

Coalition of New England Companies For Trade

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PORT SECURITY More Exams or Smarter Exams

CONNECT is acutely aware that the Nation's economic security depends upon the continued safe movement of containers in and out of the major ports in the United States. Continued work with government agencies (CBP, FDA, USDA, Coast Guard, etc), port authorities and private businesses is important in developing ways to ensure the secure movement of cargo through our ports, over the roads, and in our neighborhoods.

We often hear demands for more physical examinations of the cargo moving through our ports, and claims that Customs and Border Protection (CBP) is not doing a thorough job of screening cargo. Some in Congress have demanded that CBP physically inspect every container that enters this country. This is simply not practical, with over 17,000 containers arriving in the U.S. every day, the cost to the government and ultimately the taxpayers of doing so would be excessive, and would have a tremendous impact on our fragile economy. Focusing precious government resources on identifying and targeting high-risk cargo is a more reasoned approach.

In 2006 Congress passed the Security and Accountability For Every (SAFE) Port Act. Among the provisions included in this comprehensive bill are ones that:

- Statutorily authorize the existing Container Security Initiative (CSI), under which CBP officers are deployed to foreign ports to train and work with foreign customs authorities to screen containers bound for the US;
- Statutorily authorize the Customs-Trade Partnership Against Terrorism Program (C-TPAT), the existing program in which importers (supposedly) receive expedited import benefits once CBP approves their supply chain security practices;
- Create a pilot program for scanning systems for containers in three foreign seaports.

The objective of the Container Security Initiative (CSI) is to assure that we know what cargo is heading to this country long before it reaches our Ports and land borders. Through CSI, high risk maritime cargo containers are identified and examined at foreign ports before they are even shipped to the U.S. The initiative includes new procedures to screen cargo prior to vessel loading. As part of CSI, CBP requires detailed manifest information for all cargo destined for the U.S. to be submitted to CBP for screening a minimum of 24-hours before the vessel is loaded at the foreign port. This allows CBP time to flag a container BEFORE the vessels set sail for the U.S. Once in the U.S., many containers are run through Non-Intrusive Exams (exams using gamma ray and x-

ray technology to look into containers without opening them). And soon many of the ports will have highly sensitive Radiation Detectors that EVERY container will have to go through as a final safety check before it can go forward on U.S roads and rail. Ultimately CBP will mandate the use of new smart containers that will communicate via satellite if the container is compromised in any way in-transit. This program, when fully implemented, will virtually guarantee the security of the container from its origin to its final destination to the U.S.

The Customs-Trade Partnership Against Terrorism (C-TPAT) is an effort to protect the entire supply chain from acts of terrorism, and involves importers, brokers, transportation companies and others involved in the supply chain. The way it works is that those who are approved for participation, certify to Customs that they have taken rigorous steps (as defined by Customs) to assure the security of their supply chain. The concept is that C-TPAT-certified importers, who use only C-TPAT certified transportation companies, will reap various benefits, including expedited processing of cargo and reduced inspections

CBP hasn't developed these programs overnight. They are the result of Congressional legislation, significant risk management analysis and exhaustive input from the stakeholders in international trade, including importers, exporters, carriers, terminals, Customs brokers, forwarders, truckers, warehousemen and others. The objective has been unwavering: to develop successful security strategies that do not unnecessarily hinder the flow of trade.

Among the most controversial topics considered by Congress during debate of the SAFE Port Act were amendments that would have required all U.S. bound containers be scanned for radiation and density before they are allowed to leave a foreign port. These are referred to as "100% scanning amendments." The trade community was united in opposition to 100% scanning because it creates delays and added expenses, and would exacerbate the current shortage of CBP inspectors. It would divert scarce security resources and personnel to examine low-risk and safe containers. This is contrary to the standard risk-based approach which uses sophisticated risk-analysis tools to determine which containers pose a threat and those that do not. While legislation that would have mandated 100% screening were defeated (aside from the very limited pilot program), there will be efforts to pass legislation that would mandate 100% in the 110th Congress.

CONNECT Position: CONNECT commends CBP for its calculated approach to cargo security using cutting-edge technology, field intelligence and data analysis to focus resources on high-risk cargo, and opposes any efforts by Congress to pass legislation that would require all containers being placed on ships bound for the United States to be scanned for radiation and density at foreign ports.