



**CITY OF PORTLAND, MAINE
DEPARTMENT OF PORTS AND TRANSPORTATION**

Statement of
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On Security of Transportation Systems

Before the

U.S. Senate Committee on
**COMMERCE, SCIENCE & TRANSPORTATION,
SUBCOMMITTEE ON OCEANS, ATMOSPHERE, AND FISHERIES**

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Good morning Mr. Chairman and distinguished members of the Committee. As the Director of Ports and Transportation for the City of Portland, Maine, I want to thank you for the opportunity to appear before you today to discuss my Department's experiences following the events of September 11th.

My department manages the Portland International Jetport, the City's surface transportation programs and the municipal marine facilities in the Port of Portland. With a population base of 65,000, we handle nearly 5 million people annually through our transportation facilities and on our public transportation systems. I would like to briefly explain the security situation of the port as compared to the airport, including other modes of transportation like buses and trains. I want to emphasize that transportation on land, sea and air as a whole, must be dealt with in a coordinated manner across the country.

The Jetport is the largest airport in Maine, serving some 1.4 million passengers annually. We have several inter-city and intra-city bus service providers handling nearly 2 million passengers annually and we anticipate the start of new AMTRAK passenger rail service to Boston before the end of this year.

Also critical to our transportation network is the Port of Portland. Which, while small in physical size, is home to a vibrant and diverse economy. Our harbor includes petroleum, container and break bulk terminals, as well as cruise ship facilities, international and domestic ferry terminals and commercial fishing facilities. We have a strategic energy connection to Quebec through a major petroleum pipeline. Portland is the largest tonnage throughput and international passenger port in New England, the second largest oil port on the U.S. East Coast and the number two fishing port in New England.

But like our aviation systems, our ports by their very nature, have inherent weaknesses making them vulnerable to attack. I know that this committee is familiar with the final report of Interagency Commission on Crime and Security in U.S. Seaports (The Seaport

Commission Report, Fall 2000) and An Assessment of the U.S. Marine Transportation System (MTS, September 1999). We concur with the recommendations contained in both reports. The events of September 11th demonstrated many of the problems in the infrastructure and operations of our transportation system outlined in the reports.

Our ports lack the same level of coordinated federal preplanning common in the world of aviation. Unlike airports, where local authorities undertake pre-approved federal action plans in time of emergency, seaports manage everything locally. There are no standardized procedures among ports and there is no cohesive database regarding petroleum, cargo and passenger movements. Every vessel is handled differently. Each federal agency works within its own set of protocols.

During the period after the September 11th incidents, we were faced with a number of passenger vessel calls in the port. How local representatives of federal agencies managed each vessel seemed to vary daily. Each had different requirements, which were being interpreted by personnel at the local level without coordinated federal direction. The U.S. Coast Guard was stretched to the limit, patrolling the harbor while trying to maintain their search and rescue responsibilities. Other federal agencies took actions they thought were appropriate within their own realm of responsibility. In more than one instance, all passengers and crew were ordered off a foreign flag ship by U.S. Immigration into our terminal, creating a potential safety issue ashore. In another case, every member of the crew of an American ship, all U.S. citizens, were ordered to pack their belongings by U.S. Customs and to remove them from the vessel for inspection. During these instances, the City's resources were stretched to the limit in trying to protect their safety. Tanker operations and vessel movements were appropriately placed under significant restrictions. However, federal agencies had to quickly gather information on fuel availability and demand which should have existed in a readily accessible format. The U.S. Coast Guard did what they could in trying to balance the need for security against supply.

Each federal agency followed their own rules and regulations for dealing with emergency situations. There seemed however, to be little or no guidance from federal managers in Washington DC and little coordination among federal agencies. Vessel operators reported different actions being taken by the same agencies in different ports. Cruise ships, with tens of thousands of passengers, scrambled without any federal coordination to find any pier where passengers could be handled when the Port of New York was secured. There was no unified high level federal command structure, no common communications among federal, state, municipal and private entities regarding ports and threat assessments were not promulgated in a coordinated manner. Only the professionalism of local governmental officials working together with private entities, prevented a bad situation from getting worse.

