



Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

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MEMORANDUM

To: Members, Task Force to Study Maine's Homeland Security Needs
From: Elizabeth Cooper, OPLA
Date: October 11, 2006
Re: Meeting Notes from in Portland, September 8, 2006

Members Present: Chairs Strimling and Gerzofsky, Hugh Tilson, Charles Updegraph, Sen. Hastings, Kim Boothby-Ballanytne, and Rep Grose. Also OPLA analyst, Elizabeth Cooper, attended as staff to the committee.

- I. **TOUR**- The task force members met at 10:45am at Buoy in Portland and went on a boat tour of area ports. The Portland Fire Department made the fire rescue boat available for the tour. Several city officials and business representatives from Portland and South Portland provided information and commentary.
- II. **PANEL DISCUSSIONS** - The task force members convened at Portland City Hall at approximately 12:45 for lunch and the afternoon session convened at approximately 1:30.
 - A. **INTRODUCTION** - Senator Strimling and Representative Gerzofsky started the meeting with introductions. They provided background on the charge of the task force, the focus of the meeting for that day, and announced an upcoming meeting in Wells on September 13.
 - B. **PANEL 1 - Maine's Port Security: Global and National Perspectives** – participants: *Admiral Gregory G. Johnson, USN-Ret., and David Flanagan, former General Counsel to the Senate Committee on Homeland Security and Governmental Affairs' Investigation of Hurricane Katrina.*
 1. *Admiral Johnson* – biographical sketch and written testimony entitled “Securing the Maritime Commons” is provided. Testimony covered issues related to Maine’s role in international shipping and commerce; factors related to challenges of port security planning; the US Dept of Homeland Security’s layered defense; and the need for an additional part of the defense structure in the form of public exercises involving federal, state, local, and private sector players to demonstrate the capacity for successful response. He suggested the creation of formal coordinating committee where all the players meet regularly, develop standard operating procedures, plan and execute exercises and honestly critique the exercises to make improvements to the operating procedures.

PANEL 1 - Maine's Port Security: Global and National Perspectives (*continued*)

2. *David Flanagan* - biographical sketch and written comments are provided. Comments focused on vulnerability of ports noting that ports are a relatively low priority at the US Dept of Homeland Security. He discussed **S. 2459, GreenLane Maritime Cargo Security Act**, May 9, 2006. (OPLA analyst will provide additional information on the act separately.) He also discussed lessons learned from Hurricane Katrina, noting poor infrastructure design (the levee), poor local preparedness, poor communications interoperability and poor situational awareness. In particular, he pointed out that prior to the event officials in New Orleans knew that there were 100,000 or more people without transportation. While preparedness exercises for New Orleans were conducted, there wasn't follow-up to make improvements based on the lessons learned through the exercises. He also noted that in general, the Coast Guard performed the best during the crises because they conducted the most exercises. He discussed the National Incident Management System, the need to identify roles and responsibilities and the need to determine Port responsibility at the federal level.
3. *Questions and Answers (all panelists)*- Leadership and the need for inter-jurisdictional standard operating procedures (SOP) were discussed. According to panelist, there is no entity equivalent to the Federal Aviation Administration for Ports. While the mission of federal Transportation Security Administration (TSA) includes security for all sectors of transportation, the major focus of the TSA has been airport security. There was a discussion of available tools for monitoring port security, risks of bioterrorism and pandemic via port entry. The favorable response to the ice storm of 1998, during which Mr. Flanagan was CEO of Central Maine Power, was discussed. Task force members and panelists discussed the importance of interoperability and the critical need for leadership in order to establish interoperability. There are risks related to the travel of cargo prior to entering the US and cargo "rest stops." The United States is unable to inspect every piece of cargo that enters our country. Tools to inspect that could be acquired at the local or state level include X-ray, but it could be quite expensive. Regarding the GreenLane legislation, it was noted that the 22 ports targeted by the bill handle 98% of cargo and containers. Portland's major product coming and going through the ports is petroleum. According to panelists, the formula in the GreenLane legislation to distribute \$400k is risk-based with wide latitude for spending. David Flanagan noted that the quality of the application will be a big factor in determining the award. Both panelists agreed that in balancing the need for preparedness exercises and trying not to create unnecessary public fear, states and localities should err on the side of more preparedness exercises. Exercises should focus on a variety of issues such as terrorism, natural disaster, nuclear disaster, bioterrorism, pandemic and quarantine. Some could be simulated via computer. When asked how much at risk the State Maine is for a terrorist target, Admiral Johnson indicated it's difficult to tell because terrorists could go for another big target like the World Trade Center or instead target smaller, more remote areas that seem more vulnerable and easy to penetrate.

C. **PANEL 2 - Protecting Our Ports: Coordinating Federal, State and Regional Efforts** - participants: *Capt Stephen Garrity- USCG, Major John Fetterman -Deputy Chief Maine Marine Patrol, Capt Jeffrey Monroe - Portland Director Ports and Transp., and Tom Meyers, South Portland Director of Trans. and Waterfront*

1. *Capt Stephen Garrity- USCG* - biographical sketch and press release dated 9/1/06 provided. Discussed coast guard activities and emphasized the effectiveness of numerous exercises to prepare for emergency response. Julie N oil spill was an example of how good training pays off. Memorandums of understanding (MOUs) are effective tools for working with 1st responders. He noted there is an interoperability exercise coming up on Sept 14.
2. *Major John Fetterman - Maine Marine Patrol (MMP)* - biographical sketch and written testimony provided. Discussed role of MMP and resource constraints. Noted MMP's role as back-up to Coast Guard, the Ardent Sentry exercise testing, the Maritime Security Team and training in Bar Harbor on Oct 17 to improve coordination with US Dept of Defense. On a scale of 1-10 (with ten as best) the coordination between state and federal entities rated at 8 and coordination between state/local/county 5 or 6.
3. *Capt Jeffrey Monroe - Portland Ports and Transportation* - biographical sketch and written testimony provided. Provided statistics entitled ' State of the Port 2005.' The city collaborates with federal, regional groups, South Portland and other towns in areas. He is unaware of a State plan for resumption of port services after a catastrophic event and the city's relationship with feds is stronger than with State. Suggested broaden role of MEMA to include an office solely focused a systematic security plan for movement of passengers and cargos through all modes of transportation and ports. Need unified command structure and local involvement in state planning.
4. *Capt Tom Meyers - South Portland Transportation and Waterfront*- biographical sketch and written testimony provided. Discussion of critical infrastructure in the area. Due to wide range of possible incidents, City of South Portland uses and "All-Hazards" approach and are developing framework for port incidents. Follow principles of National Incident Management System. Discussed Greater Portland Incident Standard Operating Guidelines which is multi-jurisdictional and has common command and control framework. Rated local coordination high.
5. *Questions and Answer(all panelists)*- Local public health officials are involved in planning and SOPs includes public health mitigation. Capacity to deal with mass illness among passengers on ship may be better in Portland area due to capacity of public health infrastructure. Fewer medical facilities further up the coast may present problems if there's a mass ship board illness. Maine's local/state coordination seems better than the city/state coordination in Louisiana prior to Hurricane Katrina. Panelists didn't have specific information on volume of cargo headed to other east coast ports in close proximity to our shores. An office to deal with ports/cargo similar to that proposed in the federal GreenLane legislation, the limitations of having multiple systems in place and the need for a TSA-type entity for surface and maritime transportation were discussed.

D. PANEL 3 Homeland Security and Emergency Preparedness: Response and Recovery - participants: *Portland Fire Chief Fred LaMontagne, South Portland Fire Chief Kevin Guimond and South Portland EMA Director Jeff Temple.*

1. *Fire Chief Fred LaMontagne, Portland* - biographical sketch provided. Remarks focused on the city's ability to notify people of emergencies, availability of mass transportation and city's evacuation plans. More information provided during Q&A- see section below. He allowed the committee to briefly review a draft of an operating plan and agreed to prepare a modified version of the plan to share with the committee.
2. *Fire Chief Kevin Guimond, South Portland* - biographical sketch and a written copy of the co-talking points with Jeff Temple provided. Discussed expenditure of homeland security grants funds on equipment, training and exercise drills, coordination with the medical community and improved medical infrastructure. Specific to port security, comments mentioned plans for purchasing underwater camera and a radiation detection device, coordination with the Coast Guard and collaborative work with port partners in drills and exercises such as Ardent Sentry.
3. *Jeff Temple, South Portland EMA Director*- biographical sketch and written copy of coordinated remarks with Kevin Guimond provided. See the remarks above offered jointly by Temple and Guimond.
4. *Discussion and Questions/Answers(all panelists)*- In considering gaps in the State's plans, the panelist noted that the local capacity to get the word out with due diligence and notify people of a need to evacuate is fairly strong. There are arrangements to use mass transportation for individuals who don't have personal transportation. Only the Governor can declare mandatory evacuation and city officials think this works well. There isn't local capacity to go door to door, but the city and state take measure to educate people. Education includes personal responsibility and heeding the advice of emergency warnings and notifications. In the event of a mass evacuation away from the coast, the shelter capacity in the interior or northern portions of the state could fall short of the need.

E. PANEL 4 - Maine's Port Security: A Private Sector, Tourism & Transit Perspective participants: *Tom Hardison, Portland-Montreal Pipe Line, Tom Dobbins, Sprague Energy, Donald Cormier, The CAT Ferry, and Capt. Roki Horr and Capt. Nick Mavodones, Casco Bay Island Transit District*

1. *Tom Hardison, Director of Operations - Portland-Montreal Pipe Line* - biographical sketch and written testimony provided. He provided an overview of company noted in written remarks. Mr. Hardison said they are regulated by the US 33 Code of Federal Regulations 105 Maritime Security: Facilities. They have a Facility Security Plan in place, which is approved and monitored through audits by the USCG. He believes the company receives the proper level of security information locally and nationally, but the cost of preparedness and limited funding for security planning and development continues to be a challenge.

**PANEL 4 - Maine's Port Security: A Private Sector, Tourism & Transit Perspective
(continued)**

2. *Tom Dobbins, Manager, Terminal Services - Sprague Energy* - biographical sketch and written testimony provided. Mr. Dobbins provided an overview of the company as noted in written remarks. Discussed how emergency was handled during 9-11 and the response/recovery including additional safeguards that were put in place. Discussed coordination with local and federal government and noted that they look to Coast Guard as lead for this.
3. *Donald Cormier, VP Operations & Safety Mgmt - The CAT Ferry* - biographical sketch and written testimony provided. He provided an overview of company noted in written remarks. Discussed post- 9-11 adoption of new international ship and port security standards and believes "The Cat" was the first passenger vessel in North America to be certified to this new code by Lloyd's Register, a risk management group. He discussed the specific safeguards in place for passenger vessels. He expressed concern about over-regulation and the need for public sector investment for the cost of increased security measures.
4. *Capt. Roki Horr Asst. Operations Manager, and Capt. Nick Mavodones, Operations Manager Casco Bay Island Transit District (CBITD)* - biographical sketches and a follow-up summary of remarks provided. Described the organization, which is a quasi-municipal, non-profit transit provider open to the public. CBITD receives limited federal and state funding and operational costs are primarily funded by fares. Have received small grant for closed-circuit television system. Since capital is limited for purchase of special security equipment or designated security personnel, they have developed communications and relationships with the agencies tasked with keeping abreast of security intelligence and first response. First priority for public funding for security should focus on prevention and the security grant process should be simplified. Concerned about cost and impact of the federal Transportation Worker Identification and Credentialing proposal, and would like to see the implementation deadline extended until further analysis is conducted. Emphasized that all hazards planning, drills, exercises and, in particular, good public communication with early warning mechanisms are important. Discussed federal initiatives focusing on prevention (specifics identified in written summary) and encouraged Task Force to support these proactive and preventative measures.

III. **PUBLIC COMMENT-** At approximately 6:15 pm, the task force asked for public testimony regarding homeland security and any emergency preparedness topics related to the work of the State Homeland Security Task Force.

- A. Public comments focused on a variety of issues including concerns about federal spending; ideas for alternate communication devices such as pagers; possible need for auxiliary policing and better coordination with private and non-profit sectors including churches; need for focus on prevention including nuclear preparedness, discussion of an “all hazards approach” and alternate, “disaster-specific” approaches.
- B. There was also discussion about public health related issues including resource centers, Maine Center of Disease Control (CDC) preparedness topics, early identification, outbreak management, and protocol for mass distribution of pharmaceuticals. Chairman Strimling noted that reports on several items from the Maine CDC are due Sept 18 and there would be more public health discussions after reviewing the reports.
- C. The public comment portion of the meeting was complete around 7:30 pm and written testimony submitted by the public provided.

IV. **PLANNING** The task force commence the planning portion of the meeting shortly after 7:30 and adjourned at approximately 8:00 pm.

- A. Reports from the Maine Center for Disease Control and the Maine Emergency Management Agency are due September 18.
- B. Next meeting should be after the Task Force has the chance to read the reports. May need to wait to meet again until after the elections in November. (NOTE: the chairmen are looking at dates in mid-November before Thanksgiving.)
- C. The Task Force members should submit ideas for recommendations to the Task Force chairman or the OPLA analyst.
- D. May need to ask for an extension of the report deadline. Current deadline is November 1. (NOTE: Extension was requested and the Legislative Council granted an extension to **December 1, 2006.**)

V. **FURTHER INFORMATION** – This information is intended to summarize the content of the meeting but is not intended to be meeting minutes. This meeting was video taped by Community Television and tapes can be purchase by contacting William Blood at 207-775-2900. If you need more information on the work of the Homeland Security Task Force, please contact the State Legislature’s Office of Policy and Legal Analysis at 207-287-1670 or visit our webpage at www.maine.gov/legis/opla/homsec.htm.

