

Report to the Committee on Commerce, Science, and Transportation, U.S. Senate

June 2008

# MARITIME SECURITY

National Strategy and Supporting Plans Were Generally Well-Developed and Are Being Implemented





Highlights of GAO-08-672, a report to the Committee on Commerce, Science and Transportation, U.S. Senate

### Why GAO Did This Study

The safety and economic security of the United States depends on the secure use of the world's seaports and waterways. Homeland Security Presidential Directive-13 (HSPD-13, also referred to as National Security Presidential Directive-41) directs the coordination of U.S. maritime security policy through the creation of a National Strategy for Maritime Security and supporting implementation plans. GAO was asked to evaluate this strategy and its eight supporting plans. This report discusses: (1) the extent to which the strategy and its supporting plans contain desirable characteristics of an effective national strategy, and (2) the reported status of the implementation of these plans.

To conduct this work, GAO evaluated the *National Strategy for Maritime Security* and its supporting plans against the desirable characteristics of an effective national strategy that GAO identified in February 2004, reviewed HSPD-13 and supporting plans, and reviewed documents on the status of the plans' implementation.

#### What GAO Recommends

GAO is not making any new recommendations. However, it previously made recommendations to the Department of Homeland Security (DHS) related to the key issues discussed in this report. DHS generally concurred with these earlier recommendations and is working to address them.

To view the full product, including the scope and methodology, click on GAO-08-672. For more information, contact Stephen L. Caldwell at (202) 512-9610 or caldwells@gao.gov.

### MARITIME SECURITY

### National Strategy and Supporting Plans Were Generally Well-Developed and Are Being Implemented

### What GAO Found

Of the six desirable characteristics of an effective national strategy that GAO identified in 2004, the *National Strategy for Maritime Security* and its eight supporting implementation plans address four and partially address the remaining two as shown in the table below.

Extent to Which the National Strategy for Maritime Security and Its Supporting Implementation Plans Address GAO's Desirable Characteristics Brief description of

	Brief description of	
Desirable characteristic	characteristic	Assessment
Purpose, scope, and methodology	Addresses why the strategy was produced, the scope of its coverage, and the process by which it was developed.	Addresses
Problem definition and risk assessment	Addresses the particular national problems and threats the strategy is directed towards.	Addresses
Organizational roles, responsibilities, and coordination	Addresses who will be implementing the strategy, what their roles will be compared to others, and mechanisms for them to coordinate their efforts.	Addresses
Integration and implementation	Addresses how a national strategy relates to other strategies' goals, objectives, and activities, and to subordinate levels of government and their plans to implement the strategy.	Addresses
Goals, objectives, activities, and performance measures	Addresses what the strategy is trying to achieve, steps to achieve those results, as well as the priorities, milestones, and performance measures to gauge results.	Partially addresses (does not include performance measures)
Resources, investments, and risk management	Addresses what the strategy will cost, the sources and types of resources and investments needed, and where resources and investments should be targeted by balancing risk reductions and costs.	Partially addresses (does not include information on the sources and types of resources needed)

Source: GAO analysis.

Documents provided by the Maritime Security Working Group—an interagency body responsible for monitoring and assessing the implementation of the maritime strategy—indicate that the implementation status of the eight supporting plans varies. For example, as of November 2007, implementation of one plan had been completed, while another has reached the assessment phase (e.g., lessons learned and best practices), and a third has reached the execution phase (e.g., exercises and operations). The other five plans remain primarily in the planning phase. The working group is monitoring the implementation of 76 actions across the plans, and reported 6 of these are completed and 70 are ongoing.

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United States Government Accountability Office Washington, DC 20548

June 20, 2008

The Honorable Daniel Inouye Chairman The Honorable Ted Stevens Vice Chairman Committee on Commerce, Science and, Transportation United States Senate

More than 6 years after the September 11, 2001, attacks, the risk of a terrorist attack in the maritime domain remains a major concern to the United States.<sup>1</sup> Over 95 percent of U.S. international trade is transported by water, thus, the safety and economic security of the United States depends in large part on the secure use of the world's seaports and waterways. A successful attack on a major seaport could potentially result in a dramatic slowdown in the international supply chain with impacts in the billions of dollars.<sup>2</sup> Therefore, the United States and its trading partners, have a common interest to facilitate maritime commerce and to protect against maritime-related terrorist, criminal, or other hostile acts.

The federal government has been active in seeking to enhance maritime security through legislation, presidential directives, and international agreements. As a result, the federal government has implemented numerous programs and initiatives to help secure our nation's maritime infrastructure, harbors, seaports, and international waterways. One of these efforts, and the focus of this report, is Homeland Security Presidential Directive-13 (HSPD-13), which directs the coordination of maritime security policy through the creation of a *National Strategy for Maritime Security* and supporting implementation plans. Issued in December 2004, HSPD-13 aims to establish U.S. policy and implementation actions to further reduce the vulnerability of the maritime domain. These efforts are monitored by the Maritime Security Working Group, an

<sup>&</sup>lt;sup>1</sup> In Homeland Security Presidential Directive-13, Maritime Domain is defined as all areas and things of, on, under, relating to, adjacent to, or bordering on a sea, ocean, or other navigable waterway, including all maritime-related activities, infrastructure, people, cargo, and vessels and other conveyances. HSPD-13 is also known as National Security Presidential Directive 41. Hereafter in this report we will refer only to HSPD-13.

<sup>&</sup>lt;sup>2</sup> A supply chain is defined as the flow of goods from manufacturers to retailers.

interagency group tasked with monitoring the implementation of the supporting plans. The working group reports to the Maritime Security Policy Coordination Committee, which is the primary forum for coordinating U.S. national maritime strategy. Both the Maritime Security Policy Coordination Committee and the Maritime Security Working Group are co-chaired by representatives of the National Security Council and the Homeland Security Council.<sup>3</sup>

In 2004, we developed a set of six desirable characteristics for national strategies.<sup>4</sup> Those six characteristics are:

(1) Statement of purpose, scope, and methodology: addresses why the strategy was produced, the scope of its coverage, and the process by which it was developed.

(2) Problem definition and risk assessment: addresses the particular national problems and threats the strategy is directed towards.

(3) Goals, subordinate objectives, activities, and performance measures: addresses what the strategy is trying to achieve and the steps to achieve those results, as well as the priorities, milestones, and performance measures to gauge results.

