

As delivered

U. S. Department of  
Homeland Security

United States  
Coast Guard



Commandant  
United States Coast Guard

2100 Second Street, S.W.  
Washington, DC 20593-0001  
Staff Symbol: G-ICA  
Phone: (202) 366-4280  
FAX: (202) 366-7124

**DEPARTMENT OF HOMELAND SECURITY**

**U. S. COAST GUARD**

**ORAL STATEMENT OF**

**ADMIRAL THOMAS H. COLLINS**

**ON**

**IMPLEMENTATION OF  
THE MARITIME TRANSPORTATION SECURITY ACT**

**BEFORE THE**

**SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION**

**COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE**

**U. S. HOUSE OF REPRESENTATIVES**

**JULY 22, 2003**

DEPARTMENT OF HOMELAND SECURITY  
UNITED STATES COAST GUARD  
STATEMENT OF  
ADMIRAL THOMAS H. COLLINS  
ON THE  
INTERIM FINAL REGULATIONS ON PORT SECURITY  
BEFORE THE  
SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION  
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE  
U.S. HOUSE OF REPRESENTATIVES  
July 22, 2003

- Good afternoon, Mr. Chairman and distinguished members of the Committee. I appreciate the opportunity to update you on the Coast Guard's progress in implementing Maritime Transportation Security Act of 2002 (MTSA).
- As promised, the Coast Guard published the MTSA Rules on July 1<sup>st</sup>. They were issued as *Temporary Interim* Rules to allow for additional public input before they become final, but they are in effect right now. The public has until the end of July to comment – as part of that process, we're holding a public meeting tomorrow, here in Washington. All comments received will be evaluated and we will then publish the final rules this October and they will be effective 30 days later - one year after the President Bush signed the MTSA.
- I said “additional public input” because before we published these Rules, we sponsored seven public meetings around the country. Over 2100 people attended and provided us with their input and insight. Those attending included individual citizens, representatives of different industry sectors, and state and local law enforcement officials. These meetings were a critical part of the process and, combined with the excellent public input from the docket, they helped us address the security challenges in an industry with tremendous diversity.
- But even when these rules are finalized in November, there will still be a lot of work ahead of us. We estimate that the MTSA regulations will affect, domestically, as many as 10,000 vessels, 5,000 facilities, 361 ports, and 40 offshore facilities. We expect to receive vessel and facility security plans from all of them for our review and approval. In addition to the review and approval process, our Captains of the Port must conduct compliance inspections, verifying that the vessel and facility security plans work when put to the test. At this time, we are putting into place plans and contracts to address this surge in workload.
- The Coast Guard will also expand our current comprehensive Port State Control Safety program to address these new security requirements on foreign vessels in our waters. The MTSA is integrated with the international maritime security regime established through the International Maritime Organization. While this regime will act as a force multiplier, we plan to closely examine foreign vessels to verify that they have approved vessel security plans and are in full compliance with the IMO requirements. We will trust -- but verify -- the actions of our

international partners in this maritime security effort. They will be doing likewise – trusting that US-flagged vessels who have Coast Guard-approved plans are in compliance with SOLAS and the ISPS Code when those US vessels come into their ports.

- We have consistently said that maritime security is an all-hands evolution. Not one nation, one agency, nor one segment of industry can do it alone. It requires an intense cooperative effort – and the MTSA is a huge step forward in that effort.
- The cost to US industry of implementation could be as much as \$7 billion over the next 10 years. While we clearly understand that the cost of these security regulations to the maritime industry is not small, a terrorist incident against our marine transportation system would have a serious and long-lasting negative impact on global shipping, international trade, and the world economy. Our ports and waterways also have significant strategic military value. These factors make our marine transportation system a high priority to protect, and that is what these rules will do.
- One of the ways we've addressed public concern was to avoid "one size fits all" rules. These regulations are performance-based rather than dictating the exact method to achieve the desired end state. For example, the regulations don't mandate "fencing", but they may require access control. It's then up to that individual port to determine, given their circumstances, the best way to control access to their facilities.
- We also followed a risk-based strategy with these regulations, addressing the highest risks first in order to minimize our vulnerability and any consequences of terrorist attack.
- Much has been done since the tragic events of September 11, 2001, and much is left to do. The MTSA regulations just published form an essential element of our national strategy to prevent terrorist attacks in the United States, to reduce our vulnerability to terrorism, and to minimize the damage and permit quick recovery from if an attacks should occur. I pledge that the Coast Guard will continue to work aggressively to complete this critical work for our nation.
- Thank you for the opportunity to testify before you today. I will be happy to answer any questions you may have.