Gregory G. Johnson **Admiral, USN-Ret**

Admiral Gregory "Grog" Johnson, is a native of Westmanland, Maine. In 1968 he graduated from the University of Maine with a Bachelor of Arts Degree in Political Science. He was commissioned in 1969 following Aviation Officer Candidate School and designated a Naval Aviator in May 1970.

He enjoyed several operational sea duty assignments during his career, deploying in *USS Independence*, *USS Nimitz*, Marine Air Group Twelve, *USS Forrestal*, and *USS Dwight D. Eisenhower*. He amassed 5000 hours of tactical jet time and 1100 carrier landings primarily in the A-7 and F/A-18 aircraft.

Shore duty assignments included: Command and Staff Course, Naval War College (graduating with highest distinction); Systems Analysis Division (OP-96), Office of the Chief of Naval Operations; F/A-18/A-7 Readiness Officer on the staff Commander Naval Air Force, U. S. Atlantic Fleet; Joint Chiefs of Staff as Head of the European Command/Central Command Branch of the Joint Operations Division (JOD), Operations Directorate (J-3); and Office of the Chairman of the Joint Chiefs of Staff as the Executive Assistant to the Chairman.

ADM Johnson was selected for flag rank in February 1995. His initial flag assignment was as the Director of Operations, Plans, and Policy (N3/N5) on the Commander in Chief, U.S. Atlantic Fleet staff. In February 1996, he reported as Commander, Carrier Group Eight/*USS Theodore Roosevelt* Battle Group where he served until August 1997. In September 1997 he reported as the Senior Military Assistant to the Deputy Secretary of Defense and was subsequently assigned as the Senior Military Assistant to the Secretary of Defense until September 2000. ADM Johnson assumed command of the U.S. Sixth Fleet and Naval Striking and Support Forces Southern Europe in October 2000. In his final assignment, ADM Johnson was dual-hatted as Commander, U.S. Naval Forces, Europe and Commander, Joint Force Command, Naples, Italy from October 2001 through October 2004. He retired from active duty 01 December 2004.

Adm. Johnson's decorations and awards include the Defense Distinguished Service Medal (with three Bronze Oak Leafs), Navy Distinguished Service Medal, Defense Superior Service Medal, Legion of Merit (with two Gold Stars), Defense Meritorious Service Medal, Meritorious Service Medal (with two Gold Stars), NATO Meritorious Service Medal, Air Medal, Navy Commendation Medal, Navy Achievement Medal, and various service and campaign awards.

After retiring in Dec 2004, ADM Johnson founded, Snow Ridge Associates, which provides strategic advice and counsel. He resides in Harpswell, ME.

“Securing The Maritime Commons”Remarks

By

Admiral Gregory G. Johnson, USN-Ret.

Before

Maine’s Homeland Security Task Force

September 08, 2006

Portland City Hall

Portland, Maine

INTRODUCTION

Good afternoon Chairmen Strimling and Gerzofsky, fellow panel participants, ladies, and gentlemen. It is an honor to be here this afternoon and share some thoughts on this very important topic – security of the maritime commons I have spent my entire professional life since graduating from the University of Maine nearly 40 years ago working to ensure the security of the World’s maritime commons. Secure and unimpeded access to the maritime commons is critical to the well being of the United States and all seafaring Nations of common interest and good will. Now more than ever our national security and economic well being depend on the security of our ports and the sea lines of communications (SLOCs) that connect those ports. Our Nation’s economic engine is fueled by the massive volume of imports and exports moving in and out of our ports. A terrorist attack would result in dire economic and security consequences. As we know our ports are part of the Nation’s critical infrastructure and must be properly protected. Therefore we must do all we can to prevent such an attack; and if an attack were to happen, mitigate the consequences as quickly and effectively as possible. There are both nation-state and non-state actors, operating independently or as agents of nation-states, who wish our Nation ill. As the events of 9/11 and more recently in Madrid, London, and Mumbai demonstrate, they use creative and all too often effective tactics to carry out their indiscriminate attacks against the unsuspecting. The World’s seaways and the ports that connect them are particularly inviting and vulnerable targets. The current DHS assessment is that there are no known, credible threats indicating terrorists are planning to infiltrate or attack the U.S. via maritime shipping. That said, America’s supply and commerce chain extends to tens of thousands of points around the World. In sum, we confront an “unknown threat, but a known vulnerability.”

INTERNATIONAL SHIPPING: LIFE BLOOD OF THE GLOBAL ECONOMY

Over the past twelve years, 1994 – 2006, World sea-borne commerce has realized sustained growth of about 5%/year from 19,000Bil Ton Miles/Year to a projected 31,000Bil Ton Miles for 2006. This rate of growth is expected to continue. While the shipping industry has historically been a cyclical and often volatile industry, I believe the effects of globalization and the just-in-time, World-wide supply chains it begat will greatly mitigate that historical volatility. Furthermore, the insatiable demand for the transport of petroleum products via SLOCs will continue to increase as U.S. domestic supplies are depleted at an accelerating rate and the demand in Asia, particularly China and India along with Japan, continues to grow. Here are some of the facts about maritime commerce:

- 1.) 90% of total World trade is carried over the maritime commons.
- 2.) 90% of total U.S. trade; 95% of non-North America foreign trade; and 100% of certain critical commodities such as foreign oil also moves across the seas.
- 3.) About 6000 vessels manned by multinational crews and containing cargo from every corner of the World make more than 60,000 U.S. port calls each year.
- 4.) In 2005 American businesses imported 11 Mil loaded containers into the U.S. and are projected to import 12 Mil in 2006.

Of one thing we can be certain, those numbers will continue to grow. It is critical that Maine have a World class port facility that can compete at the market place importing and exporting the products to support our State's economy. As most of you probably know, Maine's five largest export customers after Canada are all in Asia – Malaysia, Singapore, China, Japan, and Republic of Korea. In aggregate, they purchase nearly a \$1Bil worth of Maine goods which is 40% of our total annual exports.

Furthermore, we all know how important fossil fuel supplies are to Maine's economy and well-being. Some 60% of our electrical power is generated by fossil fuels. Our Winters are cold and most of our homes are heated by oil. Each of us living in Maine bears significant transportation costs in carrying out our daily activities in our large, rural state. In fact, Maine's per capita oil consumption is significantly higher than any other New England state.

The best way to mitigate these transportation costs, or some would say penalties, and make Maine as competitive as possible is to make sure as much of the transportation chain as possible is in maritime bottoms which are by far the most economical form of commercial conveyance. In fact, due to its geographic location and rural nature, Maine must learn how to leverage the maritime commons more effectively than other states and regions in order to compete in the marketplace by mitigating the heavy transportation penalty imposed on its citizens and businesses.

Maine also has the opportunity to take advantage of the projected growth in maritime commerce to help secure its economic future. Analysis of shipping thru-put in U.S. Ports

indicate that east coast ports will absorb an ever increasing volume of our Nation's trade because our West Coast ports have reached saturation levels as have their supporting intermodal thru-put facilities. In other words, even if those ports could accept a larger volume of containers, their connecting highway and railroad infrastructure can't clear the ports and deliver the products to their ultimate consignees. With a competitive, modern port facility and efficient intermodal transfer facilities (rail, highway, and pipelines), Maine could stand to share in this port capacity induced spread of trade to Gulf and East Coast port facilities. At the same time, such a port would serve as a gateway for Maine's exports and the imports needed to support its economy, minimizing the transportation penalty. This phenomena also drives the current interest in expanding the capacity of the Panama Canal so that the imports coming out of and exports going to the Pacific Rim can be loaded in Gulf and East Coast ports vice the saturated West Coast ports while reducing surface transportation costs.

For all these reasons, Maine must do all it can to provide a modern, efficient port facility possessing equally modern and efficient intermodal transfer facilities. This means timely dredging, modern piers, port services, and efficient cargo thru-put. The biggest obstacles to such a capability are land use and availability issues and regulatory/permission processes. Ultimately, these are local and state decisions that require strong leadership and vision. It is clear the best examples of recent successful port improvements – e.g., the Chicago Region Environmental and Transportation Efficiency (CREATE) Program, the Virginia Port Authority's Heartland Corridor Project; and the Alameda Corridor Project in California -- are all examples of public-private ventures marked by uncommon regional jurisdictional cooperation across local, state, and federal sectors as well as the private sector.

PORT SECURITY:

Along with the unrelenting pressure on all parties to prepare the U.S. transportation sector to handle these ever increasing volumes of cargo, the industry must improve its ability to address the "known vulnerability" of maritime security in a way that does not unreasonably hamper the flow of commerce. There are numerous factors that make port security planning and implementation a real challenge:

- 1.) **VOLUME:** An vast amount of goods flow through the maritime supply chain – containers, bulk liquids, dry goods and commodities, ferries and passenger liners, car carriers, other specialty ships, and the even larger number of small general purpose vessels.
- 2.) **INTERMODALITY:** Goods arrive and depart not only by ship, but also by truck and rail.
- 3.) **MULTIPLE JURISDICTIONS:** Federal, state, and local governments have oversight over portions of port activities. Who's in charge?
- 4.) **NUMBER OF STAKEHOLDERS:** Carriers, shippers, logistics/port services firms, producers, labor unions, and many others must be involved in security issues.
- 5.) **GLOBAL NATURE OF INDUSTRY:** Any serious security effort requires international cooperation from foreign governments, port operators, ship owners, business community, etc.
- 6.) **TIME SENSITIVITY:** Our economy has moved to just-in-time, global supply chains which depend on reliable, predictable shipments.
- 7.) **PUBLIC AND PRIVATE INTERFACE:** Both sectors will have to be involved to plan and certainly to finance any security enhancements and implement new procedures.

There is considerable agreement that the greatest threat to port security is on the container side of the business. As noted earlier, this year the World Shipping Council predicts that 12 Mil containers will enter the U.S. through our ports. The average container is loaded and sealed, or at least loaded and the door shut, well inland of a port in every time zone around the globe. They are then transferred by truck, rail, or some combination of both to a seaport where they are loaded onto the ship. Following the sea journey, which likely involves several off-loads and on-loads at intermediate ports along the shipping route, the container is reloaded on another ground transportation system for the journey to its ultimate destination. During that journey, each container makes on average 17 stops. In the shipping industry the adage goes: "Goods at rest are goods at risk." At each of those seventeen stops that container is potentially vulnerable to thieves and terrorists. One can readily discern that port security is a complex web.

For example, last month at the Port of Seattle a bomb-sniffing dog "alerted" on a pair of cargo containers shipped from Pakistan. No explosives or radioactive materials were

found. One of the containers was packed with new textiles and the other with old textiles to be made into rags. While I wasn't able to determine how many periods of "rest" those containers faced during their land journey from their point of Pakistani origin to the port of embarkation -- most likely Karachi -- they made additional stops in Hong Kong, Shanghai, and Pusan, before arriving in Seattle in the C/V Rotterdam of China Shipping Container Lines. Clearly those containers encountered several periods of "rest" and hence "risk" in numerous areas of the World frequented by those who do not wish America well.

The good news is that those two containers had been segregated upon arrival in Seattle as a result of Customs and Border Protection (CBP) programs to gain greater, point of origin clarity of where/what/how/by whom goods are being loaded into containers bound for U.S. destinations. That said, if these containers had indeed contained materials constituting a serious threat, inspecting on the dock in Seattle would most likely be too little, too late. That is why all such programs must push back up the transportation chain as close as possible to the point of origin. This clearly requires international cooperation. DHS is responsible for working security along the entire shipping chain. Given there is no way to individually inspect 12 million containers before they reach a U.S. port nor can there ever be a totally fool-proof security system, DHS has developed a layered defense divided into five logical areas:

1.) INTELLIGENCE: A disciplined, all source process to assign relative risk to each container so only those few warranting high-risk status need be inspected. An excellent example of this at work is the recent incident in Seattle where the two containers had already been segregated for special scrutiny by CBP's Automated Targeting System (ATS) at its National Targeting Center (NTC) in Northern Virginia. The U.S. Navy is also pursuing a global Maritime Domain Awareness (MDA) system that will feed into our Nation's homeland defense effort. The goal is to achieve the same level of transparency as the FAA and its fellow aviation authorities maintain over all global air traffic.

2.) CONTENT INFORMATION: Enhancing the level of information about the contents of containers before they are loaded needs to be a joint effort by those loading the cargo at the point of origin, shipping companies, and the importers/consignees in the U.S.

3.) PROCEDURAL UNIFORMITY: Creating uniform standards and procedures for packing and moving of goods so anomalies can be more easily detected.

4.) LIMITING ACCESS: Enforcing much greater control of who have access to containers and ports. Within the U.S., this is the Transport Worker Identification Card (TWIC) Program, which needs implementation.

5.) TECHNOLOGY: Development and fielding of new inspection and tracking technologies that enhance security without unduly slowing down the flow of commerce.

I believe there is a sixth layer which also needs to be addressed and which is the focus of today's hearing. Since no security system is impregnable, a rapid, effective response to

any attack or incident needs to be the norm. Nothing could be more critical to staving off much of the ensuing disruption and potential chaos. There needs to be a series of publicized exercises, community information and education sessions, and strong, collegial political, civic, and private sector leadership to continually demonstrate the capacity for successful response in the face of such adversity. Nothing would do more to gain public confidence and even deter would-be perpetrators than well executed, complex exercises demonstrating that the State of Maine, the local region, Cumberland County, and the City of Portland can effectively work together with Federal Officials and private sector entities to effectively and rapidly mitigate the effects of an untoward event. This sounds easy to do. I'm here to tell you it is exceedingly difficult to accomplish. The institution with which I was associated throughout my career has made great progress in more effectively working with our sister services, other federal departments and agencies, and within alliances and coalitions. There have been any number of legislative mandates such as the Post-World War II Defense Reorganization Act and the Goldwater-Nichols Act of 1986 attempting to compel better cooperation and unity of purpose. That said, it has not been easy, has encountered many set-backs, and is still very much a work in progress requiring constant attention.