(4) Resources, investments, and risk management: addresses what the strategy will cost, the sources and types of resources and investments needed, and where resources and investments should be targeted by balancing risk reductions and costs.

(5) Organizational roles, responsibilities, and coordination: addresses which organizations will be implementing the strategy, what their roles

<sup>&</sup>lt;sup>3</sup> The National Security Council is the President's principal forum for considering national security and foreign policy matters with his senior national security advisors and cabinet officials. The Council also serves as the President's principal arm for coordinating these policies among the various government agencies. The Homeland Security Council is the organization the President uses to ensure coordination of all homeland security-related activities among executive departments and agencies and to promote the effective development and implementation of all homeland security policies.

<sup>&</sup>lt;sup>4</sup> These characteristics were developed after our research found that there were no legislative or executive mandates identifying a uniform set of required or desirable characteristics for national strategies. For a more detailed discussion, see *Combating Terrorism: Evaluation of Selected Characteristics in National Strategies Related to Terrorism*, GAO-04-408T (Washington, D.C: Feb. 3, 2004).

will be compared to others, and mechanisms for them to coordinate their efforts.

(6) Integration and implementation: addresses how a national strategy relates to other strategies' goals, objectives, and activities, and to subordinate levels of government and their plans to implement the strategy.

We believe these characteristics can assist responsible parties in further developing and implementing national strategies, as well as enhance their usefulness in resource and policy decisions and to better assure accountability. We have used these characteristics to assess the completeness of seven national strategies related to homeland security and combating terrorism.<sup>5</sup>

You asked us to evaluate the *National Strategy for Maritime Security* and its eight supporting implementation plans. This report presents the results of our efforts to address the following questions:

- To what extent does the *National Strategy for Maritime Security* and its supporting implementation plans contain the elements identified as desirable characteristics of an effective national strategy?
- What is the reported implementation status of these plans?

To answer our first question, we analyzed the *National Strategy for Maritime Security* to determine whether it contained the desirable characteristics for an effective national strategy. If a characteristic or an element of a characteristic was missing from the national strategy, then we reviewed the eight supporting implementation plans for evidence of the characteristic in a majority of these plans.<sup>6</sup> We also reviewed the plans to determine if they provided more detail on the characteristics examined than could be found in the national strategy, for example, what component or agency will implement a specific recommendation. If a characteristic or an element of a characteristic was missing from the national strategy, our

<sup>&</sup>lt;sup>5</sup> The seven national strategies are: (1) National Security Strategy of the United States, (2) National Strategy for Homeland Security, (3) National Strategy for Combating Terrorism, (4) National Strategy to Combat Weapons of Mass Destruction, (5) National Strategy for Physical Protection of Critical Infrastructure and Key Assets, (6) National Strategy to Secure Cyberspace, and (7) 2002 Money Laundering Strategy.

<sup>&</sup>lt;sup>6</sup> We only reviewed the unclassified versions of the supporting implementation plans.

methodology required that the characteristic or element be present in at least five of the supporting plans for the characteristic to be considered "addressed." An assessment of partially addressed meant that the characteristic or element be present in at least one of the supporting plans. To answer our second question, we relied on documents provided by the Maritime Security Working Group that detailed the status of actions taken to implement the supporting plans and the overall status of the implementation of the plans. We also interviewed officials from key agencies and the co-chair of the Maritime Security Working Group. We did not independently evaluate any of the actions monitored for the implementation of these plans. We conducted this performance audit from July 2007 to June 2008 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. Appendix I includes more detailed information on our scope and methodology.

### **Results in Brief**

Of the six desirable characteristics of an effective national strategy that GAO identified in 2004, the National Strategy for Maritime Security and its supporting implementation plans together address four and partially address the remaining two. The four characteristics that are addressed include: (1) purpose, scope, and methodology; (2) problem definition and risk assessment; (3) organizational roles, responsibilities, and coordination; and (4) integration and implementation. The two characteristics that are partially addressed are: (1) goals, objectives, activities, and performance measures and (2) resources, investments, and risk management. These characteristics are partially addressed primarily because the strategy and its plans lack information on performance measures and the resources and investments elements of these characteristics. Specifically, only one of the supporting plans mentions performance measures and many of these measures are presented as possible or potential performance measures. However, in previous work we have noted the existence of performance measures for individual maritime security programs. For example, Customs and Border Protection (CBP) has established performance metrics for its Automated Targeting System, which assists in determining which containers are to be subjected to inspection, and uses performance measures to gauge the effectiveness of its Container Security Initiative program, which is designed to detect and deter terrorists from smuggling weapons of mass destruction via cargo containers. We have also recommended that DHS develop performance

measures for other maritime security programs and DHS has concurred with these recommendations. The resources, investments, and risk management characteristic is also partially addressed. While the strategic actions and recommendations discussed in the maritime security strategy and supporting implementation plans constitute an approach to minimizing risk and investing resources, the strategy and seven of its supporting implementation plans lack information on the sources and types of resources needed for their implementation. In addition, the national strategy and three of the supporting plans also lack investment strategies to direct resources to necessary actions. To address this, the working group has recommended to the Maritime Security Policy Coordination Committee that it should examine the feasibility of creating an interagency priorities and investment strategy for the supporting plans. Despite these shortcomings, we recognize that other documents are used for allocating resources. For example, DHS's latest Fiscal Year Homeland Security Program, a 5-year resource plan to support the mission, priorities, and goals of the department within projected funding, provides some details on how much DHS expects to spend to implement its maritime security responsibilities.

Our review of documents provided by the Maritime Security Working Group indicates that the implementation status of the eight supporting plans varies. Specifically, the working group reported on the status of each plan by indicating whether the plan was in the guidance, planning, execution, or assessment and evaluation phase.<sup>7</sup> They reported that as of November 2007, one plan had reached the execution phase, another had reached the assessment phase, and a third had been completed. The other five plans remained primarily in the planning phase. The working group also identified 76 actions across the various supporting plans and has monitored the implementation of these actions. According to the working group, as of November 2007, 6 of these actions were completed and 70 were ongoing.

### Background

Since the September 11, 2001, terrorist attacks, federal agencies have implemented numerous measures designed to improve maritime security.

