

**NORTHERN CALIFORNIA AREA MARITIME SECURITY COMMITTEE
MEETING (UNCLASSIFIED) MINUTES
Fort Mason Center, Golden Gate Room, San Francisco, CA
APRIL 10, 2007**

1. Quorum Call

The chair (CAPT. William J. Uberti) called the meeting to order at 1000.

CAPT Uberti announced he was pleased with the new meeting venue at Fort Mason Center.

CAPT Uberti asked the secretariat (Jeff McCarthy for CAPT Lynn Korwatch) if there was a quorum of the committee. McCarthy said that there was.

2. Approval of the Minutes

There were no corrections to the minutes. A motion was made, and seconded, to approve the minutes as written. The motion passed without discussion.

3. Comments by the Chair

CAPT Uberti reported that we are still at security level MARSEC 1 and gave an up to date report on the Port Security Grants.

CAPT Uberti continued with the swearing in of new members: Tom Wilson (Port of Richmond), Chris Beckwith (State Lands Commission), Lorenzo Looper (Metropolitan Stevedore), and CAPT Barry Perkins (City of Monterey)

4. Member Agency/Industry Reports

Around the table introductions and brief agency reports from the Committee were given which included the following topics:

Radiation detection progress – The Port of Oakland was the first port to receive its full allocation of radiation detection portals. Customs officers are receiving personal detectors and training in their use. Various technologies are being looked at to better screen all containers coming into port.

Grants – This years Port Security Grant packages have been reviewed and turned into DHS, see a report by LT Moose (below).

The 1st meeting of the California Maritime Security Council (included a description of the subcommittees and training for ferry operators)

Security and access to Bay trails – some public access trails cross through “secure areas” of some USCG regulated facilities, causing a compromise of port security. Public access

trails are regulated by State and Local governments. A compromise needs to be made for access to the Bay trails that allow the public maximum access to the bay without compromising security measures mandated by Federal Law.

New agents hired for Customs Cargo screening – Customs and Border Protection is hiring 20 new agents in the San Francisco Bay area for both Air and Sea ports of entry.

The Port of Sacramento has moved its dispatch “hall” closer to the port’s facilities to facilitate timely notification and identification of port workers needing access to regulated facilities in the port.

5. Work Group Reports

Lessons Learned Work Group -

Several lesson learned data bases were reviewed by the working group and they found that DHS Lessons Learned Information System (LLIS) will best meet the needs of industry to report and record the lessons learned from their exercises. DHS is willing to add user input fields for “Ports” and “Security” to make the data base more user friendly for industry.

Trucker Access Work Group –

There was continued participation with 3 meetings in the last quarter. Progress was made with minimum screening standards. Initial access and digital screening were also discussed.

6. General Reports

Intel Brief – S/A Scott Rutz gave a brief report. The most numerous types of reports that are received are photography and trespassing of oil terminals. He thanked the terminal operators for reporting suspicious activities.

Neptune Coalition Brief – SGT Lambert (Alameda Co, Sheriff) briefed the Committee as to what the Neptune Coalition is and what it does. The Neptune Coalition is comprised of the maritime squads of the region’s police departments, which meet to discuss common issues, plan common exercises, and conduct common operations.

Safe Port Act - Paul Martin gave a detailed brief of the SAFEPORT Act that was signed into law in June 2006. A copy of the brief is attached to these minutes.

MLB All-Star Game proposed Security Zone – Jason Flennoy & Sgt. Lopez SFPD, reported on the initial proposed security zones around the ball park. A joint effort by SFPD and the Coast Guard is in place and will be modified as necessary with regards to safety.

Port Security Grant update – LT Ellis Moose

An update was given on the status of port security grants. The region was allotted 11.2 million dollars in grant funds. The grant packages have been reviewed and ranked by the Captain of the Port (COTP) and forwarded to the DHS for processing. The COTP has asked the DHS to provide feedback so grant packages can be made better in the future.

TWIC Program update – LT Ellis Moose

An update was given on the TWIC card and reader. No final dates for distribution of the cards and installation of the readers have been set. Updates will be given as the information becomes available. A brief review of the regulations concerning criminal and immigration status checks, personal biometric data, etc. was given.

7. Public Comment

There were comments made in regards to the poor acoustics of the room. A sound system will be in place for the next meeting.

8. New Business

The next meeting date has been moved from July 10th to July 17th because of the MLB All-Star Game.

9. Old Business

There was no old business discussed.

10. Next Meeting

The next meeting will begin at 1000 July 17th, 2007 in the Golden Gate Room, Building A, Fort Mason Center.

11. Adjournment

At 1100 CAPT Uberti called for a motion to adjourn. The motion was made and seconded; it passed without discussion or dissent.

NORCAL AREA METITIME SECURITY COMMITTEE

SAFEPORT ACT 2006 - BRIEF

- Long Title: Security and Accountability for Every Port of 2006
- Short Title: SAFE Port Act
- Signed into law in June 2006.
- Has the following sections:
 - **General Provisions**
 - AMS Plan to include a salvage plan.
 - New requirements for facility security plans.
 - Unannounced security inspections of maritime facilities.
 - Transportation security cards.
 - Study to identify redundant background record checks.
 - Prohibitions of issuance of the TWIC to persons convicted of certain felonies.
 - Long-ranged vessel tracking.
 - Establishment of interagency port operations centers.
 - Notice of arrival for foreign vessels on the outer continental shelf.
 - Enhanced crew member identification.
 - **Port Security Grants; Training and Exercise Programs**
 - Risk assessment tool.
 - Port security grants.
 - Port security training program.
 - Port security exercise program.
 - Facility exercise requirements.
 - **Port Operations**
 - Domestic radiation detection and imaging.
 - Inspection of car ferries entering from abroad.
 - Random searches of containers.
 - Work stoppages and employee-employer disputes.
 - Threat assessment screening of port truck drivers.
 - Border patrol unit for U.S. Virgin Islands.