In many cases, the main issue boils down to "who's in charge?" The DOD has been at this since its inception over 230 years ago; but the disparate organizations involved in managing the consequences of a 9/11-like tragedy are relative newcomers to the business of "jointness". It takes years and years of dedicated work to develop seamless unity of effort. If such an untoward event were to happen, the citizens of Maine deserve nothing less than well practiced and effective unity of effort. As an outside observer, I would say a terrorist attack or incident in the Port of Portland is an even more daunting challenge than we face within DOD executing joint and coalition military operations. The single best way to mend the jurisdictional seams that exist between local, regional, state, and federal officials as well as the private sector is TRUST! That requires considerable time and effort to get to know and work with each other. All the formal laws, policies, and procedures in the World will not work if folks don't trust and respect each other.

To facilitate development of this fundamental trust, confidence, and respect, I suggest, if you haven't already done so, creating a formal coordinating committee where all players must regularly meet. In an environment like this where no one person or organization has the authority to force others to act, the only hope for success depends on leadership and the building of good will to facilitate the level of cooperation needed to successfully address such a grave incident. This must be followed up with regular exercises, both computer assisted and actual field exercises, that stress all the seams. Finally, I would recommend developing local Standard Operating Procedures (SOPs) that contain as much specificity and codification as you can get agreement on. Then rigorously test that/those SOP(s) in ever more robust exercises. Following the exercises there must be a rigorous, forthright, honest lessons learned process. In DOD we do a darn good job of identifying lessons to be learned but we don't always go that last mile and learn the lesson.

CONCLUSIONS

In conclusion, I would remind you that maritime commerce will become an ever more important component of our economic well being. Seaborne trade is projected to continue to grow at about 5% per year. This growth will place great pressure on our current port and surface transportation infrastructure. This presents an opportunity for Maine and the port of Portland to compete for this trade. At the same time, it would provide Maine businesses with a direct maritime gateway thus reducing reliance on much more costly surface transportation. Our Nation is expending great effort to make the "known vulnerability" of our ports more secure from the "unknown threat". To achieve this goal will require new levels of cooperation across disparate jurisdictions, agencies, and institutions from both public and private sectors. This can only be accomplished by building trust and confidence through establishment of regional coordinating organizations which regularly meet. To improve the level of cooperation and stitch together the command and control seams that always exist in such an arrangement requires a robust and increasingly challenging exercise program. Following these exercises, there needs to be a brutally honest assessment and critique of the exercise play and identification of the lessons to be learned.

I want to commend the Maine State Legislature and Chairmen Strimling and Gerzofsky for their willingness to address these hugely complex issues through Maine's Homeland Security Task Force. You are providing a great service to the State and its citizens. It has been a great honor to appear before this Task Force. I look forward to learning of your conclusions. Thank you.

DAVID T FLANAGAN

Manchester, Maine

General Counsel, US Senate Homeland Security Committee investigation of Hurricane Katrina ;
President and CEO, Central Maine Power;
Partner, Pierce, Atwood;
Legal Counsel, Office of the Governor;
Assistant Attorney General;

Chairman, Maine Chapter, The Nature Conservancy;
Chairman, Board of Trustees, American University in Bulgaria;
former Chairman, University of Maine System,
former Chairman of the capital campaign for the Childrens' Center in Augusta,
former Special Representative of the Governor to Washington County,
numerous other civic and professional boards

Member, Maine Bar

recipient of awards from the Maine Chamber of Commerce, Junior Achievement, the Edison Electric Institute, and numerous awards in connection with the 1998 Ice Storm, including the Jefferson Award for Public Service.

Born in Bangor, educated at Harvard; King's College, Univ. of London; and Boston College Law School.

Married to Kathleen Kelleher Flanagan.

DAVID T. FLANAGAN
REMARKS
TASK FORCE TO STUDY MAINE'S HOMELAND SECURITY NEEDS
SEPTEMBER 8, 2006

1. EXPERIENCE. For the last year, I have served as General Counsel to the US Senate Homeland Security Investigation of Hurricane Katrina, under the leadership of Sen. Susan M. Collins, Chair of the Committee.

Following review of 828,000 pages of evidence, interviewing over 325 witnesses, and conducting 24 public hearings, in May we issued a 750 page report "Hurricane Katrina: A Nation Still Unprepared" followed by a legislative package that addressed our 88 recommendations; which was passed out of the Committee on July 29.

The Committee also has jurisdiction over port security, although that was not my specialty, as I concentrated on Katrina.

Nonetheless, I believe some of the lessons learned in the catastrophe are applicable to how we think about ports, and have been incorporated in some pending legislation in Congress.

While not my area, I have been fortunate to be able to tap into some of the expertise of the HSGAC's very able staff in preparing for this event.

2. HSGAC PERSPECTIVE ON THE PROBLEM. Seaports are critical to the national economy -95% of our overseas trade enters through ports aboard more than 6,500 vessels making some 61,000 calls annually.

Of course, ports also have a strategic role in deploying our armed forces and supporting materiel.

But at the same time they are so important, ports are also one of our assets most vulnerable to terrorism.

Just as the attacks on 9/11 grounded all commercial flights, an attack on one port would almost certainly result in the closure of all for some period of time. An attack on one port is thus an attack on all.

The economic effect would be bad enough—on factories using J-I-T inventory—on the export of American crops—on the importation of oil and gas, to name but a few.

But if, God forbid, a WMD were to be infiltrated into a port, the results could be beyond any catastrophe our nation has ever known.

That's why the 9/11 Commission concluded that while commercial aviation remains a possible target, the opportunities to do harm are as great or greater in maritime transportation.

Nonetheless, despite the great risk and consequences of a port attack, port security has historically been relegated to a low priority status in the national homeland security budget.

Ironically, there has been some increased attention to this chink in our armor since the Dubai Ports World controversy last Spring, which gave impetus to unprecedented public attention to the significance of our ports.

3. SUBSTANCE OF THE CURRENT PORT SECURITY LEGISLATION. The current legislation, sponsored by Sen. Collins and others, would:
 - A. require DHS to develop a STRATEGIC PLAN to strengthen security for all modes of transportation by which cargo arrives in, departs from, or moves through US seaports;
 - B. require DHS to develop protocols for resuming cargo handling in the case of an attack;
 - C. require DHS to make faster progress in strengthening port security. (One example of the problems with the pace at DHS is that it has taken 3 years to develop regulations re minimum standards for mechanical seals on containers.)
 - D. Likewise, DHS has been discussing radiation detectors for 4 years. But as of May, fewer than half of the detection devices necessary for domestic coverage have actually been deployed. This legislation would mandate installation at the top 22 ports by the end of 2007—covering 98% of the cargo coming into the country.
 - E. This legislation also recognizes the importance of collaboration with the private sector and the international community in improving the security of the international supply chain, and the value of international standards.
 - F. It also would require dock workers to carry standardized identification cards to enhance security in ports—the value of which should be self-evident.

4. THE STATUS OF THE LEGISLATION. This hearing is coming at a very sensitive point—

HSGAC passed out this “Green Lane” legislation in May.

There is a companion bill in the House that is very similar and could easily be reconciled with this Act.

There has been one major problem—another Senate committee-Finance- has asserted jurisdiction because it oversees customs duties, and since the Green Lane bill proposed to use some duties for training and exercises and other security upgrades, Finance decided it needed its own Port Security Bill. Back in June the Senate Majority Leader, Dr. Frist, directed the two committees to work something out. This would be difficult to do, because Finance did not want the program financing to come from duties because they want to phase customs duties out entirely, and the development of a constituency dependent on them for funding would work against that goal.

It now appears that the \$400 million to fund the port security program will not come from duties, but from the general revenues of the federal government under a compromise between the Committees.

5. THE GREEN LANE BILL AND KATRINA. These are obviously separate issues-but there ARE common themes:
 - A. Katrina was not only a natural disaster, it was a catastrophic management failure.
 - B. The job of our investigation was to dissect why that was. The root causes were plentiful and complex, as governments at all levels brought their resources, practices and protocols and leadership to bear on the scene of the disaster.
 - C. What we found overall:
 - i. Poor design, maintenance, monitoring and governance of the levees;
 - ii. Poor preparedness by governments at all levels;
 - iii. Poor communications survivability and interoperability;
 - iv. Poor situational awareness by responsible authorities;
 - v. Inadequate support for search and rescue activities;
 - vi. Delayed post-storm evacuation of stranded victims;
 - vii. Inability to provide medical services where and when the need was most acute;
 - viii. Inability to deliver sufficient food, water and other commodities to those in need;
 - ix. A breakdown in public safety;
 - x. Uncertain coordination among DHS, NORTHCOM and the National Guard;
 - xi. Poor controls on FEMA spending; and
 - xii. Inadequacies in the design, implementation and execution of the NRP.
 - D. Drilling down into the root causes for these multiple failures, common patterns emerged, including:

- i. Failure to plan for many of the most likely problems in the most plausible scenario of a major hurricane hitting the Gulf Coast and N.O. It is often said that plans aren't worth much in an actual event, but the planning process is—because it gives decision-makers an idea in advance of their resources and capabilities, and a framework for action.
- ii. Failure to exercise. The way you find out if your planning is any good is by running realistic exercises on computers, tabletops, or in the field. The Coast Guard is great at this, but for many agencies there was little or no relevant experience.
- iii. Failure of communications. Without rugged, interoperable communications, every unit is on its own, and decision-makers cannot form a clear picture of their problems. (Gov. Barbour of Mississippi made the point vividly, telling us for 2 days his communications were no better than a Civil War general's.)
- iv. Failure of leadership. The Katrina response was crippled by the lack of:
 - *advance coordination or collaboration among different federal agencies, states, or levels of government;
 - *a clear chain of command, or effective use of the National Incident Management System;
 - *timely, cooperative communication between the overall manager, Sec. Chertoff, and his field commander, Director Brown;
 - *accountability for mission performance;
 - *understanding of what levels of government and what specific agencies were responsible for what actions.
- v. Failure to adequately coordinate with the private sector, or to incorporate private sector technology into government operations, or to credential and protect private sector emergency responders. There were plenty of other problems and reasons for failure, but these are among the most important.

6. THE RELATIONSHIP BETWEEN THE PORT SECURITY LEGISLATION AND THE KATRINA ANALYSIS.

Our Katrina legislation addresses many of these issues concerning disaster management generally. But many of these same concerns carry over to port security—and can be addressed by legislation as well.

For example, the Green Lane bill addresses:

- A. The paramount need to think about contingencies and systematically plan in advance.
- B. The neglected essential of exercising to familiarize people with their responsibilities and work out problems.

- C. Some of the needs for leadership by establishing clear centers of responsibility for port security in DHS.
- D. Explicitly encouraging both cooperation and consultation with the private sector, and credentialing through the Transportation Worker Identification Card (TWIC) system.

6. CONCLUSION. So long as America is involved in the world economy, and so long as our foreign, military and economic policies result in adversaries who wish to harm us, port security must be a vital concern.

We are the richest, most resourceful country in the world.

But Katrina showed us that does not automatically translate into success.

We need laws and policies and leadership that allow us to mobilize and marshal our great resources to meet the challenges we face.

Legislation that commands preparation, planning, exercising and direction for the security of our ports should be among our very highest priorities.

CAPTAIN STEPHEN GARRITY, USCG
Commander, Sector Northern New England

CAPT Steve Garrity has been Commander, Sector Northern New England since June 30, 2005, transitioning from Commanding Officer of CG MSO Portland to his present position upon establishment of the new CG command. He is a graduate of Merrimack College in North Andover, MA and completed Coast Guard Officer Candidate School in 1978. CAPT Garrity also earned a Master's degree in English from George Mason University in Fairfax, VA in 1981 and completed Coast Guard port safety industry training in Boston in 1988.

During his career CAPT Garrity has served tours of duty in Washington, DC; Governors Island, NY; the Coast Guard Academy; Boston, MA; and Huntington, WV – with recent command tours in Detroit, MI and Morgan City, LA.

CAPT Garrity's personal awards include: two CG Meritorious Service Medals, four CG Commendation Medals, the 9/11 Medal, two CG Achievement Medals, the Army Achievement Medal, and various other unit awards and service ribbons.

In his present capacity, he holds a number of regulatory titles: Captain of the Port, Northern New England, Federal Maritime Security Coordinator, Pre-designated Federal On Scene Coordinator, Officer in Charge Marine Inspection, and SAR Mission Coordinator. Since arriving in Maine, he has been involved in the implementation of MTSA requirements and other Coast Guard initiatives to improve safety, security, and environmental protection throughout northern New England.

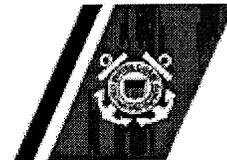
He and his wife Barb reside in South Portland, ME.

DATE: September 01, 2006 09:38:54 EST

FOR IMMEDIATE RELEASE

Office of Public Affairs
U.S. Coast Guard

**U.S. Department of
Homeland Security
United States
Coast Guard**



Press Release

Date: Sept. 1, 2006

Contact: Steve Blando
(202) 267-0932

FACT SHEET: THE COAST GUARD SINCE SEPT. 11, 2001

WASHINGTON - The Coast Guard protects America from all maritime threats – whether terrorists, drug smugglers, polluters or poachers. We've instituted innovative programs such as Maritime Safety and Security Teams, enforced security zones, increased our intelligence gathering and analysis capabilities, expanded our partnerships with the maritime industry, international organizations, federal, state and local agencies, implemented the requirements of the Maritime Transportation Security Act and the International Ship and Port Facility Security Code, and – most importantly – we've joined with other agencies within DHS to strengthen our borders and protect America's ports and waterways.

