefore, we need the cooperation of foreign countries and we must assist foreign ports in elevating their standards of security to levels that we believe are appropriate and equal to those within our own borders. Additionally, more detailed cargo information must be provided to U.S. authorities sufficiently in advance of the vessel's arrival so that there is a high level of assurance regarding the contents with adequate reaction time if necessary.

When it comes to preventing or responding to a terrorist incident, the Coast Guard and Customs are only two of several Federal agencies that have a role in port security. In addition, there are state and local agencies that also have port security roles and responsibilities. But one of the fundamental questions still remains, “who’s in charge?”

In 1989, in the wake of the Exxon Valdez disaster, we faced a similar question when it came to identifying who was in charge in the event of an oil spill in one of

our harbors. Today, we have an answer to that question because the Congress and others took a coordinated approach to developing new laws that laid out clear roles and responsibilities for each of the agencies involved in responding to an oil spill. The result of this effort was the creation of Area Contingency Plans. This action could serve as a model for coordinating the various agency jurisdictions in the prevention and, if necessary, response to a terrorist attack on our ports.

Communication is the foundation for that coordination among the various agencies responsible for port security. This includes sharing intelligence and threat assessment information among Federal, state and local agencies, as well as certain limited private interests, such as terminal operators, when in those instances the private companies have an explicit responsibility for securing their operations against a potential threat.

Our success in providing heightened port security in the wake of the September 11<sup>th</sup> attacks clearly indicates that no one entity is responsible for or capable of providing port security, but rather, it is a shared responsibility among Federal, State and local law enforcement, and private security forces. The port industry must work together with the local Coast Guard Captain of the Port to develop security guidelines and standards specific to the unique nature and vulnerability of each port area, rather than generic guidelines for all ports.

Compared to land and air, our maritime borders are extremely porous, therefore it is critical that we establish methods, programs and systems to close the loopholes that terrorists might exploit to repeat the events of September 11<sup>th</sup> in a maritime environment. While most of the issues I've mentioned relate to the "business process", the application of new technologies that allow us to enhance our security measures while minimizing the impact on the flow of cargo through our transportation systems will be key to our success.

In early November, the Research and Special Programs Administration (RSPA) of the US Department of Transportation solicited white papers from private industry, academia and government research communities on innovative technologies to proactively detect threats in multi-modal transportation services and operations without delaying the movement of legitimate passengers and cargo. Although over 500 responses to this solicitation were received,

additional Research and Development is still needed in areas such as information and intelligence, interdiction, command and control, cargo inspection, port operations and access control.

We must find a way to collect the information and intelligence that has been generated by multiple agencies about people, cargo and vessels into an integrated and accessible database that can be analyzed to create actionable information. That information must then be made available through a secure communications system, in a timely manner, among those agencies and members of the private sector who have a “need to know” so that appropriate action can be taken before the vessel or cargo arrives in the United States.

There has been a great deal of discussion in the last couple of months about the limited quantity of containers that are actually inspected by U.S. Customs. The misunderstanding however is that while only 2% of the containers are physically inspected, up to 98% are inspected through the use of artificial intelligence. While this stresses the importance of creating a chain of custody, requiring more detailed cargo information and the use of integrated databases, additional work is needed in the area of cargo inspection technology. It is impossible to inspect every container but we can strive to get more cargo through Customs and Coast Guard inspectors, in less time, with greater security. High tech sensors, readers, x-rays and scanners, are all necessary, but existing systems are limited in their ability to detect, prevent and protect against various forms of nuclear, chemical, biological and radiological devices. So called “dirty bombs” can release a toxic plume of radiation, therefore we

need unmanned sensors and radiation detectors, as well as detection equipment for explosive devices so that federal agents can do their jobs without putting their lives at risk.

Finally, biometrics or the use of distinguishing traits (iris or retina scan, fingerprint or facial recognition) to identify a person will prove invaluable in controlling access to marine terminals and vessels. While smart cards and scanners with biometrics imbedded in them have already been proven, there are challenges associated with using this technology in the maritime industry. This includes the interoperability of cards not only in multiple terminals in one port but also throughout the United States, as well as the compatibility with other cards that may be issued by law enforcement agencies and or other transportation modes.

In the Port of NY/NJ, we look forward to continuing our work with the Administration, port operators, and private interests to ensure that processes and systems are in place to provide the highest level of security, commensurate with the vulnerability and threat, while also maintaining the safe and efficient movement of commerce and protection of the public

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