Governor’s Office of Homeland Security

Overview of Maritime and Port Security

Deputy Director Jessica Cummins
US Patriot Act 2001

- Title I: Enhancing Domestic Security against Terrorism deals with measures that counter terrorism
- Title II: Enhanced Surveillance Procedures gave increased powers of surveillance to various government agencies and bodies.
- Title III: International money laundering abatement and anti-terrorist financing act of 2001
- Title IV: Protecting the border
- Title V: Removing obstacles to investigating terrorism
- Title VI: Providing for victims of terrorism, public safety officers and their families
- Title VII: Increased information sharing for critical infrastructure protection
- Title VIII: Strengthening the criminal laws against terrorism
- Title IX: Improved intelligence
Homeland Security Act of 2002

Set in motion a national mission overseen by the Department of Homeland Security consisting of:

- Presidential Directives
- Security Directives
- Federal Mandates
- Programs & Initiatives
- Funding & Resources
Coordinated Approach to Homeland Security

**Homeland Security Strategy & Legislation**
- The National Strategy for Homeland Security (7/02)
- Homeland Security Act (11/02)

**National CI/KR Strategies**
- The National Intelligence Strategy of the United States of America (10/05)
- The National Strategy for the Physical Protection of Critical Infrastructures and Key Assets (2/03)
- The National Strategy to Secure Cyberspace (2/03)

**Presidential Directives**
- Homeland Security Presidential Directive 7 (12/03)
- Homeland Security Presidential Directive 8 (12/03)

**National Initiatives**
- National Incident Management System (3/04)
- National Response Plan (12/04)
- National Infrastructure Protection Plan
- The National Plan for R&D in Support of CIP (12/04)
- Interim National Preparedness Goal (3/05)

Coordinated Approach to Homeland Security
History: Airports & Maritime Acts

• NSPD-41/HSPD-13 establishes policy guidelines to enhance national and homeland security
• Protects U.S. Maritime interests
• This presidential directive underscores the importance of securing the Maritime Domain Awareness (MDA)
History: Airports & Maritime Acts

• Aviation Transportation Security Act 2002
  - Regulates Airport Authorities and oversight by the Transportation Security Administration.

• Maritime Transportation Security Act of 2004
  - Regulates Ports and oversight by the United States Coast Guard.
National Strategy for Maritime Security ’05 (NSMS)

• Prevent terrorist attacks and criminal or hostile acts.
• Protect maritime-related population centers and critical infrastructures.
• Minimize damage and expedite recovery.
• Safeguard the ocean and its resources.
• Enhance international cooperation.
• Maximize domain awareness.
National Strategy for Maritime Security (NSMS) continued

- Embed security into commercial practices
- Deploy layered security
- Assure continuity of the marine transportation system.
- Create 8 implementation plans to support maritime security.
8 Supporting Plans to NSMS

- Domain Awareness
- Transportation System Security Plan
- Commerce Security Plan
- Infrastructure Recovery Plan
- Outreach & Coordination Plan
- Global Maritime Intelligence Integration Plan
- Operational Threat Response Plan
- Domestic Outreach Plan
Maritime Domain Awareness (MDA) (The Big Picture)

- Visual Data - Automatic Information System (AIS)

- Political Data – Crew & Cargo manifests, Last ports of call (LPOC) etc…

- Situational Awareness – The fusion of visual data with relative political data

- Common Operating Picture (COP) – extremely useful in the communication of situational awareness to separate people/organizations
  
  A picture is worth a thousand words
Maritime Transportation Security Act of 2002

- Signed into law on 25 Nov, 2002
- Six Temporary Interim Rules on July 1, 2003
- Final Rules published October 22, 2003
- MTSA aligned with the ISPS Code to avoid redundancies and inconsistencies
MTSA Goal

To prevent a “transportation security incident significant”:

• loss of life
• environmental damage
• transportation system disruption
• economic disruption to a particular area
MTSA-ISPS Implementation

• Regulations are designed to create standardized security measures to protect the nation’s ports and waterways from a terrorist attack.
• Requirements include Area Maritime Security committees, port-wide security plans, vulnerability assessments and security plans for port facilities and vessels.
• Impact approx. 9.5K domestic vessels, 3.5K facilities, 8K foreign vessels.
• Costs = $1.5B first year, $7.4B over 10 years.
Maritime Infrastructure

- California’s seaports handle about 43% of the nation’s goods that arrive by sea.
- Maritime infrastructure and its systems have increasingly become targets of illicit activities.
- Ports are often a major focus for criminal activities include the trafficking of drugs, contraband, and people.
Growth at California’s Leading Ports

Managing Growth: A Major Challenge

- Ports of Los Angeles/Long Beach
  -- 9.6 million TEUs in 2001
  -- 36 million TEUs by 2020