Specific Coast Guard accomplishments include:

-- Transferred to the Department of Homeland Security: largest federal reorganization since WWII encompassing 22 agencies and nearly 180,000 people.

-- Gained Membership in National Intelligence Community: allows for greater cooperation with other intelligence agencies.

-- Spearheaded the International Ship and Port Facility Security Code: the code requires all ships and ports engaging in international trade to submit port facility and ship security plans to their home government. The Coast Guard ensures all visiting foreign vessels have complied with the code requirements and examines those foreign vessels deemed high risk for not complying with the code at an offshore location.

-- Implemented the Maritime Transportation Security Act of 2002: aggressively implemented this landmark legislation that requires port security committees, security plans for privately owned port facilities, and vessel security plans among its many measures. The act significantly strengthens and standardizes security measures of our domestic port security team of federal, state, local and private authorities, and authorized the creation of Coast Guard Maritime Safety and Security Teams.

-- Developed Area Maritime Security Committees: the committees are comprised of federal, state, local, and private authorities to enhance security efforts in approximately 50 major ports. An outstanding example of the private and public sector working together, these committees stress teamwork, communication and coordination in fostering stronger port security.

-- Required 96 Hour Advance Notice of Arrival: increased notification from 24 to 96 hours and required vessels to submit detailed and specific information (crew, cargo, etc); allows for early security review and preventive action.

-- Implemented Offshore Strategic Boardings: ships with suspect indicators arising through the notice of arrival process which represent a risk to national security can now be boarded hundreds of miles offshore.

-- Increased Scrutiny of High Interest Vessels: close analysis combined with interagency coordination provides a protective plan for high interest vessels entering U.S. waters.

- Accelerated international requirements for the Automatic Identification System: successfully accelerated international requirements for ships to be fitted with the system, thus enabling them to be tracked by properly equipped shore stations and other ships. Has greatly increased maritime domain awareness and enhanced ship safety and port security.
- Implemented the International Port Security Program: assessed the anti-terrorism measures of 140 U.S. trade partners, and identified and conducted additional port state control activities on vessels whose countries failed to implement requirements of the International Ship and Port Facility Security Code.
- Completed Port Security Assessments: created port security teams to assess 55 militarily and economically strategic ports and an additional six ports. Completed special assessments on several classes of vessels including ferries, LNG vessels, certain dangerous cargo barges and single skin tank vessels. Developed the port security risk assessment tool to assess and establish risk-based profiles.
- Created America's Waterway Watch: similar to Neighborhood Watch programs, it allows waterfront users to detect and report suspicious activity that may be related to terrorism. This public outreach program ties together traditional Coast Guard Auxiliary support of vessel safety checks, public education, visitation and public affairs while promoting public awareness and involvement in maritime domain awareness.
- Created Field Intelligence Support Teams: teams consisting of other federal, state, local and Canadian partners who integrate intelligence capabilities, intelligence and law enforcement information exchange, and key operational intelligence support. These teams regularly participate in law enforcement meetings concerning active investigations of maritime smuggling.
- Implemented the Rescue 21 project: deployed enhanced command, control and communications system along 1500 nautical miles of coast line. Rescue 21 fills legacy system communication gaps and greatly upgrades clear and protected radio connectivity to port/costal homeland security partners. Rescue 21 includes rapid recovery assets which filled post-Katrina communications gap.

Other CG/Local Initiatives

Field Reorganization: Consolidation of three field commands into a single command under one captain.

Changes in Operational Activity: Increased patrols by land, sea and air.

More Partnered Activity:

- + Alignment with State/MEMA on Security Goals
- + Enhanced coordination, communications with partners at all levels of government
- + Development of Area Maritime Security Plan
- + NIMS-ICS and NRP integration with AMSC agencies
- + MOU with State of Maine
- + Maritime tactical response capability to IED and possible RDD with MMP/MSP Maritime Security Team, ME CST.

Local Implementation of Maritime Transportation Security Act:

Establishment of an Area Maritime Security Committee and Plan with integrated plans to governmental and private sector plans to protect marine facilities and port infrastructure.

More Exercises:

- May 2006: Ardent Sentry Port Security Exercise
- September 2006: Multi-agency interoperability communications exercise

Port Security Grants: Over \$7 million dollars in port security grants obtained for Maine port facilities



BUREAU OF MARINE PATROL

MAJOR JOHN C. FETTERMAN – BIO INFORMATION

A native of Pittsburgh, Pennsylvania, I was introduced to Maine at a very young age, spending summers at a family home in South Harpswell, Maine. With a diverse educational background, I attended Portsmouth Grammar School, Portsmouth England and St. James School in St. James Maryland before entering the University of Pittsburgh.

BS Engineering.

Graduated from the Maine Criminal Justice Academy

Aircraft Commercial Pilot – (land & sea)

Certified in numerous MCJA law enforcement programs

Academy Instructor Rating

Member of Maine Management Service – continuing training program

2004 Chairman of NASBLA Homeland Security Committee

2006 President of Northern Association of Boating Administrators

2006 Vice President of National Association of Boating Law Administrators

2006 Appointed by Sec. Chertoff to National Boating Safety Advisory Council

Since joining the Bureau in 1977, I have served in many capacities: Coastal Warden, Marine Patrol Officer, Pilot, Pilot Supervisor, Supervisor of Special Services and most recently Deputy Chief since 2001.

Security related accomplishments:

- *Executive Steering Committee USCG Sector Northern New England & JTTF*
- *Development of "First in the Nation" USCG MOU – Safety and Security Zones*
- *Member USCG "Tiger Team" defining risk assessment – "Small Boats"*
- *Development of Marine Patrol "Big Boat Program"*
- *Development of "State Maritime Security Team" (MEMA, MMP & MSP)*
- *Secured DHLS Grant to create Maritime Security Training Program, based on the "Maine Model."*
- *Senior Planner Ardent Sentry 2006*
- *Re-structure of USCG Cooperative Agreement Recreational Boating Safety*
- *Subject Matter expert – Member of State of Maine radio development project*
- *Design and development of Mobile Data Project*

Awards and commendations received have been the direct result of projects, which have had both statewide and national impact; "1994 Officer of the Year," was a result of the Commercial Divers Safety Program, which when implemented proved to be a model on a national level. The "Marine Patrol Citation" was the result of work accomplished within the Bureau in re-structuring the Bureau's SOP. The Marine Patrol "Commendation Medal" awarded in 2001, as the result of multi-task assignments and professionalism. The "NASBLA 2004 Presidents Award" was a direct result of leadership of NASBLA's Homeland Security Committee. The "FDA 2006 Group Recognition Award," for development of the national shellfish officers training program.

I continue to work in several areas, which serve the Bureau, outside of the operational command aspect of the position; as primary Emergency Response Team Member (ERT) to MEMA, as (Coastal) Boating Law Administrator for the State of Maine, as a member of the FDA Patrol Committee – working on modifications to the Model Ordinance and numerous homeland security committees, both regional and national in scope.



BUREAU OF MARINE PATROL

MAJOR JOHN C. FETTERMAN'S TESTIMONY SEPTEMBER 8, 2006

Good afternoon it is an honor to testify before you today. My name is Major John Fetterman, Deputy Chief of the Maine Marine Patrol.

I presented you with formal remarks during your Panel Discussion in Augusta on October 17, 2005. At that time, I presented a significant amount of background information on my Bureau's development and role as a Port Security force in Maine. Almost a year later, I have to report that little has materialized in the way of support for our ongoing security role. We continue to face the same requests for service, on the back of reduced manpower and an ever shrinking budget.

As a very small agency with a very large mission we have many hurdles that we face daily:

Due to the unfunded nature of Port Security missions we are forced to use dedicated funds outside of their intended spending parameters. As a conservation law enforcement agency our primary funding and mission statement is focused on commercial fisheries and protected marine resources. However, by nature of the environment in which we work, and our level of expertise, we are also well positioned and equipped to respond to coastal search and rescue and Homeland Security activities in a maritime environment.

When a marine patrol officer leaves the dock, he operates without the traditional law enforcement "backup". That officer, whether on a fisheries patrol, a search and rescue mission, a hazmat spill and now a security patrol is typically the sole resource capable of acting as a force-multiplier in support of the Coast Guard mission. This is especially critical in areas where the Coast Guard has limited resources. What was once an occasional call to assist the Coast Guard has now developed into a very close partnership and routine operational occurrence. We backfill for traditional Coast Guard calls for service, search and rescue, ----- and augment security missions that the Coast Guard must meet to assure an adequate level of Port Security, within our state.

By example, this summer alone:

- Navy Ship escorts in Penobscot Bay
- Cruise Ship escorts and security zone patrols in Bar Harbor
- Escorts for the International CAT Ferry - weekly
- Presidential visits to Kennebunkport as recent as the August 25th weekend

In my testimony last October I mentioned the close partnership we enjoy with the Maine State Police. Together we have successfully built a "Maritime Security Team" that has been tested and evaluated by participation in this year's ARDENT SENTRY exercise. This training program and syllabus developed by this unit was used in developing computer based training for maritime law enforcement units across the country. The federally funded project will be available to all law enforcement when unveiled at the NASBLA Conference in Louisville, KY on September 22nd. To be recognized on a national level for an innovative program is a wonderful compliment, but it does little to help fund our operational ability.

Next month the Center for Asymmetric Warfare is sending a film crew to document a training event we have scheduled in Bar Harbor, on October 17th. The Center is charged with improving communication and coordination between Department of Defense (DOD) and State and Local law enforcement. They are looking at Maine's Maritime Security Team as a unique model and are exploring ways to replicate this model across the country in other law enforcement agencies. Coordination of effort and enhanced communication models will serve us well, but again do little to fill the basic need when it comes to "How long can you sustain any mission with the current resources and assets available." The answer today is ----- Not long enough. A major event in Maine will rapidly overwhelm our ability to sustain any prolonged emergency response.

As I stated earlier, when you examine the maritime law enforcement environment the Coast Guard can call upon the Marine Patrol to help backfill missions. But, when I look around the resources, manpower, and assets to backfill for my small agency are limited or non-existent.

I have long been known for building solid interagency partnerships. I firmly believe that to continue building a strong Port Security network in Maine we must capitalize and leverage our individual areas of expertise and not build redundant systems that don't communicate well. Homeland Security is not the sole function or responsibility of the federal government.

There is a very clear public expectation; that at *all* levels of government have learned some hard lessons in the aftermath of 9-11, and more recently the exhaustive evaluation of the Katrina response. All levels of government failed in responding to the devastation of the Gulf region. The state of Maine needs to take aggressive steps to support the innovative programs and expertise that currently exist in our state today. Those programs have received little or no financial support for this Port Security and emergency response capability in the maritime environment.

The Maine State Legislature must:

- Invest in building a strong Maine Emergency Management Agency. Allow them to coordinate and plan the interactions which must take place across jurisdictional lines.

- Invest in the public safety community; give the Maine State Police the support they need to operate the critical systems and areas of expertise that we all rely upon – Dispatch Centers, Criminal Investigations, Intelligence Units, and Specialty Teams – such as the Tactical Unit.
- Today my small Bureau has an authorized headcount of 52 sworn officers, of those 37 are funded by the General Fund – 8 are funded by Dedicated Revenue and 7 positions are UNFUNDED. Those 7 positions were, at one time, funded by the General Fund. Recent General Fund budget cuts to my Bureau have eliminated funding for those positions. The legislature has allowed us to retain those 7 positions, only if they can be filled with alternative funding. Federal dollars and dedicated revenues are non-existent to support those positions. Invest in my agency, the Maine Marine Patrol, Restore those 7 positions with General Fund support and give me the depth of program to sustain a Port Security program in partnership with the United States Coast Guard. I'm not asking you to throw money at an issue, I'm asking you to invest in programs that work and need your support.

I am so impressed by the leadership skill that Captain Steve Garrity has brought to the State of Maine, as the Coast Guard Commander of this region. Capt. Garrity faced a tremendous challenge in our state as the Coast Guard transitioned into a new command structure. Sector Northern New England has smoothly come on line and today my agency has a stronger and more effective operational partnership with the Coast Guard, due to his leadership, commitment and vision. The Coast Guard is making the right moves in reaching out and partnering with Maine's maritime industry, user groups, emergency responders and the law enforcement community on land and at sea. I represent what some call the "State's Navy." Give me the tools to become a sustainable force for this very important mission and together we will live up to the public expectation and scrutiny when evaluated on:

PREVENTION

RESPONSE

and

RECOVERY

Capt. Jeffrey W. Monroe, MM

Captain Jeffrey Monroe, Master Mariner, is Director of the Department of Ports and Transportation for the City of Portland, Maine. In that capacity he supervises the development and operations of the Port of Portland, Portland International Jetport and coordination of the City's surface transportation program. Since joining the City in 1998, he has managed significant improvements to the City's transportation system as well as over \$100 million in improvements to transportation facilities. Prior to joining the City he was Deputy Port Director for the Massachusetts Port Authority, and Professor at the Massachusetts Maritime Academy and the State University of New York. His professional experience also includes all capacities as deck officer in the U.S. Merchant Marine.

Capt. Monroe is a 1976 graduate of Maine Maritime Academy and earned a master's degree from the State University of New York in transportation management. He holds an Unlimited Master Mariner's license and has numerous professional certifications.

In 2005, Captain Monroe was appointed as Chairman of the US Coast Guard Navigation Safety Advisory Committee and was appointed to the Maritime Security Advisory Committee by Homeland Security Secretary Tom Ridge. He is President of the North Atlantic Ports Association, Chairman of the Board of Directors of METRO, a founder of the Maritime Industry Museum in New York, a member of Board of Visitors of both Massachusetts Maritime Academy and Maine Maritime Academy and a member of the New York Marine Society, Portland Marine Society and Portland Propeller Club. He also a published author and has appeared on various national television programs including several segments for the Discovery Channel and the Arts and Entertainment Network.