<sup>&</sup>lt;sup>7</sup> The Maritime Security Working Group defines the four phases as (1) guidance (e.g., policy, strategy, doctrine, and planning); (2) planning (e.g., strategic planning, requirements and capabilities, operational, and tactical planning); (3) execution (e.g., exercises and operations); and (4) assessment and evaluation (e.g., lessons learned and best practices). These phases progress from the first to the fourth.

Moreover, legislation has been enacted to provide a framework for protecting the nation's seaports and waterways from terrorist attack through a wide range of security requirements and programs.<sup>8</sup> Federal agency measures include, for example, the U.S. Coast Guard working with foreign countries to ensure that their seaports have adequate security measures in place. Also, under the Container Security Initiative, U.S. Customs and Border Protection stations officers overseas to work with foreign officials to identify and inspect high-risk cargo en route to the United States.

The Maritime Security Working Group was created in May 2004 to increase coordination among U.S. government maritime security policy stakeholders and to develop an overarching policy that would serve to enhance maritime security and defense, and strengthen antiterrorism efforts in the global maritime environment. As a result of the working group's efforts, on December 21, 2004, the President issued HSPD-13 directing the coordination of U.S. government maritime security programs and initiatives to achieve a comprehensive and cohesive national effort involving appropriate federal, state, local, and private sector entities. HSPD-13 established the Maritime Security Policy Coordination Committee <sup>9</sup> as the primary forum to coordinate U.S. policy, guidelines, and implementation actions to protect U.S. maritime interests and enhance U.S. national security and homeland security.<sup>10</sup>

The Maritime Security Working Group, working on behalf of the Maritime Security Policy Coordination Committee, is currently responsible for monitoring and assessing implementation of actions related to the

<sup>&</sup>lt;sup>8</sup> Maritime Transportation Security Act of 2002 (MTSA), Pub. L. No. 107-295, 116 Stat. 2064 (2002) and the Security and Accountability For Every Port Act of 2006 (SAFE Port Act), Pub. L. No. 109-347, 120 Stat. 1884 (2006).

<sup>&</sup>lt;sup>9</sup> The Maritime Security Policy Coordination Committee was directed to, among other things, (1) review existing interagency practices, coordination, and execution of U.S. maritime security policies and strategies; (2) recommend specific improvements to all of them as warranted; and (3) provide analysis of new maritime security policies, strategies, and initiatives for consideration by the National Security Council and Homeland Security Council, as well as ensure ongoing coordination and implementation of maritime security policies, strategies, and initiatives, all of which are outside the scope of this inquiry.

<sup>&</sup>lt;sup>10</sup> HSPD-13 directed that the strategy include all of the domestic, international, public, and private components of the Maritime Domain; that it further incorporate a global, layered security framework that may be adjusted based on the threat level; that it build on and complement current efforts and those initiated by this directive; and that all relevant federal agencies and departments cooperate and provide appropriate assistance.

supporting plans. HSPD-13 required the Secretaries of Defense and Homeland Security to lead a joint effort to draft a *National Strategy for Maritime Security*. The strategy was issued in September 2005. Additionally, HSPD-13 directed relevant federal departments and agencies to develop eight supporting implementation plans to address the specific threats and challenges in the maritime environment. These supporting plans, the lead departments for their implementation, and their completion dates are shown below.

- National Plan to Achieve Maritime Domain Awareness, DOD and DHS (October 2005);
- Global Maritime Intelligence Integration Plan, DOD and DHS (July 2005);
- Maritime Operational Threat Response Plan, DOD and DHS (October 2006);
- International Outreach and Coordination Strategy, State (November 2005);
- Maritime Infrastructure Recovery Plan, DHS (April 2006);
- Maritime Transportation System Security Recommendations, DHS (October 2005);
- Maritime Commerce Security Plan, DHS (October 2005); and
- Domestic Outreach Plan, DHS (October 2005).

Figure 1 depicts a DHS assessment of how maritime security legislation and the *National Strategy for Maritime Security's* eight supporting implementation plans relate to the stages of the international supply chain. Also included is one other strategy—the Strategy to Enhance International Supply Chain Security—that overlaps with some of the supporting plans.<sup>11</sup>

<sup>&</sup>lt;sup>11</sup> The SAFE Port Act, among other things, required the Secretary of Homeland Security to develop a strategic plan to enhance the security of the international supply chain. Completed in July 2007, this Strategy to Enhance International Supply Chain Security establishes a framework for the secure flow of cargo through the supply chain by building on existing national strategies and programs, as well as protocols and guidance for resumption of trade following a transportation disruption or transportation security incident. The international supply chain, as defined in the strategy, is the end-to-end process for shipping goods to or from the United States beginning at the point of origin (including manufacturer, supplier, or vendor) through a point of distribution to the destination.



#### Figure 1: Stages of the International Supply Chain and Related Maritime Security Legislation and HSPD-13 Plans

Source: GAO and ArtExplosions (art work); GAO, DHS (analysis).

Note: GAO modified a graphic contained in DHS's Strategy for International Supply Chain Security to add clarification regarding the stages of the international supply chain.

Although numerous entities are responsible for security in the maritime domain within the United States, the federal government has primary responsibility and shares this role with numerous other stakeholders in the state, local, and private sectors. For example, DHS—with its component agency, the U.S. Coast Guard, acting as executive agent—has the lead role in maritime homeland security; DOD leads efforts to further integrate maritime intelligence and increase maritime domain awareness; and State is responsible for taking steps to inform U.S. missions abroad on maritime security initiatives and concerns, as necessary. Also, the Departments of Commerce, Energy, and Transportation, among others, have responsibilities for various aspects of maritime security.

