

The Water Is Different

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We defend the homeland across geophysical domains, space, air, land, sea, and cyberspace. Each domain is defined by legal structures and international law that has evolved over thousands of years. The intersection of these legal structures and the national interests of coastal states are what make our world of work different.

While there are border disputes in this world, land borders are generally fixed, bright lines which can be clearly delineated on maps.

Entry in the air and space domains is restricted by the technology of access and because safety considerations are the subject of national and international controls.

Our oceans contain no bright lines and offer unrestricted access to anything that floats or anyone who can swim.

The introduction to The National Strategy for Maritime Security states “Salt water covers more than two-thirds of the Earth’s surface. These waters are a single, great ocean, an immense maritime domain¹ that affects life everywhere.

Although its four principal geographical divisions – Atlantic, Arctic, Indian, and Pacific – have different names, this continuous body of water is the Earth’s greatest defining geographic feature.

The oceans are primarily global commons under no State's jurisdiction. They offer all nations, even landlocked States, a network of sea-lanes or highways of enormous importance to their security and prosperity.

They are likewise a source of food, mineral resources, and recreation, and they support commerce among nations. In fact 90% of trade/commerce is via a maritime route.

They also act as both a barrier to and a conduit for threats to the security of people everywhere.

Like all other countries, the United States is highly dependent on the oceans for its security and the welfare of its people and economy.”

The Case For A Maritime Security Regime

A primary point I would like to make today is ... when we speak of port security or maritime security we are really talking about a maritime security regime for a coastal nation state. This is in addition to the power projection we and our sister Services provide where needed around the world.

... I’m speaking of a maritime security regime that must necessarily intersect a complex and layered set legal structures such as territorial seas, contiguous zones, exclusive economic zones,

Archipelagic states, continental shelves, and the high seas.

At the same time we and other nations assert the right of innocent passage, freedom of navigation, the ability to maintain sea lines of communication, and, when necessary, to assert Force Majeure.

Further, certain prohibited activities such as piracy and slavery are cause for any nation to act where jurisdiction exists.

For these reasons and many others, port security and the broader concept of maritime security cannot be reduced to a single threat vector, a single vulnerability, a specific location, or a single unifying legal theory.

Maritime security impacts, and is impacted by, an interwoven system of national interests, legal frameworks, economic structures, intermodal transportation systems, and the environment.

Because of that, the maritime security equation cannot be based upon a specific threat or vulnerability. It is more than container security, supply chain assurance, vessel borne improvised explosive devices, waterfront facilities, or vessels.

It is also Tsunamis, earthquakes, ice, oil pollution, fish stocks, oil and gas.

I am not asserting that the problem is unsolvable. I am saying that the challenge is complex and requires an investment in strategic thinking.

As the seeds of the end of the Cold War were sown to be replaced by the specter of terror on 9/11, the Coast Guard had strategically reoriented itself. We started focusing on the emergence or reemergence of maritime transnational threats including narcotics trafficking, illegal migration, piracy, and unlawful exploitation of marine resources. These actions have positioned us well in the new threat environment we are encountering. Numerous unilateral and multilateral initiatives have been undertaken to reduce threats and minimize vulnerabilities.

Following the attacks of 9/11 alone we have seen:

- The passage of the Maritime Transportation Security Act.
- The approval at the International Maritime Organization of the International Ship and Port Security Code.
- Groundbreaking agreements between the Coast Guard and U.S. Northern Command on the employment of Coast Guard and DOD forces for either homeland defense or homeland security missions in support of national policies including the
 - National Security Strategy.
 - National Counter Terrorism Strategy
 - And the Department of Defense Homeland Defense Strategy.
- Most recently the development of the National Strategy for Maritime Security and its 8 supporting plans has begun to put meat on the bones of the Nation's Maritime Security Regime.
- Significant progress has been made in the continuing maturation of the Maritime Operational Threat Response (MOTR) coordination process which aligns and integrates responses to real or potential terrorist incidents across all stakeholders in the federal government, including DOD and interagency players.