Captain Monroe is married to the former Linda Mallik of Cleveland and has a daughter Michelle, a licensed merchant marine officer, and son Michael, an Honors Program Business School graduate of Boston College. He has resided with his family in Cape Elizabeth, Maine for the last 25 years.

Comments Before the State's Committee on Homeland Security

September 8, 2006

Capt. Jeffrey Monroe, MM, MS

Director of Ports and Transportation, City of Portland

Chair-US Coast Guard Navigation Security Council

Member-Department of Homeland Security Advisory Council on Maritime Security

The Port of Portland is a significant seaport among the top 50 ports in the United States.

We are the largest foreign inbound tonnage transit port in the US, largest tonnage port in New England and largest oil port on the US East Coast. We are rated 25 overall.

Portland is also a very diverse seaport with predominantly crude oil, refined petroleum products, bulk cargo, neo-bulk cargo, containerized cargo, fishing, domestic and international passenger ferries and a growing cruise ship trade. (Statistics provided)

For this reason, Portland was selected along with San Diego to be one of the first two ports to undergo a formal security assessment by the US Coast Guard.

Portland is a player on the national field. *The field is made up of diverse and critical relationships, all forming the Security Chain.*
We have close working relationships with our Congressional delegation.

We work with them
~~They seek our input~~ on maritime security legislation and we have been very active in assisting them in development of important bills such as Transportation Workers Identification Card and the Greenlane Cargo bill.

ACT

We also have a close working relationship with federal agencies such as the USCG, Customs and Border Protection, the FBI, Joint Terrorism Task Force and the Transportation Security Administration.

Working with the TSA, they have expanded their role in homeland security beyond aviation to maritime and surface transportation.

Members of my staff and I have served on three national advisory committees and work we work with port associations such as the North Atlantic Ports Association and American Association of Port Authorities on port and security issues.

As a member of the National Maritime Security Council, I have provided input to Secretary Chertoff on credentialing, industry communication procedures and threat assessments, recovery of the national maritime transportation system after an incident, asymmetric migration, personnel training standards, consistency in operational and enforcement actions, electronic reporting systems and data warehouses and domestic ferry operations.

Portland has put together an excellent homeland security team led by our fire chief and involving our police department and transportation department staff.

Through our collective efforts we were one of the first ports in the nation to receive formal approval for our security plans under the Marine Transportation Security Act (MTSA).

We have received almost \$3.4 million in federal dollars from port security grants which has enabled us to meet the requirements of the MTSA and has allowed us to construct a

state of the art Emergency Operations Center under the responsibility of the fire chief.

We have also developed excellent relationships with the City of South Portland and their fire, police and transportation staff in relation to emergency response, joint communications and planning.

However, while the federal and local governments have a strong emphasis on port security, we believe the State could do more to improve our efforts in the narrow, but key area, of port security.

For example, the Portland Department of Transportation (PDOT) has no active participation on any committee at the state level focused on port security.

Until today, we have never been asked by the state, for any input on port security

formally

We are unaware of a state plan for resumption of port services after a catastrophic event.

And while we have been fortunate to have several direct conversations with the Governor and briefed him several times on port security and transportation issues, overall our relationship is much stronger with federal officials than with some agencies within the State.

Since 9/11, the State has had to be focused on preparedness, response and recovery.

This was and is a complex undertaking, but we have reached at point, where we must integrate all of our transportation planning into in a cohesive security plan that

draws on the expertise of the industry and port professionals.

from Washington

After 9-11, there was no federal guidance for several days. We had to figure it out locally.

While I believe we would not have a repeat of that, federal authorities will depend heavily on local input and expertise.

Port, and indeed, all elements of transportation security, must be put on a higher priority within State agencies.

This must include managing a response as well as prevention of incidents.

Maine may want to consider a broadening of the role of MEMA to include an office that focuses on the secure movement of passengers and cargo, security measures and resources, inventory and allocation of assets, plans for systematic recovery, and development of local plans to bring together all modes of transportation into systematic security planning.

We have been fortunate that we have developed wide range of cooperative working relationships with numerous federal, state and local agencies, as well as the private sector.

Port, and transportation security, is regarded as an important specialty. In our planning, it must also be a priority.

Since 9-11, things have certainly improved in how we plan for, prevent and respond to emergencies.

But it remains a work in progress, with more to do. Thank you.

*who is
~~the~~
Responsible*

Captain Tom Meyers, U.S. Coast Guard (retired)

Tom came to Maine in May of 1997 where he served as Commander of the Coast Guard Base in South Portland. He was responsible for search and rescue, law enforcement, waterway safety, and other Coast Guard operations from southern New Hampshire to Port Clyde, Maine. Tom fostered strong working relationships throughout the area and was active in the Waterfront Alliance and Port Safety Forum. He quietly championed partnerships with local, state, and federal agencies throughout the region that resulted in benefits to the different agencies and the public they served.

After completing his military career as a Coast Guard captain in the summer of 2000, he accepted a position as the Director of Transportation and Waterfront for the City of South Portland. He was also designated the Emergency Management Director immediately after September 11, 2001 until a fulltime position was created in 2004. He is a member of the city's Emergency Management Leadership Team whose primary purpose is crafting and executing the city's All Hazards Emergency Action Plan. Among his current waterfront responsibilities, he operates a city-owned pier whose only slip-holders are commercial fishermen, manages the municipal boat ramp at Bug Light Park, oversees a city lease to Port Harbor Marine / Spring Point Marina, and supervises the city boat landing at Thomas Knight Park.

Tom is a board member of the Waterfront Alliance. He is an active member of Rotary International, and a trustee for Spring Point Ledge Lighthouse. Tom's hobbies include boating, kayaking, skiing, running, and home handyman (by necessity).

He received a Bachelor of Science in Engineering Management from the Coast Guard Academy, and a Master of Public Administration from The George Washington University. He also attended a nine month, full-time advanced seminar with the U.S. Department of State for senior foreign policy and national security officials. During tours of duty in Washington, D.C., he served as program manager for Navigation Safety and Waterway Services; he also headed the U.S. Department of State delegation to the International Maritime Organization's Subcommittee on Safety of Navigation. He served as the captain of two Coast Guard cutters in Florida and Connecticut, as well as earlier shipboard tours in Alaska and Florida.

Tom lives in Cape Elizabeth, Maine and is married to Marti, his high school sweetheart from Miami, Florida. They have three children. Daughter Sarah is married and works in the biotech industry near Washington, D.C. Son Andrew is married and is a Coast Guard officer serving in port operations in Savannah, Georgia. Son Patrick is a junior studying meteorology at Cornell University in Ithaca, New York.

Maine' Homeland Security Task Force
September 8, 2006
Portland City Hall

Tom Meyers' remarks

Tom Meyers, City of South Portland Director of Transportation and Waterfront. Immediately after Sept 11, I also served for three years as the Emergency Management Coordinator. From 1997 to 2000 I was the Coast Guard Group Commander in South Portland, responsible for the traditional CG missions of waterways management, search and rescue, maritime law enforcement from the Mass border to Port Clyde. I retired as a CG Captain in 2000.

Thank you to Senator Strimling, Representative Gerzofsky, and the Task Force for today's focus on Port security, as well as the presentation from the other panelists.

You are probably aware that the City of South Portland is home to many businesses and industries, extending beyond our port facilities, that have been identified as significant risks and threats to regional security. Equally important to the broader purposes of this Task Force, these South Portland locations are also high on the State's list of critical infrastructure facilities.

Because of the wide range of possible incidents within our jurisdiction, the City of South Portland, like most of our federal, state, and local partners, has approached our emergency planning first and foremost on an "All-Hazards" basis. The basic preparedness and emergency response to any public safety or security situation will be coordinated in the same way. That is, we will follow the principles and requirements of the National Incident Management System that uses the Incident Command System as the basis for actions. It doesn't matter if it's a major natural disaster such as a hurricane or an ice storm, or a terrorist threat. There is a structured way to handle the incident, and coordinate it with all jurisdictions.

And within our All Hazards framework, we are developing a separate annex for Port Incidents.

"Coordination" is the theme of this panel. The Greater Portland Port Incident Standard Operating Guidelines is an excellent example of a recent collaborative effort among the major stakeholders... federal, state, and municipal jurisdictions... developing a common command and control framework. In the event of a major port incident, this framework outlines how incidents in the port will be managed

under a single incident commander or unified command. Development of the Guidelines, in themselves, demonstrates what has become a standard way of doing business among different levels of government in the region.

That said, there is always room for improvement in any plan ... and the Guidelines are no exception. I'm sure we will continue to make them better. The next panel will likely provide you with more detail related to the overall coordination within our region. More important, they will likely have insights (similar to the ones provided by Major Fetterman) concerning what is needed to make not only the Port Incident guidelines more effective, but also our day-to-day, All Hazards Emergency Plans.

Back to coordination among the Port stakeholders... our federal, state, county, and local government partners... and I hasten to add other modes of transportation and the private sector! ...

Today's Task Force visit will help illustrate my major point. And that is:

“Coordination” is really a function of Personal Relationships, Communications, and Knowing who the other guys are and what they are doing.

So... when asked by the Task Force staff to suggest potential panel members, it was very easy to do so. Why?

Because throughout the year there are several training sessions, tabletop exercises, drills, or other reasons that bring the port's emergency planning partners together. But more often, it's usually the same people we work with on a day-to-day basis in the normal course of business.

If knowing who's who around the table was a graded exercise, the Port of Portland would get an A. Let's say we have a maritime related tabletop exercise held at the International Marine Terminal and thirty people show up (including many who are stakeholders from other big name agencies and industry who are NOT here today). If you gave those thirty people a blank sheet of paper and told them to look around the table, before introductions were made, I'll bet almost everybody (except the literal “new-comers,”) would be able to jot down either everyone else's name, or at least the agency, company, or organization they represented.

So if you buy into the notion that **Coordination** is really a matter of Personal Relationships, Communications, and Knowing who the other guys are and what they are doing... I believe we have at least THAT part well covered.

I'm not suggesting that everything runs like a swiss watch all the time, or everyone has the resources necessary to do everything they want to do. But if something does start to get a little out of kilter, it's easy enough to make a few phone calls to get back on track.

And in the event of any type of emergency in the port, the personal relationships and communication that has been developed among the many port stakeholders will serve our communities well.

Once again, thank you to the Task

FIRE CHIEF FRED LAMONTAGNE

Fire Chief Fred LaMontagne has made a career as a first responder for more than twenty-two years, and has served in many capacities, starting first as a dispatcher in his home town of Gorham. When he was 21 years old, joined the Portland Fire Department in 1984, serving as a firefighter/EMT, an educator and trainer, and as an arson investigator. He was promoted to Lieutenant in 1994. In 2000, he was promoted to Captain and in 2001, to Deputy Chief. In April of 2002, five months after September 11th 2001, he was chosen as Chief of the Portland Fire Department, one of the youngest in the history of the department.

The events of September 11th prompted changes in the ways that first responders communicate and train, and Chief LaMontagne works to continually update, develop, and expand training and communication methods within the Portland Fire Department to improve 'traditional' fireground operations and to include a larger focus on potential terrorist and natural disaster events.

Chief LaMontagne also serves as Emergency Management Director and Homeland Security Coordinator for the City of Portland. As such, he is charged with updating the City's Emergency Response Plan, sponsoring ongoing exercises and drills, and securing funding for training and equipment costs to ensure that the City is prepared. He establishes partnerships with public and private entities on a variety of issues surrounding Homeland Security. He has participated on several national panels on Homeland Security issues, including Intelligence Gathering, Information Sharing, Fund Distribution, and establishing criteria for setting up Fusion Center operations. Currently, in conjunction with the Maine Emergency Management Agency and the Department of Homeland Security, Chief LaMontagne is working on a series of Tactical Interoperability Communications Plan exercises that will test the communications capabilities among several agencies throughout the City, surrounding communities, and state and federal agencies.

KEVIN W. GUIMOND
FIRE CHIEF
South Portland, Maine

Kevin Guimond currently serves as the Fire Chief for the City of South Portland. He has been employed by the city of South Portland since 1987, serving as a Paramedic / Firefighter and rising through the ranks to assume the Chief's position in 2003. The Fire Chief in South Portland manages the fire suppression, emergency medical services, hazardous materials response, as well as the office of Emergency Management. Currently the department has over 100 full and part time employees and six fire stations.

The 12.93 square mile city located in Southern Maine presents many unique challenges due to the fact that the city hosts many commercial, industrial and advanced technology businesses including the second busiest oil port on the entire East Coast. The western half of the city hosts the largest retail, commercial, and office complex north of Boston and currently employs more than 3,000 people. Each year the Mall's 140 businesses draw 13 million visitors to its 1.2 million square feet of retail space. The population of South Portland swells from 23,300 to between 60,000 and 80,000 whenever the Mall's doors are open. The city also hosts two world-class computer chip factories, Fairchild Semiconductor and National Semiconductor.

Since becoming Fire Chief, Kevin has become a certified foam firefighting instructor as well as a certified hazardous materials/confined space instructor. Over the past three years he has taken an aggressive role in homeland security issues on a statewide basis. Additionally, Kevin has required his entire department to be trained as Haz Mat WMD technicians. Kevin has attended several classes including EMS operations and planning for WMD and WMD terrorism awareness.

Kevin serves on a number of committees including the State of Maine Emergency Response Commission. Since 2004 he has been on the Tyco Industries User Advisor Committee, which evaluates equipment and new products available in the Fire, EMS and Haz Mat service.

For a number of years while Kevin was a Firefighter he served as President of the Professional Firefighters Association. At Southern Maine Community College, Kevin taught EMT and paramedic classes for the Fire Science Department.

Kevin holds a BA in Political Science and an Associates degree in Business from the University of Southern Maine.