We have reported on performance in the maritime security mission, particularly by DHS, for several years. In our 2007 review of DHS's progress in management and mission areas, we reported that DHS had made substantial progress in maritime security in that it had generally achieved 17 out of 23 performance expectations.<sup>12</sup> Specifically, we reported that DHS had developed national and regional plans for DHS's maritime security and response and a national plan for recovery, and it had ensured the completion of vulnerability assessments and security plans for port facilities and vessels. DHS had also developed programs for collecting information on incoming ships and was working with the private sector to improve and validate supply chain security. Additionally, we reported that DHS (1) had improved security efforts by establishing committees to share information with local port stakeholders, (2) was taking actions to establish interagency operations centers to monitor port activities, (3) was developing port-level plans to prevent and respond to terrorist attacks, (4) was testing such plans through exercises, and (5) was assessing security at foreign seaports. We further reported that DHS had strengthened the security of cargo containers through enhancements to its system for identifying high-risk cargo and expanding partnerships with other countries to screen containers before they are shipped to the United States. However, we also reported that DHS faced challenges in implementing certain maritime security responsibilities including, for

<sup>&</sup>lt;sup>12</sup>GAO, *Department of Homeland Security: Progress Report on Implementation of Mission and Management Functions*, GAO-07-454 (Washington, D.C.: Aug. 17, 2007). Performance expectations are a composite of the responsibilities or functions—derived from legislation, homeland security presidential directives and executive orders, DHS planning documents, and other sources—that the department is to achieve or satisfy in implementing efforts in its mission and management areas.

example, a program to control access to seaports' secure areas and to screen incoming cargo for radiation.

In October 2007, we updated our findings when we testified on DHS's overall maritime security efforts as they related to the Security and Accountability For Every Port Act of 2006.<sup>13</sup> We also reported on other challenges faced by DHS in its cargo security efforts, such as CBP's requirement to test and implement a new program to screen 100 percent of all incoming containers overseas. As part of our body of work on the performance of maritime security missions, we have made recommendations to DHS including that it develop strategic plans, better plan the use of its human capital, establish performance measures, and otherwise improve program operations. DHS has generally concurred with our recommendations and is making progress towards implementing them. A list of related GAO products is included at the end of this report.

The National Strategy for Maritime Security and Its Eight Supporting Implementation Plans Address or Partially Address All of the Desirable Characteristics of a National Strategy Of the six desirable characteristics of an effective national strategy that GAO identified in 2004, the *National Strategy for Maritime Security* and its eight supporting implementation plans together address four and partially address two. The four characteristics that are addressed include: (1) purpose, scope, and methodology; (2) problem definition and risk assessment; (3) organizational roles, responsibilities, and coordination; and (4) integration and implementation. The two characteristics that are partially addressed are: (1) goals, objectives, activities, and performance measures; and (2) resources, investments, and risk management. Specifically, the elements of these characteristics that are not addressed are those concerning performance measures, and resources and investments. What follows is our assessment of the *National Strategy for Maritime Security* and its supporting plans as compared to the six desirable characteristics of an effective national strategy. These characteristics and the results of our assessment are shown in table  $1.^{14}$ 

<sup>&</sup>lt;sup>13</sup> GAO, *Maritime Security: The SAFE Port Act: Status and Implementation One Year Later*, GAO-08-126T (Washington, D.C.: Oct. 30, 2007).

<sup>&</sup>lt;sup>14</sup> See GAO-04-408T. This performance compares favorably to other national strategies including the National Security Strategy, National Strategy for the Physical Protection of Critical Infrastructure and Key Assets, and 2002 National Money Laundering Strategy—evaluated against these criteria in this prior GAO work.

Desirable		
characteristic	Brief description of characteristic	Assessment
Purpose, scope, and methodology	Addresses why the strategy was produced, the scope of its coverage, and the process by which it was developed.	Addresses
Problem definition and risk assessment	Addresses the particular national problems and threats the strategy is directed towards.	Addresses
Organizational roles, responsibilities, and coordination	Addresses who will be implementing the strategy, what their roles will be compared to others, and mechanisms for them to coordinate their efforts.	Addresses
Integration and implementation	Addresses how a national strategy relates to other strategies' goals, objectives, and activities, and to subordinate levels of government and their plans to implement the strategy.	Addresses
Goals, objectives, activities, and performance measures	Addresses what the strategy is trying to achieve, steps to achieve those results, as well as the priorities, milestones, and performance measures to gauge results.	Partially addresses (does not include performance measures)
Resources, investments, and risk management	Addresses what the strategy will cost, the sources and types of resources and investments needed, and where resources and investments should be targeted by balancing risk reductions and costs.	Partially addresses (does not include information on the sources and types of resources needed)

### Table 1: Extent to Which the National Strategy for Maritime Security and its Supporting Implementation Plans Address GAO's Desirable Characteristics

Source: GAO analysis.

Note: In prior work we also acknowledge that different strategies may use different terms than we use to describe the same characteristic. A strategy "addresses" a characteristic when it cites all elements of a characteristic, even if it lacks specificity and thus could be improved upon. A strategy "partially addresses" a characteristic when it cites some, but not all, elements of a characteristic.

National Strategy and Implementation Plans Together Address Four of the Desirable Characteristics of a National Strategy

Our analysis shows that the *National Strategy for Maritime Security* and its supporting implementation plans together address four of the desirable characteristics of an effective national strategy. In general, these characteristics communicate why a strategy was produced, specify the threats that a strategy addresses, identify the organizations responsible for implementing a strategy and how they will coordinate their efforts, and tie a strategy to other strategies and plans, and subordinate levels of government. The extent to which each of these four desirable characteristics is addressed in the *National Strategy for Maritime Security* and its supporting plans is discussed in the following sections.

### Purpose, Scope, and Methodology

The purpose, scope, and methodology characteristic is addressed in the National Strategy for Maritime Security and its eight supporting implementation plans. Specifically, while the purpose and scope are addressed in both the national strategy and the supporting plans, the strategy alone does not describe the methodology used in its development. However, five of the eight supporting plans do contain information on the methodology for how the plans were developed, and the Domestic Outreach Plan documents that eight working groups of maritime security stakeholders developed the eight plans supporting the national strategyproviding additional insight into the methodological development of the plans. For example, the Maritime Security Policy Coordination Committee is cited in the Maritime Domain Awareness and Maritime Commerce Security plans as having the responsibility for developing the supporting plans. This characteristic is important because if a national strategy does not contain a complete description of the purpose, scope, and methodology, this could reduce the document's usefulness to the organizations responsible for implementing the strategy, as well as organizations seeking to exercise oversight, such as the Congress. Although the purpose and scope are described generally in the national strategy, they are more specifically described in the supporting plans. For example, the strategy states that its purpose is "to better integrate and synchronize the existing Department-level strategies and ensure their effective and efficient implementation," while the Commerce Security Plan's purpose is to "promote international supply chain security." The strategy's introduction defines the scope of the maritime domain as well as the scope of maritime security that the supporting plans are to address.<sup>15</sup> Supporting plans define the scope further. For example, the scope for the Maritime Transportation Security System Recommendations plan describes its scope as the systems that comprise transportation security: component security, interface security, information security, and network security.<sup>16</sup>

<sup>&</sup>lt;sup>15</sup> In addition to the definition of maritime domain contained in footnote 1, the maritime domain for the United States also includes the Great Lakes and all navigable inland waterways such as the Mississippi River and the Intra-Coastal Waterway.

