

**Testimony by Joseph Lawless
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On behalf of the
American Association of Port Authorities (AAPA)**

**"Building a 21st Century Infrastructure for America: The National
Preparedness System"**

**Subcommittee on Economic Development, Public Buildings and Emergency
Management
Committee on Transportation and Infrastructure**

**Thursday, March 16, 2017
10:00 a.m.
2167 Rayburn House Office Building**

Thank you, Chairman Barletta, and Ranking Member Johnson for convening this important and timely hearing. My name is Joseph Lawless. I am the Director of Maritime Security at the Massachusetts Port Authority (Massport) and I am here today on behalf of the American Association of Port Authorities where I am the Chairman of the Security Committee.

Since 9/11, port security remains a top priority for U.S. ports. Safe and secure seaport facilities are fundamental to protecting our borders and moving goods. Protecting the people and freight that move through seaports and surrounding communities is essential to keeping seaports safe and open for business. With 98 percent of overseas trade flowing through U.S. ports, a terrorist incident at a port could have a drastic impact on the U.S. economy.

A key component of our nation's preparedness system has been the Port Security Grant Program. Since 2002, over \$3 billion in port security grants have been appropriated. This is a vital funding source for port authorities and our partners to pay for unfunded mandates that have been put in place since 9/11.

AAPA is very concerned about the rumored budget cuts to the Port Security Grant Program in the Administration's budget that is being released today. A 40% cut to the Port Security Grant Program would have a devastating and cascading impact on our security, supply chain and safety of our communities.

Under the SAFE Port Act, this program was authorized at \$400 million. Unfortunately, the funding for this program has decreased, currently standing at a dangerously low level of \$100 million. As costs of systems, maintenance and equipment continue to rise, and security threats continue to evolve, this level of funding will bring into question the sustainability of the protection levels we have worked so hard to build over the last fifteen years.

Port Security Grant funds have helped port facilities and port areas to strengthen facility security and work in partnership with other agencies to enhance the security of the region. Port Security Grant funding has been used to procure equipment such as vessels and vehicles, install detection systems such as cameras and sensors, and provide equipment maintenance for the systems recently installed. It also provides funding for 24/7 patrols and response.

For example, at my Port, the Port of Boston, we use port security grants to bolster our critical infrastructure by obtaining and installing radar intrusion detection systems, cameras, biometric access control and identification systems, active shooter detection systems and cybersecurity assessment tools. We have enhanced our Emergency Management and Response capabilities by equipping law enforcement bomb squads with Explosive Ordnance Disposal robots, advanced x-ray systems, bomb containment vessels and preventative radiation and nuclear detection devices.

As Chairman of the AAPA Security Committee, I know that ports around the country have also utilized these funds to confront the multitude of physical and

cyber security vulnerabilities that challenge the vitality of our maritime transportation network.

At the port of Los Angeles, for example, port security grant funding has gone to:

- Installing over 400 cameras and 250 access control panels including infrared capable of viewing objects three miles from the port entry; and
- Building a Cyber Security Operations Center to monitor and respond to over 550,000 monthly internet attacks on the port's business network.

In Florida, the Tampa Port Authority has used Port Security Grant funds to purchase an innovative floating barrier system that was designed and manufactured in Florida. The system is designed to prevent a waterborne attack by a small vessel carrying an improvised explosive device. The system can be deployed in less than an hour by port security and law enforcement, as compared to traditional systems deployed by contractors that take hours or days. Channels under the jurisdiction of the Port Authority are used to deliver over 43% of all motor vehicle fuel used by Florida's citizens and visitors. This investment has the potential to protect high value targets against the evolving threat of improvised waterborne explosives carried by small vessels.

Security challenges are never stagnant. Cybersecurity is a prime example of an emerging security threat since 9/11. Ports are working with their stakeholders in addressing this very complex issue. And the Port Security Grant Program remains vital in assisting ports in addressing cybersecurity challenges by providing resources for cyber assessments.

If Congress was to make tweaks to the FEMA Port Security Grant Program as has been discussed by other Committees of jurisdiction, we would recommend the following:

- **Fund and authorize the Port Security Grant Program (PSGP) at the \$400 million level or maintain the current \$100 million level.**
- **Increase the \$1 million project limit to \$5 million per project.**
Increasing the limit on costs eligible for funding would address the cost of

acquisition and installation as well as the sustainment and maintenance of security equipment and systems that has significantly increased since the prior authorization (2005). This would address most of the multiyear funding issues that have been raised in the past as well.

- A 36-month grant performance period is the minimum needed for ports to successfully design, implement and test projects to ensure maximum improvements to port security and operational capability.
- We encourage Congress to continue to emphasize a risk-based funding strategy for PSGP. The Port Security Grant Program funding should be focused on the highest risk ports in the nation in terms of consequence, vulnerability and economic impact.
- Reduce or eliminate the 25% cost match required for government entities such as port authorities, police departments and fire agencies.
- Keep the PSGP where it is. Do not block grant or consolidate this program. FEMA has done an excellent job administering this program. Port Security Grants are managed quite differently than other homeland security grants. Priorities are set locally, based on the risks and vulnerability of the local port area. Other homeland security grants have a list of core capabilities, which all grantees try to attain. This capabilities list is based more on movable and shared assets rather than set facilities. There is no such list of core capabilities for port security grants and the ones developed for other grant programs were not developed with ports in mind. Additionally, ports have certain federal mandates, such as Transportation Worker Identification Card (TWIC) and the recently released TWIC Reader Rule, which goes into effect in the coming year.

Additionally, I would be remiss if I did not state that funding CBP and ensuring that ports are staffed with a sufficient level of CBP officers is critical for a safe and secure supply chain. CBP officers augment everything that the port security grant program does. In FY 2015, when CBP was funded to hire 2,000 staff, fewer than 20 officers were assigned to seaports. We cannot let this disproportionate approach to security continue. Our nation's seaports handle

more than 11 million maritime containers and over 11 million international passengers each year.

Finally, we have been a remarkably well prepared industry when it comes to security. As a security professional, we value partnerships, leverage funding and keep security as priority. The FEMA Port Security Grant Program has been a vital tool in keeping our ports, supply chain and communities safe.

Thank you for this opportunity to testify this morning and I look forward to any questions that you may have.