Kevin resides in Cape Elizabeth with his wife Susan and two children, Curtis and Ann. Kevin is involved in his home town and serves on the Board of Assessment Review, has been a member of the Cape Elizabeth Fire Department for over 20 years and coaches Little League Baseball and Casco Bay Hockey.

BIO SHEET FOR
JEFFREY M. TEMPLE

Jeff Temple currently serves as the fulltime Director of Emergency Management for the City of South Portland, where he is responsible for developing comprehensive emergency plans and procedures, conducting and evaluating drills and exercises, conducting training, engaging the community in emergency preparedness activities, and managing a large Homeland Security grant that South Portland receives because of the number of potential targets located within the city. Jeff also helps the Maine Emergency Management Agency with training, drills and exercises, having managed the first exercise of the state of Maine emergency response team (ERT) in the new State Emergency Operations Center (an electrical blackout exercise), and most recently managing a series of two-day exercises to test the states preparedness for a Seabrook nuclear power plant emergency event. Jeff also serves MEMA as the lessons learned coordinator for the Homeland Security Information Network (HSIN) system.

Prior to his assignment in South Portland, Jeff served for a short time as an Assistant Project Director for Community Research Associates, Inc. in Alexandria, Virginia, where he worked with a team to develop and deliver homeland security exercises and training around the country for the US Department of Homeland Security.

Jeff worked at the Maine Yankee nuclear plant in Wiscasset for 22 years, serving as Security Director, Security Supervisor, Human Resources Coordinator, Licensing Assistant, and Senior Emergency Preparedness Coordinator. As the Senior EP Coordinator, he worked with local, state and federal agencies to provide nuclear training, as well as manage small drills and large regional exercises required by the federal government for 15 plus years.

Jeff received a BA degree in Political Science from the University of Maine at Orono, and a Masters in Public Administration from UMO. 23 years later, he received a Certificate of Advanced Studies degree from USM in Education/Adult Learning.

He lives in Gardiner with his wife Debbie, and his son, Andrew. He is active in community affairs, having been elected to the Gardiner City Council 3 times (total of 8 years), and then elected to the MSAD #11 School Board of Directors two times. He has served as a police officer, a radio announcer and a newspaper reporter and served as an intern for US Senator Edmund Muskie in the US Senate in Washington DC.

PORT AND HARBOR SECURITY

TALKING POINTS FOR

**Chief Kevin Guimond, South Portland Fire Department and
Jeffrey M. Temple, Director of Emergency Management
City Of South Portland**

1. Major strides have been made on a number of fronts to understand the security issues that face a port like Portland Harbor, and to address anticipated security needs for the present and the future.
2. We have used a fair amount of our Homeland Security grants to improve South Portland's ability to respond to a WMD or other large scale security event in the Port of Portland, including:
 - a. Providing additional equipment and training to our Special Response Team (SWAT team), and increasing the size of the SRT to include two medical doctors from Maine Medical Center and two paramedics from the South Portland Fire Dept.
 - b. Providing additional equipment and training to our Fire Department's hazardous materials regional response team (RRT) and decon strike team (DST).
3. We have used a combination of homeland security funds and city funds to create a four room Emergency Operations Center that contains a communications suite, a command room, a support group room, and a Joint Information Center. The US Coast Guard used our EOC for two full days during the Ardent Sentry exercise held in May of this year.
4. We have conducted and continue to conduct emergency exercises that test and evaluate port security readiness issues. For example, the cities of Portland, South Portland, Cape Elizabeth and the US Coast Guard conducted a 4-hour tabletop exercise simulating the direct hit of a Category 2 hurricane on Portland Harbor. This exercise was conducted on July 25th. Other exercises which test the ability of South Portland to work with its partners include the Ardent Sentry military exercise, where the US Coast Guard used the South Portland Emergency Operations Center for two full days during this 5-day exercise, and annual hazmat team exercises with the Portland and South Portland hazmat teams.
5. South Portland plans to use a portion of its 2005 homeland security funds to directly address Port security needs, including purchasing an underwater camera and radiation detection devices.

6. We continue to focus on homeland security training. South Portland was asked by the US Coast Guard to conduct radiation-monitoring training for over 50 USCG staff in South Portland and Portland. We use Homeland Security funds on a routine basis to send our police and fire commanders to schools such as the Univ. of New Mexico, Texas A&M University, the Univ. of Nevada/US Dept of Energy nuclear schools, and the Center for Domestic Preparedness in Anniston, Alabama.
7. We continue to work collaboratively with our port partners to improve surveillance and detection capabilities around the Port. We have installed new security cameras and have plans for additional cameras on the waterfront. We include our port partners in drills and exercises, such as Ardent Sentry.

We have made substantial progress in improving security around Portland Harbor, and much of the credit for those improvements must go to the Homeland Security grant program. However we still have more work to do, and we need to look for ways to continue funding systems we have put into place.

Biography for Thomas A. Hardison

Mr. Thomas A. Hardison is the Director of Operations for Portland Pipe Line Corporation. Mr. Hardison started his career with Portland Pipe Line in 1974 as a Casual Laborer. After progressing through the ranks to supervisory positions, he became the Director of Operations in 1996. Over his career Mr. Hardison has worked nearly every position in the Company and was instrumental in helping the Company introduce its Integrity Managing System in 1994, as he performed the job of Loss Control Manager.

Mr. Hardison is a graduate of the University of Southern Maine with a Bachelor of Science degree in Industrial Technology and has been a Certified Welder and Certified Welding Inspector.

Mr. Hardison is a member of the American Petroleum Institute, the Propeller Club of the United States, the Port Safety Forum, the Area Committee, the Area Maritime Security Advisory Committee, the Regional Response Team, the Portland Terminal Operators Group, the Waterfront Alliance and is a Board Member of Clean Casco Bay Incorporated.

Mr. Hardison and his wife reside in Scarborough, Maine and have two adult children.



PORTLAND PIPE LINE CORPORATION
Safety, Environment, Customer, Community

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September 8, 2006

Good afternoon: My name is Tom Hardison. I am the Director of Operations and the Facility Security Officer for Portland Pipe Line Corporation. I am responsible for all operations, maintenance and security for the pipeline system and am currently in my 33rd year with the Company. My presentation and panel discussion today are directed to a private sector perspective of port security. I am proud to join with the talented and experienced panel members here today to offer our thoughts and opinions regarding port security.

Since 1941 Portland Pipe Line Corporation (PPLC) has operated in the Port of Portland a marine terminal, storage tank farm and cross country pipeline system for the receipt and delivery of crude oil. Our facilities are regulated by 33 CFR PART 105 - MARITIME SECURITY: FACILITIES. We have a United States Coast Guard (USCG) approved Facility Security Plan in place and have received annual audits of our Plan and numerous compliance inspections by USCG field personnel.

PPLC worked closely with the USCG to identify security risks within the port and assist with the development of the Port Security Plan for the Port of Portland. The Port Security Plan and our Facility Security Plan provide the standards, practices and procedures necessary to ensure the safe and secure operation of our port and its facilities. PPLC continues locally to work closely with the USCG, Customs and Border Protection and local law enforcement officials to ensure adherence to the Plans and safe and secure operations. On a national basis PPLC collaborates with the American Petroleum Institute (API), the U.S. Department of Homeland Security Transportation and Security Administration Office of Intelligence (TSA

OI), the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA), and industry groups to stay abreast of security regulations, issues and concerns. We also utilize the U.S. Department of Homeland Security United States Coast Guard HOMEPORT Web site for up-to-date information on security matters of both local and national importance and concern. I am satisfied that PPLC receives the proper level of security information both locally and nationally to safely and securely operate our facilities and to respond to the unexpected.

The USCG does an excellent job of informing port stakeholders of local issues by disseminating Marine Safety Information Bulletins (MSIB) and security information shared through the Area Maritime Security Committee. We have planned for and can respond proactively to potential threats, with the intent of preventing a transportation security incident. At the present time PPLC is meeting the challenges of operating a safe and secure facility. However, in this ever-changing world we don't know what security issues will be present in the future. The ongoing challenge for PPLC is anticipating the future security needs for our facilities and building those needs into our long range plans to secure funding for the improvements.

The Federal Government awards security grants to successful applicants. However, not all applicants are successful in receiving grants and the security enhancements must still be implemented. The cost for preparedness and compliance will continue to be a major challenge for all who must provide for safe and secure Part 105 facilities.

This is a brief look into the port security concerns of a private sector company. I look forward to answering your questions during our panel discussion. Thank you for the opportunity to speak with you today.

Thomas Dobbins

- Born and raised in Massachusetts
- Attended Community College in Boston
- Four years in the Coast Guard last duty Station in the Portland Maine office of the Captain of the Port. Inspecting vessels and investigating pollution incidents
- Eighteen years with Seacoast Ocean Services an Environmental Contractor
- Twenty one years as Terminal Manager for Getty Petroleum and Sprague Energy Corp.
- Present position Manager of Terminal Services for Sprague Energy.
- Holder of a US Coast Guard Captains License
- Commissioner, Portland Harbor Commission

SPRAGUE ENERGY CORP.

TOM DOBBINS

**MANAGER, TERMINAL
SERVICES**

- Sprague Energy was founded in 1870 by Charles H. Sprague. Sprague's corporate headquarters are located in Portsmouth, New Hampshire. Sprague is one of the largest suppliers of material handling services in New England. Sprague owns and operates twenty marine terminals in the northeast.
- Sprague owns four terminals in the state of Maine
 - Bucksport
 - Searsport
 - Portland
 - South Portland

2.6 Billion Gallons of Petroleum Products

- Home Heating Oil
- Diesel Fuel
- Jet Fuel
- Motor Gasoline
- Aviation Gasoline
- Industrial Fuel Oil
- Liquid Asphalt

3 Million Tons of Bulk Materials

- Coal
- Road Salt
- Cement
- Tapioca
- Wood Pulp
- Newsprint
- Lumber
- Food Grade Sugar

- Sprague distributes more than 2.5 billion cubic feet of natural gas.
- Sprague also handles a variety of specialty items - the propellers and tower sections for the wind generators that will be located in Mars Hill, Maine.

- Once Sprague was notified of the circumstances surrounding the attack on the World Trade Center, a security team was assembled, consisting of the Health Safety and Environmental Manager, Director of Terminals and the Vice President of Operations. All terminal operations were shut down to assess the situation.
- In the following days, the Terminal Managers met with federal, state and local officials to put together an action plan for the immediate future.

- During the week of September 13th, plans were put together with the Maine National Guard and the local Terminal Managers. These plans included the location of potential command centers, security areas and how these areas could be protected with the resources on hand.
- Under the guidelines developed by the Department of Home Land Security, United States Coast Guard, a vulnerability study and audit were done at each terminal.

- Using the findings of the study and with further guidelines from the Coast Guard, Facility Security Plans were developed and implemented. Although we cannot go into details of these plans, they include additional fencing and gates, lighting, additional cameras, IDs for employees and visitors as well as increased security patrols.
- These plans were reviewed and approved by the by the Coast Guard.

- During the development of Sprague's Security Plans we made an effort to also derive some business benefit from the increased security requirements where possible (e.g. cameras on petroleum loading racks, additional fencing to better segregate operations from customers).
- After utilizing our established security protocols for the last four years, it has become evident while they initially presented an increased effort to ensure they were properly executed consistence with federal, state, and

local guidelines. They were quickly integrated into our daily operations and now are part of business as usual.

- Terminals conduct internal security training and drills as well as participating in security exercises with local, state and federal agencies.
- Plans are reviewed yearly and changes are made as required.

- With many different local, state and federal agencies having control and concerns over different aspects of security, consistency issues arise from time to time. We look to the Coast Guard as the lead MARSEC agency to sort through these issues.
- In closing, we continually work closely with all local, state and federal authorities to insure safe and secure terminals.

DONALD CORMIER

Educated in New Brunswick, Donald Cormier completed a degree in Industrial Engineering in 1982 and obtained his MBA in 1986.

His career in the transportation industry has included positions in the railway and marine sectors.

Mr. Cormier's passion for the marine industry stems from his summer student experiences at sea, working onboard local lobster boats in the Northumberland Strait.

Mr. Cormier has occupied positions in terminal operations, project engineering, marketing, quality and safety management systems and ship management with various operators of ferry services in Atlantic Canada.

Joining Northumberland/Bay Ferries Limited in 1997 as General Manager, responsible for Bay of Fundy ferry services, he played an integral role in turning heavily subsidized ferry routes into successful privately operated businesses.

Appointed Vice-President, Operations and Safety Management for Northumberland and Bay Ferries Limited in 1998, he is focused on upholding and improving the company's tradition of safe and reliable marine transportation services.

Amongst his various career accomplishments and experiences, Mr. Cormier is most proud of his contributions in achieving; a few firsts in North America:

- In 1996 he developed and implemented safety management systems resulting in the first International Safety Management (ISM) certification issued to a passenger vessel in North America.
- The introduction of the first high-speed car carrying passenger vessel in North America in 1997.

SPEAKING N

A PRIVATE SECTOR PERSPECTIVE
ON PORT SECURITY

Presented to Maine's Homeland Security Taskforce

September 8, 2006

Thank you very much for the kind introduction. My comments today will generally address three areas:

- First I would like to give you an overview of Bay Ferries operations both in New England and Atlantic Canada so that you gain a better understanding of our company and our corporate culture.
- Second I will comment on current port security initiatives and regulations.
- Third I will discuss some of our industries concerns and the lessons that we have learned in building safe and secure connections between Canada and the State of Maine.