<sup>&</sup>lt;sup>16</sup> These systems are defined as follows: component security refers to maritime vessels, vehicles, infrastructure, and cargo; interface security concerns the points where these components interface; information security concerns the maritime data systems; and network security concerns the broad systems like the domestic distribution system or the international supply chain that impact maritime security.

### Problem Definition and Risk Assessment

The problem definition and risk assessment characteristic is addressed in the strategy and is discussed with varying levels of detail in six of the supporting plans. This characteristic identifies the particular national problem and threats to which a strategy is directed. Without necessarily prescribing a detailed solution, better problem definition and risk assessment provide greater latitude to responsible parties to develop innovative approaches that are tailored to the needs of specific regions or sectors and can be implemented as a practical matter given fiscal, human capital, and other limitations. The introduction to the national strategy identifies the problem stating that the oceans support commerce and are a source of food, resources, and recreation for the United States, and that they also act as a barrier and a conduit for threats to our nation. All of the supporting plans with the exception of the Domestic Outreach Plan further define the problem relative to their own purpose. For example, the problem cited in the National Plan to Achieve Maritime Domain Awareness is that "today's complex and ambiguous threats place an even greater premium on knowledge and a shared understanding of the maritime domain."

In regard to risk assessment, one section of the national strategy identifies five threats to maritime security and discusses them with references to intelligence assessments and other national strategies.<sup>17</sup> For example, citing the National Security Strategy of the United States, the National Strategy for Maritime Security states that terrorists have indicated a strong desire to use weapons of mass destruction which, when coupled with technology dispersion and the fact that some nations are unable to account for their stockpiles of these weapons or materials, increases the possibility that a terrorist attack involving such weapons could occur. It also states that terrorists can develop effective attack capabilities against maritime targets relatively quickly. The International Outreach and Coordination Strategy and the Plan to Achieve Maritime Domain Awareness also discuss the threats to maritime security in a manner similar to the National Strategy for Maritime Security. Other plans, such as those for Maritime Commerce Security and the Maritime Transportation System Security, mention threats more generally, citing, for example, the type of threat—nuclear, chemical, biological—as in the commerce plan, or the source of the threat—terrorism—as in the transportation system plan.

<sup>&</sup>lt;sup>17</sup> The *National Strategy for Maritime Security* discusses a variety of threats to maritime security including nation-state threats, terrorist threats, transnational criminal and piracy threats, environmental destruction, and illegal seaborne immigration.

### Organizational Roles, Responsibilities, and Coordination

Collectively, the national strategy and its eight supporting implementation plans address the organizational roles, responsibilities, and coordination characteristic. Though the level of specificity regarding roles, responsibilities, and coordination varies in the national strategy, all of the supporting plans address this characteristic with some detail. The inclusion of this characteristic in a national strategy helps agencies and other stakeholders to coordinate their efforts. It also helps clarify specific roles, particularly where there is overlap, and thus can enhance both implementation and accountability. Regarding organizational roles and responsibilities, the national strategy indicates that the public and private sectors share responsibility for the protection of critical infrastructure and key resources, with DHS in the lead role. However, the strategy does not identify the more specific roles of DHS components such as Customs and Border Protection or the Coast Guard in the protection of critical infrastructure or key assets. The supporting plans, however, are more explicit about roles and responsibilities. For example, specific agencies and components such as the Coast Guard and CBP within DHS are identified in the National Plan to Achieve Maritime Domain Awareness. In another case, while the national strategy references the National Incident Management System and the National Response Plan under the strategic objective to Minimize Damage and Expedite Recovery, it does not identify which agency is to coordinate and lead such a recovery.<sup>18</sup> However, these roles and responsibilities are discussed in greater detail in the Maritime Infrastructure Recovery Plan. For example, it identifies the capabilities or types of assets the Army Corps of Engineers and the Department of Transportation will provide to aid in recovery. Additionally, the National Plan to Achieve Maritime Domain Awareness identifies the Maritime Security Policy Coordination Committee as having overall coordination responsibility for that plan. Other plans such as the Maritime Commerce Security Plan and Maritime Transportation System Security Recommendations, respectively, cite coordination responsibilities for specific recommendations or actions. For example, the Maritime Commerce Security Plan directs DHS to coordinate with DOD in the development of technology to secure containerized cargo, and the Maritime Transportation Security System Recommendations plan directs DHS to coordinate improvements to international maritime regulation.

<sup>&</sup>lt;sup>18</sup> The National Response Plan was superseded by the National Response Framework in January 2008. The framework presents the guiding principles that enable all response partners to prepare for and provide a unified national response to disasters and emergencies—from the smallest incident to the largest catastrophe. The Framework establishes a comprehensive, national, all-hazards approach to domestic incident response.

Integration and Implementation	The integration and implementation characteristic is addressed in the national strategy and all but one of the supporting plans by noting, for example, that the terrorist threats cited in the national strategy are also considered in the National Security Strategy and the National Strategy to Secure Cyberspace. This characteristic builds on the aforementioned organizational roles and responsibilities—and thus can further clarify the relationships between various implementing parties. With regard to integration, the National Strategy for Maritime Security states that it is guided by the goals of the National Security Strategy and National Strategy for Homeland Security and draws upon other national strategies to counter terrorism, protect critical infrastructure, and combat weapons of mass destruction, among other strategies. The supporting plans provide more details on the integration characteristic by, for example, discussing how a particular plan supports or is supported by another supporting plan. For example, the Maritime Commerce Security Plan states that its development was closely coordinated with that of the Maritime Infrastructure Recovery Plan and the Maritime Transportation Security System Recommendations plan. Furthermore, the Maritime Infrastructure Recovery Plan discusses the integration of the plan with other national and local area maritime security plans.	
	strategy and seven of the eight supporting plans provide amplifying detail and specificity on implementation issues, often citing their own implementation in terms of the implementation of other supporting plans. Three plans also state how their implementation is related to other plans. For example, the National Plan to Achieve Maritime Domain Awareness states that its implementation directly supports, and is supported by, the Global Maritime Intelligence Integration Plan and that the Maritime Domain Awareness plan is an enabler of the Maritime Operational Threat Response plan.	
National Strategy and Implementation Plans Together Partially Address the Remaining Two Desirable Characteristics of a National Strategy	The strategy and supporting plans only partially address the remaining two desirable characteristics: (1) goals, objectives, activities, and performance measures; and (2) resources, investments, and risk management. These characteristics are partially addressed because they do not identify the performance measures needed to gauge the implementation of the strategy and its supporting plans, and the resources and investments needed to successfully implement and carry out the strategy. These two characteristics are discussed below.	

