

**"Weak Links: Assessing the Vulnerability of U.S. Ports
and Whether the Government is Adequately Structured to Safeguard Them"**
Governmental Affairs Committee

Chairman Joseph Lieberman

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Good morning and thank you all for attending another in the series of hearings the Governmental Affairs Committee has held since the terrorist attacks of September 11 which have examined the federal government's ability to prevent, prepare for, and respond in the event of future terrorist attacks.

In some ways we ask questions that some have been hesitant to ask in the past and I suppose some might ask why we're asking them now because they reveal vulnerabilities. Yet, if we don't ask them we will not overcome those vulnerabilities and we will leave ourselves open to further attack. I think all of us feel that after September 11 we have to start thinking more like the terrorists do. And we're going to try to do it in a very thoughtful and comprehensive way today, and we have the witnesses here to make that happen.

Not since December 7, 1941 - which is 60 years ago tomorrow - has the question of our domestic security dominated national debate. This Committee has examined whether the federal government is appropriately structured to meet these security challenges. Specifically we've held hearings on aviation and postal systems, cyberspace, and, more broadly, the safety of our critical infrastructure, and how we should organize for homeland security. Today, we shift our sights to the security of the nation's 400-plus shipping ports, through which 95 percent of all U.S. trade flows, excluding Mexico and Canada.

The picture unfortunately is not a reassuring one. U.S. ports are our nation's key transportation link for global trade, and yet there are no federal standards for port security and no single federal agency overseeing the 11.6 million shipping containers, 11.5 million trucks, 2.2 million railcars, 211,000 vessels, and 489 million people that passed through U.S. border inspection systems last year. I just want to put an exclamation point here. I must say this surprised me. There are no federal standards for port security and no single federal agency overseeing port security. Port security is largely a matter of state and local administration.

The Coast Guard, the Customs Service, the Immigration and Naturalization Service, and other agencies all have a role to play, but the plain fact is that the movement of goods into the United States - five million tons per day - is now so efficient, in the sense of goods

coming into the country and moving rapidly as a matter of commerce to their destination, that port security has been sacrificed. It is not possible to physically inspect more than a small sample of containers as they arrive in the United States - less than one percent are actually examined. And that leaves our ports unfortunately vulnerable to attack.

And not just our ports. Containers arriving from Europe or Asia or Canada are more likely to be inspected at their final destination, rather than at the arrival port. I'm sure that would surprise most Americans but that is the reality and it means that at any given time, authorities have virtually no idea about the contents of thousands of multi-ton containers traveling on trucks, trains or barges on roads, rails, and waterways throughout the country. The ease with which a terrorist might smuggle chemical, biological or even, at some point, nuclear weapons into one of those containers, without being detected, is terrifying.

Even the physical security at ports is minimal. Last year, the Commission on Crime and Security in U.S. Seaports reported that, of 12 of the nation's largest ports, six had perimeter fencing that could be penetrated, four had no regular security patrols, and 10 never performed routine criminal background checks on employees. The commission said the "state of security at U.S. seaports generally ranges from poor to fair." The FBI told the commission that ports were highly vulnerable to terrorist attack, although, at that time, they considered the threat to be marginal. That assessment has changed since September 11, and 2,000 military reservists have now been activated to shore up port security.

Part of the overall problem, as is so frequently the case, is lack of resources to properly enforce port security. The Coast Guard, for example, has 95,000 miles of shoreline to patrol but is at its lowest manpower since 1964. International trade has doubled since the mid 1990s but the number of Customs inspectors has remained the same at 8,000.

The federal government is also handicapped by lack of coordination and communication between agencies. I've heard that a ship, this is a hypothetical, with a shadowy record of ports of call, for example, carrying a cargo that doesn't square with its home port, and manned by crew members on a watch list of people with suspected terrorist ties might not necessarily raise any red flags. That's because the Coast Guard could know about the ship, Customs could know about the cargo, and INS could know about the crew members, but no one would necessarily have all the information, so the pieces would not be put together to form a picture that would set off alarms.

Even if resources and coordination were adequate, the front-line agencies

would still be handicapped by lack of access to national security intelligence from the FBI and the CIA. This is a complaint I've heard over and over again from local officials following the September 11 attack.

The Committee is particularly pleased to welcome Senator Fritz Hollings and to thank him for his leadership and dedication to the pursuit of better port security in America, and the critical role he has played in keeping this problem on our collective radar screens over the years. I am pleased that he is with us today to testify about legislation he and Senator Bob Graham have written to respond to the vulnerabilities at our ports. Their legislation, which I strongly endorse, addresses some key findings and recommendations of the Commission on Seaport Security, and our ports, goods, and citizens will be safer when it passes.

The more I study this issue the more I realize how pervasive the problem is, and how much work we have to do on it to make sure that we get our entire system of importing and exporting to a point where it is not only efficient but also safe. The entire commercial structure may need to be addressed systemically, and as some of our witnesses will suggest, the best answer may lie in an entirely new approach that relies on innovative technologies combined with security inspections starting at ports of origin, rather than ports of destination.

We made need, as one of our witnesses would put it, to "push our borders back" and create sanitized shipping zones for goods bound for the U.S. from overseas ports. We certainly need to put technologies to work, containers could be electronically sealed and alarmed after they are inspected, then x-rayed for a baseline record of their contents. Global positioning satellite systems could be attached to all containers to monitor shipments, and a secure Internet tracking system could help place a shipment anywhere along its path.

Fortunately, our ports are busy and they don't need a bail out. They just need a sensible strategy to keep them safe and sound as vital economic hubs. And I'm hopeful that the testimony we will hear today will help the Congress do just that.