- To rejuvenate the Nova Scotia to Maine business, Bay Ferries purchased and introduced North America's first large vehicle carrying high-speed ferry in 1998. That ship was branded "The Cat".
- In 2002 the original Cat was replaced with a larger vessel
- The Discovery Channel in its Supership series examined the 10 most amazing vessels in the world and ranked "The Cat" as number 2.
- The Cat is capable of speeds of 50 miles an hour, has room for almost 1,000 passengers, room for well over 200 vehicles and best of all, cuts travel time between Maine and Nova Scotia
- The vessel is in our opinion a tourist attraction for both Maine and Nova Scotia.
- Our experience is not limited to New England or Atlantic Canada.
- From 1999 to 2003 We have introduced high-speed service to many other communities including Miami, Fort Lauderdale , Nassau and Freeport in the Bahamas.

- Our company, along with many others in the travel industry share the view of former Massachusetts governor and US Ambassador, Paul Cellucci that in today's post September 11th age, "security trumps trade"..... Cellucci.
- We don't just talk the talk, we've acted.
- Following 9/11, the international marine organization adopted new international ship and port security standards with a compliance deadline set for July 1, 2004.
- It is our understanding that "The Cat" was the first passenger vessel in North America to be certified to this new Code by Lloyd's Register a full seven months ahead of the deadline.
- Our Yarmouth and Bar Harbor port facilities were the first facilities in their respective regions to have their security plans approved by their respective administrations.
- Our ports and vessels must comply with both domestic and international regulations.

- Our ports and vessels are inspected by the US Coast Guard, the Canadian Coast Guard, the US Department of Homeland Security , Canada Customs, Transport Canada Security Division, the Bahamas Maritime Administration our flag state and finally Lloyd's Register our Classification Societies of record.
- Our customers are required to provide proof of identity prior to boarding our vessels.
- A passenger manifest is electronically transferred to US Customs and background checks are performed before the vessel arrives in the US.
- Customers are subjected to random security inspections.
- The public has limited and controlled access to port facilities.
- More stringent luggage handling procedures have been implemented.
- What are our concerns?

- The job of both national governments with the support of state, provincial and local governments is to ensure that we have a plan that balances border security with workability.
- Speaking from the trenches, we have learned some of the following lessons:
 - More regulations place our industry at risk.
 - Airline level security is not realistic for car carrying ferries.
 - Common sense and the vigilance will result in mitigating identified security risk.
- The public sector must continue to share in the investment of increased security measures.
- We appreciate the productive relationship/partnership we have with all regulatory authorities. They are doing a great job !

Thank you - I would be happy to answer any questions.

Robert (Roki) S. Horr joined the Casco Bay Island Transit District management team as Assistant Operations Manager in July of 2002. Roki brings more than 30 years of maritime experience to the District. He most recently served as Chief Mate of American Classic Voyages on the passenger vessels Columbia Queen (operating on the Columbia and Snake Rivers in Oregon) and Cape May Light (operating along the Eastern Seaboard from Florida to the Great Lakes regions). Prior to that, Roki served for more than 10 years as Captain of a factory processing ship for Alaska Frontier Corp. out of Edmonds, Washington. He holds a Coast Guard issued 1,600 GT Master's License (Oceans), Unlimited AB certificate and is STCW 95 certified. As a member of the start-up team for American Classic Voyages, Roki assisted in the development and submission of an ISPS approved security plan, and has been instrumental in the development and administration of the District's security program. Roki is the designated Company Security Officer of CBITD, and serves on the Coast Guard's Area Maritime Security Advisory Committee.

Nick Mavodones has been Operations Manager of CBITD since October of 1997. Prior to that, Nick was employed for nearly 20 years at the Casco Bay Island Transit District as a Deck Hand, Captain and Senior Captain. Nick, who is a graduate of the Institute for Civic Leadership, serves as an At-large member of the Portland City Council. He is a former Mayor of the City of Portland, former Chair of the Portland School Committee, former chair of the Waterfront Alliance and former vice-chair of the Maine Service Centers' Coalition. Nick currently serves as a member of the Board of Directors at the Institute for Civic Leadership, Maine Municipal Association (where he is the incoming President), EcoMaine and Portland Fish Pier Authority. He has served for many years on the Coast Guard's Maine/New Hampshire Port Safety Committee and Area Maritime Security Advisory Committee. Nick also serves as the District's assistant Company Security Officer.

CASCO BAY ISLAND TRANSIT DISTRICT

P.O. BOX 4656 • PORTLAND, MAINE 04112 (207) 774-7871 FAX 774-7875

submitted ...

26 September 2006

To: Senator Ethan Strimling
Maine's Homeland Security Task Force
Re: Portland City Hall meeting 9/8/06

Dear Senator Strimling and Task Force Members;

Thank you for inviting representatives of the Casco Bay Island Transit District, and allowing an opportunity to speak, to the task force meeting held in Council Chambers on Friday, September 8th, 2006.

As you may have noted from other panel speakers, there is broad support for the good work of USCG Sector Northern New England, under the leadership and guidance of Captain Steve Garrity, in accomplishing the daunting task of achieving the security protocol mandated by MTSA 2002.

Given the number of panelists and limited time available to present concerns regarding pending security legislation, impact to industry, and suggestions for enhancing security in the nation's ports, we will present these issues in this submission for your consideration.

CBITD is a quasi-municipal, not-for-profit transit provider created by emergency State legislation in 1981 to ensure continuity of transportation service to and from six islands in Casco Bay, and transports approximately one million people and 25,000 vehicles annually. We are the lifeline to the residents of the Casco Bay islands, and provide incidental tourist and event chartering to the public. As part of the inter-modal transportation system, users expect the same seamless transition to our terminal and vessels that they experience utilizing area bus and train systems, which, as you are aware, are not required by regulation to develop and implement security programs.

The District receives limited federal and state funding to augment our operating costs; therefore, ninety percent of the necessary funding for operating comes from fare box revenue. The public maritime transportation systems face unique challenges in accomplishing security not present in other modes. We operate out of facilities open to the public, and promote accessibility to attract incidental users as a method of supplementing operating costs, thereby keeping rates to the island residents reasonable.

Serving the Islands of:

PEAKS • LITTLE and GREAT DIAMOND • LONG • GREAT CHEBEAGUE and CLIFF

CASCO BAY ISLAND TRANSIT DISTRICT

P.O. BOX 4656 • PORTLAND, MAINE 04112 (207) 774-7871 FAX 774-7875

The District employs a common sense approach to security, and developed commensurate security measures based on risk and threat analysis. We, like many similar operations around the country, simply do not have the necessary capital available to employ designated security personnel or purchase high tech equipment that some might suggest mitigate known potential terrorist actions or activities, nor are we certain that security would be any more effective should such protocols be introduced. As an alternative, we have developed a system of communication and notification with those agencies tasked with gathering and analyzing threat intelligence and first response. Should a terrorist action be suspected, we are provided the resources necessary for the protection of our employees, passengers and critical infrastructure. We believe this is an effective security methodology and the best use of limited security funding.

We emphasize to the Task Force that funding should be readily available to those organizations and agencies whose security critical function is first, prevention and second, response.

Civilian security is typically a “layered” defensive approach, as opposed to military and paramilitary security operations, which can be much more offensive in nature. Developing levels of security has associated costs, however; there are associated benefits. As an example, the District was able to obtain limited funding for a CCTV system through the security grant process. The available funding allowed for a system that, while somewhat limited, has proven effective in mitigating certain criminal activity, and facilitated apprehension. Funding directly to industry would allow further purchase of this type of effective security equipment, and might provide a shared resource for other security and response agencies and organizations.

We emphasize to the Task Force that the security grant process should be simplified to facilitate participation of frontline port businesses and industries.

The District has expressed concern about the administrative requirements, costs and effectiveness of the Transportation Worker Identification and Credentialing (TWIC) proposal. We have submitted comments to the docket and worked with industry representatives to provide necessary, valid input. While we support that the workers in critical port industries should be clearly identified and screened for threat, we do not believe that the TWIC system is necessary for all levels of marine commerce as presented. The cost and administrative burden to the District and similar operations will not provide any higher level of security than is currently established by the MTSA.

We emphasize to the Task Force that implementation of this legislation should be extended until the full industry impact and necessity be further analyzed.

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The District participates with local agencies in all hazards planning, drills and exercises, and believe that through the hard work and dedication of first responders, we are generally prepared. Unlike other occurrences, hurricanes simply cannot be prevented. We can only plan for pre-hurricane action and post-hurricane reaction. Protection of critical assets is priority and information dissemination, as well as asset allocation, will play a large part in the success of managing a hurricane event. Early notification and early dissemination of information to the public will influence response and potential consequence. By providing critical information such as *why, when and where*, the public will generally participate in preparedness, and be less of an obstacle to the process.

We emphasize to the Task Force the importance of public communication mechanisms and processes.

As you are aware, about 95 percent of U.S. trade, worth nearly \$1 trillion, flows through the nation's 361 seaports. Cargos arrive on more than 8,500 foreign vessels, which make more than 55,000 calls at U.S. ports annually. Ships transport approximately 11 million cargo containers, which carry 800 million tons of goods. An additional 175 billion gallons of oil and other fuels also arrive in the United States on ships. The bottom line is security of ports is critical to the entire nation. There are initiatives presented that propose a preventative approach to security, such as the Security and Accountability For Every (SAFE) Port Act, introduced by California Representatives Dan Lundgren and Jane Harmon, and the Green Lane Maritime Security Act introduced by our own Senator Susan Collins and Washington Senator Patty Murray. The U.S. Customs and Border Protection's (CBP) "Custom-Trade Partnership Against Terrorism" (C-TPAT) program is an important step in protecting our ports and borders.

We emphasize to the Task Force the importance to support these proactive and preventive security models.

Senator Strimling and Task Force members, thank you again for the opportunity to present our comments, and for the good work you are doing in soliciting assistance from local industries directly impacted by pending legislation.

Best Regards,

Capt. Nick Mavodones
Operation Manager
&
Capt. Roki Horr
Asst. Operations Manager



TASK FORCE TO STUDY MAINE'S HOMELAND SECURITY NEEDS

**Public Comment Received on September 8 , 2006
Portland, Maine**

FROM:

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Disclaimer: Names do not necessarily appear in the order that comments were made. Any omissions or errors should be brought to the attention of the Office of Policy and Legal Analysis at 207-287-1670.

public comment

Homeland Security Task Force Hearing, September 8, 2006

William H. Slavick, coordinator, Pax Christi Maine; U.S. Senate candidate

I fully respect efforts and achievements that would secure the Portland port and preparations for response to a catastrophic attack.

But I would speak to the causes or sources of these threats--of attacks from which we cannot be secure. If Mohammed Atta can rent a car and spend the night at a South Portland motel, buying duct tape and box cutters at the Mall, so can a successor pulling a boat trailer loaded with a nuclear explosive or a propane enhanced RDX rag bomb launch and blow up a tanker or Commercial Street or drive a van up to One Monument Square and blow up half of downtown Portland.

The federal government is not seriously interested in national defense, in homeland security. It is too busy playing offense. So it studiously avoids addressing the causes of murderous hostility toward us. It does so because the security of our oil supply depends upon friendly Arab regimes which depend upon U.S. arms used to control their populations--those that would establish Islamic theocracies and those that want freedom and an open society. It studiously avoids addressing causes because we are in service of Israel's ruthless expansion at Palestinians' expense and so will not recognize Arab/Muslim hostility to Israel's dispossession and dehumanization of millions of Palestinians as a source of legitimate outrage. It will not recognize the 1991 Gulf War turkey shoot of fleeing Iraqi conscripts, our establishment of bases in Arab countries, the deadly embargo of Iraq, the deceitful, illegal invasion of Iraq, or the botched occupation as sources of it .

Its refusal is demonstrated afresh by our encouragement of Israel's destruction of Lebanon, resupply of bombs, and delay of a ceasefire until the destruction was done. We will be servant of Israel's determination to have security without reciprocal respect for the human dignity of Palestinians, 85 per cent of whose territory Israel was given by the UN, contrary to its Charter, or has taken by force.

Racist contempt for Palestinians, indifference to Arabs' hopes for freedom, and violence in Iraq are guaranteed to breed terrorists. Sooner or later, Portland will be a target of choice. Whatever you do, there will be no police reception awaiting the next Mohammed Atta. We will reap what we have sown.

Of course, you--we--have already failed miserably in effecting security. Our sons and daughters, brothers, sisters, fathers and mothers have died needlessly, tragically, in Iraq, taken from life and from their families in the mad belief that by bombing Iraqis and treating them contemptuously, they will be our friends. We have all failed them in bowing to the deceit and unseemly lust for war that our selected leaders saw as a major step to global domination--and re-election.

If you want homeland security, you could do much better impeaching the Administration for these needless sacrifices, for ratcheting up hostility toward us, and making us far more vulnerable to terrorist attack.

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Will chemical security be anti-terror priority?

Wednesday June 14th, 2006

MAINE VOICES: Mike Belliveau and Rick Hind

Portland Press Herald op-ed

About the Authors: Mike Belliveau is the executive director of the Environmental Health Strategy Center, with offices in Portland, Bangor and Augusta. Rick Hind is the Legislative Director of Greenpeace's Toxic Campaign in Washington, D.C.

Four years after the attacks of Sept. 11, 2001, sobering warnings remain unheeded regarding the vulnerability of U.S. chemical plants and rail cars to terrorist attacks.

Journalists around the country have repeatedly demonstrated the ease with which fence-line security can be penetrated as they made their way into more than 80 chemical plants.

The potential for loss of life and economic disruption from an attack on one of these plants is staggering. A 2001 U.S. Army study estimated that 900,000 to 2.4 million people could be killed or injured in a terrorist attack on a U.S. chemical plant in a densely populated area.

According to the federal Environmental Protection Agency, at least 100 chemical plants are sited in places that threaten a million or more people.

Chlorine gas is, by far, the most common industrial chemical hazard. According to the chemical industry, a chlorine gas cloud can drift through a city and remain dangerous for 14 miles. If you can run the Boston Marathon, you might have a chance to outrun the plume.