### Goals, Objectives, Activities, and Performance Measures

The goals, objectives, activities, and performance measures characteristic is only partially addressed in the national strategy, and the supporting plans also do not include information to address all elements of this characteristic, such as performance measures to gauge the progress made implementing the strategy and plans. This characteristic provides for a clear identification of priorities, milestones, and performance measures, without which implementing parties may find it difficult to achieve results in specific time frames. This also enables more effective oversight and accountability. While the national strategy does not specifically use the term "goals" in its description, it does provide a list of principles that serve as the equivalent of goals and a hierarchy of objectives and subordinate objectives. For example, the stated principles of the maritime security strategy are to (1) preserve freedom of the seas, (2) facilitate and defend commerce to ensure the uninterrupted flow of shipping, and (3) facilitate the movement of desirable goods and people across our borders while screening out dangerous people and material. The strategy also outlines the steps for achieving these with subordinate objectives such as to protect maritime-related population centers and critical infrastructures.<sup>19</sup> Furthermore, the strategy includes five strategic actions—such as to embed security into commercial practices-intended to achieve further coordination of maritime security efforts.<sup>20</sup> Each of the supporting plans provides more focused goals and objectives. For example, the goal of the Maritime Commerce Security Plan is to improve the security of the maritime supply chain, and one of the goals of the National Plan to Achieve Maritime Domain Awareness is to enhance transparency in the maritime domain.

However, performance measures are lacking in both the national strategy and all but one of the supporting plans. The only supporting plan that mentions performance measures is the Maritime Commerce Security Plan

<sup>&</sup>lt;sup>19</sup> The *National Strategy for Maritime Security* identifies four objectives following these principles: (1) prevent terrorist attacks and criminal or hostile acts, (2) protect maritime-related population centers and critical infrastructure, (3) minimize damage and expedite recovery, and (4) safeguard the ocean and its resources.

<sup>&</sup>lt;sup>20</sup> According to the national strategy, the following five strategic actions are intended to enhance the achievement of the objectives of this plan: (1) enhance international cooperation, (2) maximize domain awareness, (3) embed security into commercial practices, (4) deploy layered security, and (5) assure continuity of the marine transportation system. These actions are the objectives of five of the supporting plans: International Outreach and Coordination Strategy, Maritime Domain Awareness, Maritime Commerce Security, Maritime Transportation Security System, and the Maritime Infrastructure Recovery Plan.

	which lists potential or possible performance measures. For example, the Maritime Commerce Security Plan states, "Customs and Border Protection performs validations of the foreign security procedures of Customs-Trade Partnership Against Terrorism participants. This could act as a measure of effectiveness in implementing procedures to secure cargo." <sup>21</sup> Additionally, in our previous work, we have reported that performance measures are in place for some individual maritime security programs. For example, we reported that CBP has established performance metrics for its Automated Targeting System and uses performance measures to gauge the effectiveness of its Container Security Initiative program. <sup>22</sup> We have also made recommendations for the development of performance measures for other maritime security programs, such as emergency response capabilities. <sup>23</sup> DHS generally concurred with these recommendations and is working to implement them.
Resources, Investments, and Risk Management	The resources, investments, and risk management characteristic is also only partially addressed in the national strategy and supporting implementation plans because not all of the elements of this characteristic are addressed. Specifically, while the strategic actions of the maritime security strategy discussed earlier in this report constitute an approach to minimize risk and invest resources to achieve maritime security, the strategy lacks information on resource requirements. Six of the eight supporting plans also discuss risk management; for example, there is a distinct recommendation to incorporate risk management in maritime security in the Maritime Transportation Security System Recommendations plan. However, the supporting plans, like the national
	<sup>21</sup> The Customs-Trade Partnership Against Terrorism (C-TPAT) is a voluntary program that enables CBP officials to work in partnership with private companies to review the security of their international supply chain and improve the security of their shipments to the United States. In return for committing to improving the security of their shipments by joining the program, C-TPAT members receive benefits that result in the likelihood of reduced scrutiny of their shipments, such as reduced number of inspections or shorter wait times for their shipments.
	<sup>22</sup> See GAO, Maritime Security: The SAFE Port Act: Status and Implementation One Year Later. GAO-08-126T (Washington, D.C.: Oct. 30, 2007) and Supply Chain Security: Examinations of High-Risk Cargo at Foreign Seaports Have Increased, but Improved Data Collection and Performance Measures Are Needed, GAO-08-187 (Washington, D.C.: Jan. 25, 2008).
	<sup>23</sup> GAO, Maritime Security: Federal Efforts Needed to Address Challenges in Preventing and Responding to Terrorist Attacks on Energy Commodity Tankers GAO-08-141 (Washington, D.C.: Dec. 10, 2007).

strategy, mostly lack information on the sources and types of resources needed.

