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April 22, 2002

Admiral James D. Watkins, Chairman
U.S. Commission on Ocean Policy
1120 20th Street, N.W., Suite 200 North
Washington, D.C. 20036

Dear Admiral Watkins:

Thank you for your letter and follow up question from the February U.S. Commission on Ocean Policy meeting in St. Petersburg. I too, look forward to continued interaction with you and your fellow Commissioners on critical ocean policy issues.

You ask in pertinent part "are there lessons to be learned from the experiences of the air travel industry?" Indeed, a similar reaction by the federal government with respect to seaport security would be very beneficial. In particular, the following are issues that could be addressed by federal, state, and local governments with respect to seaport security:

1. Federal Standards and Funding. Federal action with respect to airport security holds important lessons for similar federal involvement in seaport security. Adequate seaport security around the nation will not occur without the active involvement of the federal government. This means setting minimum standards, and providing federal funds to ensure that those standards are met.

Currently the U.S. Congress is debating the merits of federal seaport security legislation that may provide both standards and funding. We would note that one without the other accomplishes very little. We also believe that the provision in legislation being proposed by Senators Graham and Hollings authorizing the continuation of the tonnage tax to pay for security costs is necessary. Similar to the head tax on airline passengers, a dedicated revenue source is necessary to provide an adequate stream of funds to pay for seaport security costs around the country.

2. Seaport Security Plans. "Production-ready" seaport security plans – based on vulnerability/threat assessments – are a prerequisite for any seaport security effort. For instance, Florida has worked with its primary state and local law enforcement agencies to develop seaport security plans that not only comply with statutory minimum state standards, but also address local, state and federal public policy issues with respect to public safety.

Florida's seaports have worked with their federal and state partners to ensure that the plans include coordinated efforts. In this respect, since waterside security primarily falls within the jurisdiction of federal agencies, particularly the U.S. Coast Guard, the Captain of the Port must be a part of these planning efforts. The development of "production-ready" plans will enable the seaports to identify priority funding needs and determine how federal, state and local partners can address these needs.

These plans should also address law enforcement efforts at the seaports. Prior to September 11, 2001, federal law enforcement efforts at our seaports had been scaled back, and the number of federal security personnel and equipment at the nation's seaports was woefully inadequate. In Florida, the National Guard, local law enforcement and "non-sworn" security personnel have had to supplement federal law enforcement agents to ensure an adequate law enforcement presence. The long term needs and costs of law enforcement agents has yet to be adequately addressed on a federal level. This recurring need and cost should be part of any federal legislation adopted by the U.S. Congress.

3. Integration/Coordination of Federal, State, and Local Agencies Seaport Security Measures. Finally, there must be an effort to ensure that seaport security measures, whether the development of capital infrastructure or the deployment of law enforcement personnel, are coordinated. Communication and intelligence sharing by federal agencies is still inadequate. At a minimum, the state personnel in charge of anti-terrorism and crime prevention should be part of the intelligence network.
4. Maritime Security. The ultimate goal for maritime security is to develop a "security zone" that exists outside of U.S. territorial waters. We must know what is coming into our seaports, where it came from, and who is responsible for it coming into the U.S. The coordinated use of intelligence and efficient deployment of high-technology equipment will enable U.S. seaports to substantially secure our borders. Security technologies identified with particular promise are:
 - Supply chain-related software that can enhance security as well as efficiency, including security-tuned asset management tools and logistics portal
 - Electronic cargo seals
 - Other point or portable security sensors that can monitor cargo and conveyances
 - Wide area communications combined with GPS or other global location technologies
 - Biometrics tools to enable positive identification of authorized personnel

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These technologies offer significant potential to enhance security, safety, and commercial efficiency. However, realizing these benefits requires consistent and coherent standards, many of them international. It also requires standards that are flexible enough to accommodate continuing technology improvements.

The security measures and procedures described above require a funding source as well as a major cooperative effort amongst many players, both domestic and international, to achieve harmonization of security application. It would appear that "security technology" could have linkages to specific ocean technology application needs. Assuming that there exists a duality in application to both security and ocean technology, then perhaps ocean technology might benefit from the developing security revenue stream and the harmonization of security application, both domestically and internationally. Perhaps this duality of technology application might be an attainable goal through the efforts of the U.S. Commission on Ocean policy.

Again, thank you for your question. If you would like to discuss this further, please call at 850-222-8028.

Respectfully,

John R. LaCapra
President

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