So-called high-tech security will not prevent an attack by dedicated terrorists. Security can be achieved, however, by neutralizing the hazards at chemical plants. The New York Times reported in April that "225 industrial plants in this country have switched to using less dangerous chemicals since the 2001 terrorist attacks, lowering the risk that people nearby would be injured or killed by toxic plumes." Two of these plants are located in Maine.

When Sen. Susan Collins introduced a chemical security bill last year in Congress, she acknowledged the role of safer technologies in preventing disasters. However, she refused to support making the most dangerous plants convert to safer technologies.

Fortunately, Sen. Joseph Lieberman, D-Conn. a cosponsor of her bill, plans to offer an amendment today in Collins' Homeland Security Committee requiring the use of safer technologies, as long as they are feasible and cost-effective.

The vote on the Lieberman amendment will determine whether new legislation will be truly protective of the communities now at risk or gamble on the chemical industry's flawed program of guards, gates and cameras.

The Department of Homeland Security has identified 3,400 high-priority chemical facilities in the United States that each put more than 1,000 people at risk. DHS also says that 272 of these plants each put more than 50,000 people at risk.

A former deputy homeland security advisor to President Bush, Richard Falkenrath, told Sen. Collins' committee last year, "The federal government has made no material reduction in the inherent vulnerability of hazardous chemical targets inside the United States. Doing so should be the highest critical infrastructure protection priority for the Department of Homeland Security in the next two years."

The good news is that just four ultra-hazardous industrial chemicals account for 55 percent of the processes that threaten communities nationwide: chlorine, ammonia, sulfur dioxide and hydrogen fluoride. All of these chemicals have safer alternatives:

- n More than 200 water treatment facilities (including Washington, D.C.) have converted to safer alternatives such as ultraviolet light since 1999 eliminating the use of ultra-hazardous chlorine and sulfur dioxide gas. But more than 100 water treatment plants still threaten more than 100,000 people.

- n Ninety-eight petroleum refineries use safer alternatives to deadly HF. But 48 refineries still threaten millions of people with ultra-hazardous HF.

- n At least 36 electric power plants use safer alternatives to anhydrous ammonia gas such as dry urea. But 166 power plants still use ultra-hazardous anhydrous ammonia gas.

While some have proved it can be done, many continue to put millions at risk.

Will the Homeland Security Committee vote in favor of requiring chemical plants to use cost-effective, safer technologies to prevent immediate threats to health and life? Our security hangs in the balance.

- *Special to the Press Herald*

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NORTHEAST PAGING



Dear Maine Homeland Security Task Force Members;

The intent of this letter is to provide follow up comments for the testimony I gave at the Portland public hearing of September 8, 2006.

Q: How can a message be sent to thousands of pagers at one time but not to thousands of cell phones at one time?

A: Unlike cellular, Paging is broadcast on ONE narrowband frequency just like a radio station. Many people can listen to the same radio broadcast at the same time by simply tuning their radio to the same frequency. NEP's Pagers are always tuned to the same frequency and are "turned on" by a specific address that precedes the message it should receive. Since pagers can have multiple addresses, you can put the same address in 10,000 pagers and all 10,000 pagers will receive the same message at the same time. In contrast, cell phone technology must queue up the 10,000 messages, determine where each phone is located at the present time, send the message and then repeat the process 9,999 more times.

Q: The large cell carriers state that they are prohibited by cost from extending coverage into the more rural areas of Maine. How can paging do this?

A: The cost of paging transmission equipment is less than 1/10th the cost of the equivalent cellular equipment. Unlike cellular carriers, paging carriers prefer not to construct its own transmission towers. Paging carriers prefer to mount their antennas on some other existing high rise structure, i.e., building, existing communications tower, water tower, etc. This also reduces cost. NEP currently provides paging service for the Maine Warden Service, which travels into many remote areas of the state. If there were a good business reason (e.g., state wide alert system), NEP could build out its system to cover 100% of Maine's population inexpensively and in a very short period of time.

An interesting item that I did NOT mention during my testimony is a new product that is being marketed as a "mass public alerting" device. This device is a combination smoke detector and emergency alert "pager" that would reside in homes and businesses. It would serve the purpose of smoke detection AND have the capability to receive alerts from local, state and/or federal agencies in times of urgent need. This device is detachable from the wall, battery powered and very portable, thus allowing the public to take it with them for further notifications and directives as they arise.

Please contact me if you have additional questions. Thank you for the opportunity address the task force.

Best Regards,

Alan W. Carle

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Cooper, Elizabeth

From: Melissa Boyd [psr_maine@yahoo.com]
Sent: Wednesday, September 27, 2006 2:14 PM
To: Cooper, Elizabeth
Subject: Testimony from September 8th Hearing
Attachments: 3991536180-Iraq_Tradeoffs.doc; 2230834756-op ed Chemical Security.doc; 373230687-Jim Maier.doc; 2132976117-Final report.doc; 159277974-Chemical Security Testimony.doc

Hello Elizabeth,

Finally sending you the attachments from the Sept. 8th hearing along with the op ed on chemical security.

I know that Senator Strimling mentioned a meeting in October that will be with some members and key public health officials. Is this open to the public, in other words could we attend or help with some testimonials from doctors, clinics etc. Even if you just wanted a few folks we could recommend delegates from various sectors.

Thank you very much for your work!

Best,
Melissa

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Testimony September 8th 2006

Hello my name is Dr. James Maier, I am a member of the Maine chapter of Physicians for Social Responsibility. As you know PSR has as its central mission the abolition of nuclear weapons. In accessing port security it will be critical to take into account the horrific nightmare that a nuclear terrorist attack could cause.

Last month Physicians for Social Responsibility released a national report entitled The United States and Nuclear Terrorism.. Still dangerously unprepared.

The report outlines findings and recommendations. I have brought copies of the report for all task force members.

The report declares that nuclear terrorism remains a very real threat. The report recalls a statement made in early 2001, by a bipartisan task force established by the Department of Energy which concluded, "The most urgent unmet national security threat to the United States today is the danger that weapons of mass destruction or weapons useable material in Russia could be stolen and sold to terrorists or hostile nation states and used against american troops abroad or citizens at home."

Findings include

- Five years after September 11, 2001, the U.S. government still does not have a workable, public plan to respond to the medical needs of the huge numbers of people who would be injured in a nuclear terrorist attack. Thousands of american civilians injured by a nuclear terrorist attack might survive with careful preparedness planning.
- The government's ability to quickly and effectively evacuate communities or shelter populations downwind will be the single most important factor in minimizing casualties in each of these three scenarios. The United States still does not have a plan for deciding, in response to a specific attack and prevailing weather conditions, whether people should try to evacuate or shelter in place.
- Each of the nuclear terrorism scenarios generates a need for emergency medical care for hundreds to hundreds of thousands of victims. The U.S. does not have adequate plans for establishing field medical care, for mobilizing medical personnel or deploying additional medical supplies to the site of an attack.
- The U.S. public health system, which would bear a large burden in responding to nuclear terrorism, is currently under-funded and under-staffed. new sources of funding and other resources are desperately needed to strengthen the existing public health system, so that the U.S. can better respond to a wide range of threats.
- Though an attack on the U.S. with a nuclear weapon or dirty bomb would be a unique disaster, advance planning can significantly reduce the resulting damage. Currently, there is no communication with the public on preparedness for nuclear terrorism and little evidence of serious consideration of potential scenarios by preparedness planners.

- Clear communication with the public is equally critical. Without timely and understandable information from trusted sources the public cannot be expected to take appropriate or directed actions.
- Health care experts have proposed that hospitals in major urban areas not be the site of health care first response in a disaster because they could be quickly jammed with injured, anxious and contaminated victims compromising the ability to deliver care to existing patients. Rather, a system of disaster medical care centers should be prepared with pre-positioned supplies and equipment.
- a comprehensive plan for providing emergency and continuing patient care will be effective only if communities have adequate teams of health professionals available to them and access to essential medical equipment and supplies required for mass treatment. Decision-makers must work to develop creative solutions to this challenge.

Recommendations –

Maine needs to establish a central coordinating authority and a chain of command that would be activated in the event of a nuclear disaster. Additionally put funds toward disaster medical centers and establish a clear communications plan.

Melissa Boyer
Physicians for Soc. Resp.

Members of Maine's Homeland Security Task Force

As a nation we continue to argue over funding for Homeland Security yet we are engaged in the war in Iraq, which is costing American soldiers their lives, over 2500 soldiers have died since the conflict began. According to the National Priorities Project Maine taxpayers an estimated \$857.3 million dollars since the war began.

That is \$2,844 for every American household or \$1,075 for every American. The money (already spent or allocated) is being spent at a rate \$10 million per hour and \$244 million per day.

The estimate is based on an NPP analysis of the legislation appropriating money for the Iraq War and a report published by the **Congressional Research Service (CRS)** in June 2006. The CRS report was based not just on Congressional appropriations, but on the Department of Defense's (DOD) DFAS monthly obligations reports indicating funds transferred from other functions to the Iraq War.

This money could have paid for the following in Maine \$10,647 port container inspectors or 144,086 scholarships for University students or provided 115,818 people with health care or built 9,854 affordable housing units or 71 new elementary schools.

We need to examine our motives as a society and define Homeland Security. It seems we continue to support funds for the war in Iraq as big corporations make their millions.

Testimony September 8th 2006

Members of the Maine Homeland Security Taskforce. Physicians for Social Responsibility Maine and Peace Action Maine have testified at prior hearing and thank you for the service that will inform HLS priorities in Maine and be a model for other states.

The Memorializing letter to congress that was released this summer touched upon some core principals asking the Congress and the President of the United States to undertake. Some of the highlights of the letter included a cohesive federal, state and local prevention response efforts which include emergency management preparedness on many levels. The letter also recommend the federal government to shift budget priorities.

In the 2nd Interim report that this taskforce released included statewide radio network board protocols and procedures for emergency communication and emergency planning for schools. Still we need more for the public health infrastructure which will be the foundation of prevention.

In these final hearings, would ask this taskforce to include the following statement in your final report:

“In order to meet Maine’s Real Homeland Security needs, we call upon our Congressional delegation to decrease spending on policies that make us less secure and to increase spending on policies that will make us more secure. Specifically, we call for decreased spending for:

- **The war in Iraq**
- **Massive tax cuts for the wealthy**
- **Development of new nuclear weapons**

We call for increased spending on Real Homeland Security everywhere in the country for:

- **Training first responders**
- **Coordinated communications systems**
- **Integrated command structures**
- **Enhanced public health infrastructure**
- **Adequate health care surge capacity”**

Thank you for the opportunity to share our concerns with you. As you begin to prepare your report we hope that you will consider our request. Maine’s Real Homeland Security Taskforce will not only inform our great state, but the nation as well.

Maine Homeland Security Task Force Hearings Public Comment

September 8, 2006

Chemical security is a serious national concern that affects millions of Americans. Maine ranks a close second among New England states in the number of facilities storing more than 100,000 pounds of any extremely hazardous substance.

This summer Mike Belliveau Executive Director, the Environmental Health Strategy Center and **Rick Hind** , Legislative Director of Greenpeace's Toxic Campaign in Washington, D.C. wrote an article in the Portland Press Herald entitled **Will chemical security be anti-terror priority?**

I would like to read an excerpt from their article...

“Journalists around the country have repeatedly demonstrated the ease with which fence-line security can be penetrated as they made their way into more than 80 chemical plants.

The potential for loss of life and economic disruption from an attack on one of these plants is staggering. A 2001 U.S. Army study estimated that 900,000 to 2.4 million people could be killed or injured in a terrorist attack on a U.S. chemical plant in a densely populated area.

According to the federal Environmental Protection Agency, at least 100 chemical plants are sited in places that threaten a million or more people.

Chlorine gas is, by far, the most common industrial chemical hazard. According to the chemical industry, a chlorine gas cloud can drift through a city and remain dangerous for 14 miles. If you can run the Boston Marathon, you might have a chance to outrun the plume.

So-called high-tech security will not prevent an attack by dedicated terrorists. Security can be achieved, however, by neutralizing the hazards at chemical plants. The New York Times reported in April that "225 industrial plants in this country have switched to using less dangerous chemicals since the 2001 terrorist attacks, lowering the risk that people nearby would be injured or killed by toxic plumes."

The Department of Homeland Security has identified 3,400 high-priority chemical facilities in the United States that each put more than 1,000 people at risk. DHS also says that 272 of these plants each put more than 50,000 people at risk.

A former deputy homeland security advisor to President Bush, Richard Falkenrath, told Sen. Collins' committee last year, "The federal government has made no material reduction in the inherent vulnerability of hazardous chemical targets inside the United States. Doing so should be the highest critical infrastructure protection priority for the Department of Homeland Security in the next two years."

Maine is a beautiful place with over 3500 miles of coastline. It is my hope that this task force addresses issues of chemical security and puts pressure on Washington DC to do the same.

Thank you this opportunity to share my views with all of you.

Will chemical security be anti-terror priority?

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Ten Essential Public Health Services

- * 1. Monitor health status to identify community health problems
- * 2. Diagnose and investigate health problems and health hazards in the community
- * 3. Inform, educate and empower people about health issues
- * 4. Mobilize community partnerships to identify and solve health problems
- * 5. Develop policies and plans that support individual and community health efforts
- * 6. Enforce laws and regulations that protect health and ensure safety
- * 7. Link people to needed personal health services and assure the provision of health care when otherwise unavailable
- * 8. Assure a competent public health and personal health care workforce
- * 9. Evaluate effectiveness, accessibility and quality of personal and population-based health service
- * 10. Research for new insights and innovative solutions to health problems

The U.S. AND Nuclear Terrorism

STILL DANGEROUSLY UNPREPARED

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AUGUST 2006

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