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December 4, 2002

On behalf of the Port of Tacoma (POT), we want to thank the TSA for having accomplished the basis for Operation Safe Commerce and leading the maritime industry to this critical point in time to review the security issues of an end-to-end supply chain process. We fully concur with your projected timeframes for the RFA process and review. We, along with our Load Center partner- the Port of Seattle, stand willing and ready to accelerate our response schedule should you desire in order to meet your original schedule objectives.

With that said, we are appreciative to have the opportunity to provide comments on Docket Number TSA-2002-13827, Operation Safe Commerce, and request your consideration of these comments before the forthcoming Grant Program Announcement and Request for Applications are issued.

1. Description of Supply Chain Demonstrations - POT recognizes that the Transportation Security Administration (TSA) and the Executive Steering Committee (ESC) want to assure that complete supply chain demonstrations are conducted in support of Operation Safe Commerce. POT, as part of the Seattle/Tacoma Load Center, has conducted discussions with a wide range of federal and civil agencies, transportation industry representatives and businesses, technology suppliers, and system integration contractors to establish the framework under which the OSC grant program will be performed. We expect that we will satisfy the expectations of TSA's grant evaluation process by identifying key participants, component projects, and processes and technologies that will comprise our OSC program, while reserving the definition of some project details to the initial systems engineering effort performed under the OSC grant program. Sufficient detail will be provided in our grant application so that TSA and the ESC will be assured that the security gaps identified in the Federal Register, i.e. point of origin inspection and certification processes; supply chain security processes and technology; and information management and communication security, processes and technology; will be addressed. We expect that final program details will be coordinated with TSA, ESC, and other Load Center representatives following grant award to ensure the programs and component projects are complementary and will contribute to the body of knowledge that will be used by TSA to develop Federal standards.

2. Partnerships – The definition of "partnership" proposed by the ESC in the Federal Register could lead to interpretations that may confuse third-party participants regarding program management, funding, and responsibility. It is important that TSA make it clear that the "Load Center" is the lead organization in all partnerships, will be the point of contact to the ESC, and will have single point responsibility for all OSC demonstrations and component projects involving that Load Center. The Load Centers, as a coordinated group, will review industry proposals and define component projects within the framework of their approved OSC programs and will have

responsibility for organizing component supply chain projects and demonstrations into a coherent program that meet TSA's performance and funding criteria.

3. <u>Letters of Commitment</u> – In previous communication with the ESC (letter dated 9 September 2002) POT understood that the ESC agreed that letters of commitment from the Load Center public / private partners would not be required as part of the grant application process. If this revised requirement is not relieved POT proposes to provide letters from key participants and those entities that we anticipate will provide substantive in-kind contributions or investments. We do not believe TSA or the ESC expects letters from individual technology and service providers, as these will be predominantly contract relationships and will be specified during the initial systems engineering process under the funded OSC program.

4. <u>Funding</u> – We understand that TSA will exercise its authority and responsibility to review and recommend modifications to the proposed Load Center OSC programs, and that this review may result in changes to the projects originally submitted in the grant applications. However, if negotiation or change is required due to TSA or ESC directed modifications, it is critical that the specified Load Centers immediately receive partial funding to initiate detailed planning and systems engineering, and that the balance of funding be provided after final agreement with TSA is reached on the Load Center's OSC program scope and performance objectives.

We have shared our comments with the other Load Centers involved in Operation Safe Commerce and we have also specifically coordinated our response with our Load Center partner, the Port of Seattle. Thus while our comments may be slightly different in the details, our overall goal and direction is very much consistent with the other Load Centers and our agreements with the TSA.

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Port of Tacoma