In most cases, the full extent of the threat was never formally communicated. We secured our seaport and airport in the hopes it would be sufficient. Our resources were stretched to the limit. As you are aware, a state's or municipality's civil authority is limited to three strategic areas of security: prevention, crisis management and consequence management. A city or state does not have the assets available to be fully prepared for threats from enemies who may attack employing methods including conventional weapons or nuclear, radiological, chemical or biological agents. Ports are critical assets, not only to cities and states, but also to entire regions.

The Seaport Commission recognized that "improved coordination – among and through public and private marine transportation system stakeholders at the local, regional and national levels is a key element." The depth of knowledge required for preparation for each of the threats listed above can only be achieved through Federal interagency, city, state and private cooperation. We fully endorse such a coordinated approach and encourage the Federal Interagency Committee for Marine Transportation System (ICMTS) to include security issues as a top priority.

Certainly, as the FAA is to aviation, so must the role of the U.S. Coast Guard be expanded in port management in order that it can plan and take action in a similar

fashion to its sister agency under the Department of Transportation. That expanded role must include appropriate financial support. The City of Portland has long advocated full funding for the United States Coast Guard to meet its already demanding mission. We also support funding for new security missions with which the Coast Guard may be tasked. We note Senator Hollings' Bill S.1214 provides for such funding, but we believe that the bill's funding levels will need to be increased to match an expanded U.S. Coast Guard mission.

All modes of transportation need to be considered under a central management team in the event of national emergency. Seaport, rail and bus facilities need to adopt the similar planning methods and protocols that are used in aviation. The experiences since September 11 clearly demonstrate that federal coordination is imperative. Although the situation surrounding the Greyhound bus incident of October 3rd proved to be an isolated one, it demonstrated the need for broad based planning. Every mode of transportation, and their associated facilities and infrastructure, is a potential target.

On September 11th, our airport shut down, flights were grounded and passengers were stranded. Trains – many containing chemical cars – continued to roll through metropolitan Portland. Tanker movements were restricted, petroleum reserves were disappearing and every passenger ship that entered port was faced with rapidly changing rules. Trucks and buses moved cargo and passengers as they do every day, with no restriction. Clearly, someone should have been thinking of the transportation system as a whole.

The FAA, U.S. Coast Guard, Federal Rail Administration, Federal Highway Administration, Motor Carrier Safety Administration, along with U.S. Customs and Immigration, need to have their roles expanded to meet this new threat. They must also all be coordinated under a central federal framework. The coordination should come in the form of a new Federal Emergency Transportation Agency, who will maintain and provide current data, do a wide range of preplanning, coordinate emergency response and manage post response logistics. That agency would work with FEMA, U.S.

Customs and Immigration and the Department of Justice to insure high level federal coordination. Such a concept is included in the legislation proposed by Senator Snowe in S. 1462.

Finally, the role of our federally supported airport deployment of our National Guard needs to be expanded to seaports and other large volume transportation facilities. Loans and grants to municipalities and states to support increased security demands need to be made available and allotted in an expeditious manner. The economic impacts of the September attack are just becoming clear but costs to the City of Portland for new security measures are crippling the City's budget. Losses to businesses in Maine are measured in the millions of dollars. The City of Portland cannot bear the increased costs by itself. The State of Maine cannot bear these costs. We need expanded federal help in the immediate future.

In closing, the State of Maine possesses more miles of coastline than any state in the continental United States. We share a border with Canada and we are a hub of international trade. Our City has an excellent working relationship with the FAA, U.S. Coast Guard and other federal agencies. The Port of Portland is a microcosm of port activities across the nation and the City of Portland is a microcosm of transportation.

On behalf of the City of Portland, its officials, and citizens, we stand ready to work in developing a port and transportation program improving interagency coordination and communication nationwide. We appreciate the hard work and support provided by our federal partners in meeting the threat of September 11 and we look to a stronger relationship in the future. The lessons we learned in assessing our readiness must be translated into a plan of action that can be achieved quickly as we work to protect our citizens.

Thank you.