- Port of Oakland
  -- 1.6 million TEUs in 2001
  -- 4.8 million TEUS in 2020
Tight Security vs. Free Flow of Commerce
Costs Associated with 15 Day Closure at LA/Long Beach Ports

Table 3.1a
Output and Employment Losses from a 15-Day Closure of the Ports of Los Angeles and Long Beach

<table>
<thead>
<tr>
<th></th>
<th>Output ($ Millions)</th>
<th>Jobs (Person-Years)</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Direct</td>
<td>Indirect</td>
</tr>
<tr>
<td>City of Los Angeles</td>
<td>264</td>
<td>94</td>
</tr>
<tr>
<td>City of Long Beach</td>
<td>69</td>
<td>12</td>
</tr>
<tr>
<td>Los Angeles County</td>
<td>657</td>
<td>220</td>
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<td>Orange County</td>
<td>156</td>
<td>62</td>
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<td>Ventura County</td>
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<td>18</td>
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<tr>
<td>Riverside County</td>
<td>37</td>
<td>14</td>
</tr>
<tr>
<td>San Bernardino County</td>
<td>53</td>
<td>20</td>
</tr>
<tr>
<td>Sum of five counties</td>
<td>946</td>
<td>334</td>
</tr>
<tr>
<td>Out of region</td>
<td>1,782</td>
<td>515</td>
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<tr>
<td>Total</td>
<td>2,728</td>
<td>849</td>
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</table>

NOTE: Columns and rows may not sum to totals because of rounding.
Governor’s Commitment to Port Security

- Last year, the Governor directed $5 million to help secure 11 California ports.
- These funds were directed towards increasing domain awareness and enhancing information sharing.
- Ensured Federal, State, and Local governments had the capability across jurisdictions to share information, detect terrorist plots, and disrupt criminal acts.
Port Security Funding in California

• Funding for infrastructural protection of ports from terrorism.

• 2003-2005:
  – National Total: $630 million.
  – California Total: $118 million (18.7%).

• 2006:
  – National Total: $168 million.
  – California Total: Not yet determined.
State Legislation on Ports in California

- **Lowenthal:**
  - AB 2043 (2004); SB 762 (2005)
  - SB 760 (2005)

- **Karnette:**
  - AJR 21 (2005); AB 1406 (2005)
  - AB 2237 (2006); AB 2274 (2006); AB 2991 (2006)

- **Morrow:**

- **Machado:**
  - SB 403 (2006)

- **Infrastructure Bills:**
  - SB 1266 (2006); AB 1811 (2006)
  - AB 2346 (2006); SJR 29 (2006)
### Federal Port Security Grants and California Share

<table>
<thead>
<tr>
<th>Program</th>
<th>Date</th>
<th>U.S. Amount ($ millions)</th>
<th>California Amount ($ millions)</th>
<th>California Share (%)</th>
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<tbody>
<tr>
<td>Port Security Grant Program</td>
<td></td>
<td></td>
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<tr>
<td>Round 1</td>
<td>June 2002</td>
<td>92.3</td>
<td>17.1</td>
<td>18.5</td>
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<td>Round 2</td>
<td>July 2003</td>
<td>169.1</td>
<td>30.2</td>
<td>17.9</td>
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<td>Round 3</td>
<td>December 2003</td>
<td>179.0</td>
<td>33.7</td>
<td>18.8</td>
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<td>Round 4</td>
<td>September 2004</td>
<td>49.4</td>
<td>5.9</td>
<td>11.9</td>
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<td>Round 5</td>
<td>September 2005</td>
<td>142.0</td>
<td>33.6</td>
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<td>Total awarded</td>
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<td>631.8</td>
<td>120.5</td>
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<td>Office of Domestic Preparedness, Urban Areas Security Initiative</td>
<td>May 2003</td>
<td>75.0</td>
<td>9.1</td>
<td>12.1</td>
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<td>Operation Safe Commerce</td>
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<tr>
<td>OSC-NE</td>
<td>N/A</td>
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<tr>
<td>OSC 1</td>
<td>June 2003</td>
<td>28.3</td>
<td>8.3</td>
<td>29.3</td>
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<tr>
<td>OSC 2</td>
<td>July 2003</td>
<td>26.7</td>
<td>5.4</td>
<td>20.2</td>
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<tr>
<td>OSC 3</td>
<td>April 2005</td>
<td>17.1</td>
<td>6.7</td>
<td>39.2</td>
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<tr>
<td>Total awarded</td>
<td></td>
<td>72.1</td>
<td>20.4</td>
<td>28.3</td>
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<tr>
<td>Grand total</td>
<td></td>
<td>778.9</td>
<td>150.0</td>
<td>19.3</td>
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Federal Port Security Bills in the House

• HR-4954 (Lungren & Harman)

• S-2008 (Murray, Collins, Lieberman, & Coleman)

• Port Security Grant Program
Terrorist Attacks on Maritime/Ports Will Increase

- Annual number of significant terrorist attacks on the United States between 1968 through 2003
- Attacks have tripled
- Waterways are open target for terrorist attack
  - Source: U.S. Dept. of State, 2004
Terrorist Organisations with a Maritime Capability

Irish Republican Army (IRA)
August 1979 - blew up 30 ft Shadow V

Euzkadi Ta Askatasuna (ETA)
Planned to place car bomb on ferry
Piracy

Piracy: Probably the oldest problem concerning Maritime Security, since the start of the use of Maritime transportation as a way to move people and goods around the world, piracy has been a present factor.