The national strategy addresses investments and risk management in a general way. For example, the strategic action to "Embed Security into Commercial Practices" discusses the need to conduct vulnerability assessments to identify defenses that require improvement and procedures that are used to identify terrorist threats in cargo containers, but the strategy does not contain an investment strategy for implementing this strategic action nor does it determine how costs will be borne among the involved parties. With the exception of the National Plan to Achieve Maritime Domain Awareness, none of the other seven supporting plans address the resources issue and three do not address investments. In a November 2007 briefing regarding the status of the implementation of the national plan, the working group identified resources and investments as challenges in implementing the strategy. This briefing also included recommendations to address the resource issue. For example, it suggested that the Maritime Security Policy Coordination Committee evaluate the feasibility of developing an interagency priorities and investment strategy. Without guidance on resources, investments, and risk management, implementing parties may find it difficult to allocate resources and investments according to priorities and constraints, track costs and performance, and shift investments and resources as appropriate. Although this information was not included in the strategy or its supporting plans, DHS's latest Future Years Homeland Security Program (FYHSP), a 5-year resource plan to support the mission, priorities, and goals of the department within projected funding, provides some details on how much DHS expects to spend to implement its maritime security responsibilities. Within the goal to protect our nation from dangerous people and goods, the FYHSP discusses several maritime security programs that are part of the National Strategy for Maritime Security or it supporting plans. Among these are the Container Security Initiative to screen cargo containers for weapons before the cargo is shipped to the United States, the C-TPAT program which works with the private sector to improve the security standards for supply chain and container security, and research into the development of technology to improve container security.

Maritime Security Working Group Reports that the Implementation of Supporting Plans Varies	Documents provided to us by the Maritime Security Working Group indicate that the implementation of the supporting plans varies and the working group reported one plan had been completed, another has reached the assessment phase, a third has reached the execution phase, and the other five plans remain primarily in the planning phase. <sup>24</sup> The working group identified 76 actions across the various supporting plans and has monitored the implementation status of these actions. <sup>25</sup> The working group reported that, as of November 2007, six of these actions were completed and 70 were ongoing. The types of actions it monitored included issuing guidance, developing plans and coordination procedures, assigning personnel and forming working groups, as well as technology development and partnering with the private sector.
	The process by which the working group monitors the implementation of the actions associated with the supporting plans is demonstrated in figure 2. According to the working group co-chair, the working group identified a list of actions to be carried out to implement the supporting plans. The working group then provided this list to the departments which in turn delegated further actions to their components (right side of the figure). The status of these actions was communicated back to the working group and up to the committee through the departments (left side of the figure). A DHS official who is a working group member said that sometimes

components communicate directly to the working group.

<sup>&</sup>lt;sup>24</sup> This group, working on behalf of the Maritime Security Policy Coordination Committee, is currently responsible for monitoring and assessing implementation of actions related to the supporting plans.

<sup>&</sup>lt;sup>25</sup> Additional roles of the Maritime Security Working Group involve coordinating national maritime policies, serving as a working body to respond to questions from the Maritime Security Policy Coordination Committee, and developing recommendations for consideration by the committee.



### Figure 2: Structure of the Policy and Implementation Bodies Responsible for Coordination of the *National Strategy for Maritime Security*

Source: GAO analysis.

Table 2 contains a brief description of each implementation plan and examples of actions the working group is monitoring as reported by the working group in November 2007. The working group has also reported on whether each plan was in the guidance, planning, execution, or assessment and evaluation phase. Overall, the working group reported that the National Plan to Achieve Maritime Domain Awareness has reached the execution phase, which includes training exercises and operations; the Maritime Operational Threat Response Plan has reached the assessment phase, where lessons learned are assessed and best practices are developed; and implementation of the Domestic Outreach Plan has been completed. The other five plans remain primarily in the planning phase where strategic planning, requirements and capabilities, operational, and tactical planning occur.<sup>26</sup> For example, actions that the working group is monitoring for the Maritime Infrastructure Recovery Plan—which the working group reports is in the planning phase—include the assignment of risk management personnel, the incorporation of recovery management procedures, and the identification of private sector subject matter experts essential to recovery execution.

Table 2: Summary and Status of *National Strategy for Maritime Security* Supporting Implementation Plans (Lead Department) as Reported by the Maritime Security Working Group in November 2007

Supporting plan (Lead departments)	Description of plan	Implementation status and examples of actions monitored
National Plan to Achieve Maritime Domain Awareness (DOD and DHS)	Provides an approach for improving information collection and sharing in the maritime domain to identify threats as early and as distant from our shores as possible.	Execution phase
		The working group is monitoring eight actions—including guidance and planning efforts such as creation of work groups, prioritization of actions, and review of current capabilities—as well as the execution of recommendations.
Integration Plan in (DOD and DHS) p in	Uses existing capabilities to integrate intelligence regarding potential threats to U.S. interests in the maritime domain.	Planning phase
		The working group is monitoring nine actions, including planning efforts such as selecting senior staff and the physical location for operations, among other activities. They are also assessing capabilities and establishing plans, programs, and staff; developing coordination procedures; and training plans.
Maritime Operational Threat	Establishes roles and responsibilities to enable a quick and decisive coordinated	Assessment phase
Response Plan		The working group is monitoring 12 actions, including developing
(DOD and DHS)	U.S. response to threats against the United States. and its interests in the maritime domain.	operational plans for fulfilling roles and responsibilities and planning efforts such as developing a concept of operations and coordination procedures. They are also developing offshore search procedures, response training, and additional detection capabilities in the maritime environment.

<sup>&</sup>lt;sup>26</sup> The Maritime Security Working Group provided us a copy of a November 2007 briefing that contains the status of efforts to implement the supporting plans, a summary of key accomplishments, and the challenges faced. The working group also provided a spreadsheet it uses to track 76 actions that relate to these plans—which is discussed only in general terms because it is a *For Official Use Only* document.