- Report on arrival and departure manifests for certain commercial vessels in the U.S. Virgin Islands.
 - Center for excellence for Maritime Domain Awareness.
 - **Security of the International Supply Chain**
 - Strategic plan to enhance security & resume trade after an incident.
 - Customs trade partnerships against terrorism.
 - Pilot program – integrated scanning systems.
 - Scanning and screening of cargo containers.
 - Foreign port assessments.
 - Office of cargo security.
 - Office of international trade oversight.
 - International trade data system.
 - Domestic nuclear detection office (DNDO)
 - Commercial mobile service alerts.
 - **Additional Issues**
 - Security plans for community airports.
 - Disclosures about homeland security grants.
 - Trucking security.
 - Methamphetamine precursor chemicals.
 - Aircraft charter customer prescreening program.
 - Protection of health and safety during disasters.
 - Unlawful internet gambling enforcement.
- Definitions – provides better definitions for:
 - Containers
 - Container Security Devices
 - Cargo Examinations
 - Cargo Inspections
 - Cargo Scanning
 - Cargo Screening
 - Cargo Searches
- Area Maritime Security Plan Issues:
 - Requires a salvage plan that identifies capabilities needed to restore a seaport to operational trade capacity.
 - Requires a salvage plan that identifies capabilities needed to restore waterways to operational trade capacity.
- Facility Security Plan Issues:
 - Includes some editorial changes to the MTSA regulations.
 - Persons implementing the FSP shall be a U.S. Citizen.
 - Provides for two facility security inspections per year, one of which shall be unannounced.
- Transportation Security Card Issues:

- Provided for the issuance of the MMD and TWIC at the same time, using the same background check and describes the fee schedule.
- Provides for a pilot program in 5 ports (TBD).
- Requires an initial progress report after 120 days and then 60 days afterward until the program is in place.
- Persons may not be issued cards if they have been convicted of:
 - Treason
 - Espionage
 - Sedition
 - A crime listed in Title 18 USC Chapter 113B.
- Establishment of Interagency Port Security Operational Centers:
 - Establish center in high priority ports within 3-years (June 2009).
 - Use existing centers where possible,
 - Organized to fit the security needs of the port area.
 - Provides for the participation of USCG, Customs and Border Protection (CBP), Immigration and Customs Enforcement (ICE), Transportation Security Administration (TSA), Department of Justice (DOJ), Department of Defense (DOD), other Federal, State and Local agencies as needed, members of the AMS Committee and other port stakeholders as needed.
 - Incorporate the use of established port security plans.
 - Coordinate maritime intelligence activities.
 - Include short/long-range vessel tracking.
 - Implement protocols of the SAFE Port Act.
 - Coordinate Transportation Security Incident (TSI) response activities.
 - Coordinate other activities as determined by the Secretary of Homeland Security.
 - Command center personnel must have security clearances provided by DHS.
 - Provides \$60 million from FY'07 to FY'12 for construction (nationwide) with provisions for cost sharing.
- Note: the SAFE Port Act amends U.S. law by designating the COTP as the incident commander for a maritime TSI, specifically 46 USC 70107A is amended to read:

(d) Security Incidents – During a transportation security incident on or adjacent to waters subject to the jurisdiction of the United States, the Coast Guard Captain of the Port designated by the Commandant of the Coast Guard in a maritime security command center described in subsection (a) shall act as the incident commander, unless otherwise directed by the President.
- Foreign vessels must provide a notice of arrival upon entering the outer continental shelf... Regulations to be developed by the Coast Guard.

- The Marine Security Risk Assessment Model shall be used by the AMS Committee as the risk model for updating their AMS Plans; additionally MSRAM will be used in the Port Security Grant process.
- The DHS office of Preparedness will work with the USCG to develop a Port Security Training Program to help maritime facilities prepare their security plans to prevent, prepare for, respond to, mitigate against and recover from an act of terrorism or natural/man made disaster.
- The DHS office of Preparedness will work with the USCG to develop a Port Security Exercise Program to test and evaluate Federal, State and Local seaport personnel to prevent, prepare for respond to, mitigate against and recover from an act of terrorism or natural/man made disaster. This program requires each “high-risk” facility to conduct a full-scale exercise not less than once every two-years (in accordance with 46 USC 70103(3)).
- The Act requires that each container entering from abroad in any of the nation’s 22 high-volume ports be scanned with a radiation detector. DHS shall provide a deployment plan identifying the affected ports with a deployment schedule, provide standard operating procedures, policy, reporting criteria, and operator training.
- The Act requires the implementation of a random container search program within 1-year of the date of enactment. This plan shall include: past best practices, random searches, target searches and pre-shipment inspections.
- The Act amends Title 46 USC 70101(6) to read that economic disruption (from a TSI) does not include work stoppage or other work action as a result of an employee-employer dispute.
- The Act provides for the screening of truck drivers, not holding a HAZMAT license endorsement, against established terrorist watch lists.