- MOTR is in turn enabled by evolving Maritime Domain Awareness and Global Maritime Intelligence Integration.
- Through extensive effort by the International Maritime Organization progress has been made with Automated Identification Systems (AIS) and Long Range Tracking which will allow us to sort legitimate from illegitimate traffic.

But, despite these significant steps forward, much remains to be done. These collective actions to date point toward an evolving maritime security regime for the United States, but are not an end state.

Moving Forward ... with strategic intent

With the issuance of the National Strategy for Maritime Security, we are now developing a coherent end state that defines our vision for a maritime security regime for a coastal state. Only with such a structure can we assess progress to date, identify remaining gaps, and then focus on required actions needed to fully implement a security regime.

In December 2002 the Coast Guard issued its Maritime Security Strategy. This attempted to define our role in a post 9/11 world. That strategy served us well but has been overtaken by our transfer to the Department of Homeland Security and the issuance of the National Strategy for Maritime Security.

I have committed to Secretary Chertoff to issue a new strategy document within the next 90 to 120 days which will unify Coast Guard strategic intent in maritime domain. It will focus on security, safety, and stewardship of the oceans.

It will serve as the capstone document for my tenure as Commandant and will guide our budgetary, legislative, regulatory, international outreach agenda.

It is my hope that we can extend the considerable progress made in the Maritime Transportation Security Act and International Ship and Port Security Code can be extended into a sustained national focus on maritime security.

Sourcing to Strategy

In leading the Coast Guard, I intend to walk the talk and move our Service forward with strategic intent.

To that end, we will move to structure our forces to provide layered security in the maritime domain to meet all hazards and all threats.

We have realigned our shore based operations in the establishment of sectors which will unify operations in our ports.

Our Deepwater acquisition will integrate our maritime presence and patrol capability and allow us to meet and defeat threats at the greatest distance from our shores.

The final piece to our force structure must be the effective employment of our various deployable forces. Deployable units will meet increased threat levels, respond to incidents of national significance, and create adaptive force packages within the Department of Homeland Security.

This force trident of shored based, maritime presence and patrol, and deployable forces must be supported by the most effective command and control structure and mission support organization we can muster.

We will also work closely with our Navy partners to operationalize our Navy Fleet Concept across the full spectrum of Navy-Coast Guard operations.

A Closing Thought ...
This is not new work for the Coast Guard

As many of you are aware, the Jersey side of New York Harbor is home to the largest container shipping port on the East Coast of the United States.

My predecessor, James Loy, stated on many occasions our maritime transportation system is valuable and vulnerable.

Imagine a summer night in July and New York Harbor is interrupted by a massive explosion.

The explosion is the result of the intentional detonation of two million pounds of explosives.

It is so massive that it actually registers over 5.0 on the Richter scale.

Windows are blown out of every building in lower Manhattan and shock waves are felt 90 miles away.

Imagine that the attacks were in retaliation for international sanctions in place against a country with declared hostile intent against one of our staunchest allies.

And finally imagine that explosion was caused by penetration of a waterfront facility by foreign residents in this country, under state sponsorship.

This scenario may sound plausible or implausible to you. But, in fact, it actually occurred ... ninety years ago this July 30th in 1916,

Black Tom Island which lay between Liberty Island and Jersey City disappeared from the face of the earth along with numerous barges, a large ship, and several warehouses holding two million tons of explosives bound for Great Britain.

The Statue of Liberty was extensively damaged and as a result tourists are no longer allowed into the torch section.

While there was initial confusion as to the cause, investigators ultimately learned that the explosion was the work of German saboteurs and in the 1930's Germany actually paid reparations for the attack.

The sabotage at Black Tom Island was one of the primary drivers in the passage of the Espionage Act of 1917.

Now codified in Title 50 of the US Code, this legislation provides the original statutory underpinnings of the Coast Guard Captain of the Port Authority that is currently being employed in the vetting of workers at regulated waterfront facilities in New York Harbor and around the country as we meet today.

We have made tremendous progress certainly, since 1917, but also markedly since 9/11. We are now ready to take maritime security much further, beyond the ports, throughout the global commons.

As I told the President at my change of command on the 25th of May. The Coast Guard is mustered and ready for duty. Thank you. Semper Paratus and God Bless America.