Piracy started as a simple crime by stealing the goods transported in ships to be sold or exchanged in other ports for personal economic gain.

But today piracy has evolved to an activity that not only may give the perpetrators economic gain, but also the opportunity to use the seized vessel, crew and passengers and/or cargo for their objectives such as:

- Stealing cargo that may be for tactical use (weapons, ammo, etc)
- Taking hostages
- Using the vessel as a weapon by being able to pass undetected as an “innocent” ship or by changing the characteristics of the ship (name, flag, etc).
MV Limburg
The *Penrider* (2003)

- Malaysian-registered oil tanker hijacked off coast of Malaysia; three crew members taken hostage

- Owners paid $100,000 for their release; money paid to Free Aceh Movement, an Islamic guerilla group operating in Indonesia
The *Dewi Madrim*

- Pirates boarded the Indonesian chemical tanker near the Straits of Malacca
- Robbed crew, but also spent an hour steering vessel through the strait; kidnapped captain and first officer
- “There’s a very strong possibility that we’re looking at the equivalent of a flight training school for terrorists”. (Dominic Armstrong, Aegis Security)
Terrorists Turning to Piracy

- Al Qaeda
- LTTE
- Maritime piracy up 37% from 2002 to 2003
Terrorist/Pirate “joint ventures”

• Intelligence suggests that terrorist groups in Indonesia and the Philippines may be collaborating with local cash-flush pirate gangs

• Source of income

• Can dissuade vessel passage in certain areas, thus disrupting commerce and imposing economic costs

OECD: Security in maritime transport: Risk factors and economic impact
Maritime Terrorism
What is Maritime Terrorism?

- The undertaking of terrorist acts and activities:
- Within the marine environment,
- Using or against vessels or fixed platforms at sea or in port, or against any one of their passengers and personnel,
- Against coastal facilities or settlements, including tourist resorts, port areas, and port towns or cities
Maritime Terrorism Characteristics

- Piracy into terrorism
- Political negotiation
- Use of physical force and psychological intimidation
- Increase in piracy world wide
- Higher state of alert globally
Capacity: Groups with Known Maritime Capabilities and Interests

- Minor capabilities:
  - Hizballah
  - The Popular Front for the Liberation of Palestine
  - Abu Sayyyaaf
  - Gama
  - Moros

- LTTE

- Al Qaeda

- Terrorists turning to piracy as a source of funding

- Terrorist/pirate syndicate “joint ventures”
Potential Target - Ports

- Storage areas
- Pipe lines
- Loading facilities
- Discharge facilities
- Containers

California Governor’s Office of Homeland Security
Potential Target - Ships

Cruise ships

Ro-ro passenger ferries

Container ships

Tankers

Private Vessels
Other Potential Marine Targets

Off Shore

Critical Infrastructure

Pleasure Platforms
Influencing Factors

The use of particular tactics depend on:

– Motivation and operational experience of the terrorist group
– Type of ships / port facility to be attacked
– Importance and value of the target
– Security system of the port
– Security system of the ship
The Effects

Al-Gairia’a al-Islamiyya attack

Abu Sayaf attack

Chechen rebels hijack

The attack on the Limburg
Attack on **USS Cole** in Yemen Port

- Major attack on a US Warship in a port
- 17 Sailors Killed
- 42 Sailors Injured
Coordinated Approach for Path Forward

- Recent release of the NSMS and NIPP it is essential that California coordinate a comprehensive approach to maritime security
- Need to integrate Federal, State, and local strategies and ensure their effective implementation across the state
California Has Three Area Maritime Security Zones

- Northern California
- Central California (Includes Los Angeles and Long Beach)
- San Diego
Coordinated Approach with Area Maritime Security Committees (AMSC)

- Leveraging resources and expertise within the region
- Communication of ideas/concerns
- Building constituency and partners
- Empowering the maritime stakeholders to take an active role
Layered Approach to Achieving Port Security Structure

Source: Jon Havemann (PPIC)
Path Forward for Strategy

• Desire a Statewide perspective
• Focus is on “Ground Up” approach
• Development of Statewide standards and baselines (including internal assessments)
• Create a working group
• Create California Maritime Security Strategy