Supporting plan (Lead departments)	Description of plan	Implementation status and examples of actions monitored
International Outreach and Coordination Strategy (State)	Provides a framework to coordinate maritime security initiatives undertaken with foreign governments and international organizations, and solicits international support for enhanced maritime security.	Planning phase
		The working group is monitoring seven actions, including planning efforts such as establishing a unified U.S. position on maritime security programs and initiatives and promoting maritime security as a key U.S. priority in international forums.
Maritime Infrastructure	Recommends procedures and	Planning phase
Recovery Plan (DHS)	standards for the recovery of the maritime infrastructure following attack or similar disruption.	The working group is monitoring eight actions, including guidance and planning efforts such as assigning risk management personnel to support response and recovery operations, incorporating recovery management procedures into port security plans, identifying private sector subject matter experts essential to recovery execution, and determining the cargo-handling capacity of domestic seaports.
Maritime Transportation	Recommends improvements to	Planning phase
System Security Recommendations (DHS)	the national and international regulatory framework regarding the maritime domain.	The working group is monitoring eight actions, including the establishment of multiple committees made up of maritime stakeholders, the development and application of risk assessment methodologies, and the engagement of maritime stakeholders in collaborative efforts to reduce security risks. They are also monitoring technology development to address gaps in maritime security, data management plans for information sharing, and maritime transportation system security training.
Maritime Commerce	Establishes a comprehensive	Planning phase
Security Plan plan to secure the maritime (DHS) supply chain.		The working group is monitoring 24 actions, including protocols to improve information sharing for maritime security, the development of a plan to detect nuclear and radiological materials in foreign seaports, the review of noncontainerized cargo operations, the continued development and promotion of international supply chain security standards with international partners, and continued partnership with the private sector.
Domestic Outreach Plan	Engages nonfederal input to	Completed
Domestic Outreach Plan (DHS)	Engages nonrederal input to assist with the development and implementation of maritime security policies.	•
		Outreach efforts completed and documented with the issuance of the <i>National Strategy for Maritime Security</i> and the supporting plans.

Source: GAO presentation of data provided by the Maritime Security Working Group.

Though we did not verify the accuracy of what the working group reported regarding the status of the 76 actions it had been monitoring, in August 2007 we reported that DHS had made substantial progress with regard to maritime security.<sup>27</sup> We reported that DHS had generally achieved 17 out of

<sup>27</sup> See GAO-07-454.

23 performance expectations. Specifically, we reported that DHS had generally achieved many planning goals, but had not achieved performance expectations related to the development of technology. For example, we reported that DHS had not developed a long-range vessel tracking system to provide more information on vessels approaching or already in U.S. waters. We have ongoing work reviewing the progress the Coast Guard has made in implementing its vessel tracking system.

In its November 2007 briefing to Maritime Security Policy Coordination Committee, the working group cited three challenges to implementing the National Strategy for Maritime Security and its supporting plans: (1) the need to align the implementing actions in overlapping national strategies, (2) the lack of dedicated interagency resources to effectively coordinate actions in supporting plans, and (3) the differences in the prioritization of actions by responsible components and agencies. The working group briefing also included recommendations to the Maritime Security Policy Coordination Committee to address these challenges. For example, to address the first challenge, it recommended an analysis of uncoordinated strategies with maritime components to identify gap-closing strategies. In response to the second challenge, the working group recommended that additional analysis of the maritime security strategy's implementation and coordination be conducted. The working group also identified the need to prioritize task recommendations and develop an implementation plan which integrates tasks into the individual plans. The working group suggested addressing the third obstacle by evaluating the feasibility of developing interagency priorities or an investment strategy for efforts that are mutually supportive of implementing the National Strategy for Maritime Security. According to the working group briefing, this would require the incorporation of a standardized mechanism for future updates and the need to ensure that the strategy's oversight roles and responsibilities are clarified, understood, and embraced by all parties.

### Agency Comments

We provided a draft of this report to the Departments of Defense, Homeland Security, and State for comment. The departments had no official comments on the draft, but provided technical comments which we incorporated as appropriate. We are sending copies of this report to interested congressional committees and subcommittees. We will make copies available upon request. In addition, this report will be available at no cost on the GAO Web site at http://www.gao.gov.

If you or your staffs have any questions about this report or wish to discuss the matter further, please contact me at (202) 512-9610 or caldwells@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. Key contributors to this report are listed in appendix II.

Stephen L. Caldwell, Director Homeland Security and Justice Issues

# Appendix I: Objectives, Scope and Methodology

Our first objective was to assess the extent to which the *National Strategy* for Maritime Security and its supporting implementation plans contain the elements identified as desirable characteristics of an effective national strategy. To answer this question, we first analyzed the *National Strategy* for Maritime Security and determined whether it contains the desirable characteristics for an effective national strategy that we identified in February 2004.<sup>1</sup> We also analyzed the unclassified versions of the strategy's eight supporting implementation plans to determine if they provided evidence of the characteristics contained within or missing from the national strategy. If a characteristic or an element of a characteristic was missing from the national strategy, our methodology required that the characteristic or element be present in at least five of the supporting plans for the characteristic to be considered "addressed." An assessment of "partially addressed" meant that the characteristic or element was present in at least one of the supporting plans. In our past work, we did not assess supporting plans as part of our evaluation of the national strategies. However, we believe it is proper to include the eight supporting plans in our analysis of the National Strategy for Maritime Security because Homeland Security Presidential Directive-13 (HSPD-13) directed that this strategy and its supporting plans be produced together. Two analysts independently reviewed the strategy and each of the supporting plans to determine whether the National Strategy for Maritime Security addressed each of the characteristics of an effective national strategy. Any differences between each analyst's determinations were resolved through discussion and a comparison of evidence.

Our second objective was to determine the reported status of the implementation of these plans. To describe the reported status of the implementation actions, we reviewed spreadsheets and briefing charts detailing the actions taken to implement the supporting plans that were obtained from representatives of DHS, DOD, and State who, in turn, had received them from the Maritime Security Working Group. We also conducted interviews with officials representing lead implementation agencies including DHS, DOD, and State, and the co-chair of the Maritime Security Working Group. These officials provided us with the same information on the actions taken to implement the supporting plans that we had received from the Maritime Security Working Group. We did not

<sup>&</sup>lt;sup>1</sup> For detailed information on how we developed the characteristics that we consider to be desirable for a national strategy and how we used them to evaluate the national strategies related to combating terrorism and homeland security, please see Appendix I of GAO-04-408T.

independently evaluate any of the actions reported for the implementation of these plans; however, we have published numerous reports regarding selected maritime security programs and initiatives that are included in the *National Strategy for Maritime Security* and its supporting plans. A list of related GAO products is included at the end of this report.

We conducted this performance audit from July 2007 to June 2008 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

# Appendix II: GAO Contacts and Staff Acknowledgments

GAO Contact	Stephen Caldwell (202) 512-9610 or caldwells@gao.gov
Acknowledgments	The report was prepared under the direction of Dawn Hoff, Assistant Director. Other individuals making key contributions to this report include Pille Anvelt, Nancy Briggs, Steve Calvo, Tony DeFrank, Wayne Ekblad, Geoff Hamilton, Stan Kostyla, April Thompson, and Adam Vogt.

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