

109TH CONGRESS
2^D SESSION

S. 3542

To improve maritime and cargo security and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 20, 2006

Mr. GRAHAM introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To improve maritime and cargo security and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Project SeaHawk Im-
5 plementation Act of 2006”.

6 **SEC. 2. ESTABLISHMENT OF ADDITIONAL INTERAGENCY**
7 **OPERATIONAL CENTERS FOR PORT SECU-**
8 **RITY.**

9 (a) IN GENERAL.—Not later than 2 years after the
10 date of enactment of this Act, the Secretary of Homeland
11 Security, acting through the Commandant of the Coast

1 Guard, shall establish or designate a center as an inter-
2 agency operational center for maritime and port security
3 in each geographic region designated as a Coast Guard
4 sector by the Commandant.

5 (b) PURPOSES.—The purposes of each center estab-
6 lished or designated under subsection (a) are to facilitate
7 day-to-day operational coordination, interagency coopera-
8 tion, unity of command, and the sharing of intelligence
9 information in a common mission to provide greater pro-
10 tection for port and intermodal transportation systems
11 against acts of terrorism.

12 (c) LOCATION.—Each center established or des-
13 igned under subsection (a) shall be co-located with the
14 command center for each geographic region designated as
15 a Coast Guard sector.

16 (d) CONNECTIVITY.—If a port is associated with a
17 command center that is not located at such port, the Sec-
18 retary shall utilize appropriate electronic communications,
19 including virtual connectivity, to maintain awareness of
20 activities of that port and to provide for participation by
21 the entities set out in subsection (f).

22 (e) REQUIREMENTS.—Each center established or des-
23 igned under subsection (a) shall—

24 (1) be modeled on the Charleston Harbor Oper-
25 ations Center (popularly known as Project

1 SeaHawk) administered by the United States Attor-
2 ney's Office for the District of South Carolina for
3 the Port of Charleston located in Charleston, South
4 Carolina; and

5 (2) be adapted to meet the security needs, re-
6 quirements, and resources of the individual port area
7 at which each is operating.

8 (f) PARTICIPATION.—The representatives of the fol-
9 lowing entities shall participate in each center established
10 or designated under subsection (a):

11 (1) The United States Coast Guard.

12 (2) The United States Attorney's Office in the
13 district in which the center is located.

14 (3) The Bureau of Customs and Border Protec-
15 tion of the Department of Homeland Security.

16 (4) The Bureau of Immigration and Customs
17 Enforcement of the Department of Homeland Secu-
18 rity.

19 (5) The Department of Defense, if the Sec-
20 retary of Homeland Security and the Secretary of
21 Defense determine appropriate.

22 (6) The Federal Bureau of Investigation.

23 (7) Other Federal agencies with a presence at
24 the port, as appropriate, or as otherwise determined
25 appropriate by the Secretary.

1 (8) State and local law enforcement and first
2 responder agencies responsible for the port, as ap-
3 propriate, or as otherwise determined appropriate by
4 the Secretary.

5 (9) Port authority representatives, maritime ex-
6 changes, private sector stakeholders, and other enti-
7 ties subject to an Area Maritime Security Plan pre-
8 pared pursuant to part 103 of title 33, Code of Fed-
9 eral Regulations, if determined appropriate by the
10 Secretary.

11 (g) RESPONSIBILITIES.—The head of each center es-
12 tablished or designated under subsection (a) shall—

13 (1) assist, as appropriate, in the implementa-
14 tion of maritime transportation security plans devel-
15 oped under section 70103 of title 46, United States
16 Code;

17 (2) implement the transportation security inci-
18 dent response plans required under section 70104 of
19 such title;

20 (3) be incorporated into the implementation of
21 maritime intelligence activities under section 70113
22 of such title;

23 (4) conduct short- and long-range vessel track-
24 ing under sections 70114 and 70115 of such title;

1 (5) be incorporated into the implementation of
2 section 70116 of such title;

3 (6) carry out information sharing activities con-
4 sistent with such activities required by section 1016
5 of the National Security Intelligence Reform Act of
6 2004 (6 U.S.C. 485) or the Homeland Security In-
7 formation Sharing Act (6 U.S.C. 481 et seq.);

8 (7) be incorporated into the screening and high-
9 risk cargo inspection programs carried out by the
10 Bureau of Customs and Border Protection; and

11 (8) carry out such other responsibilities that the
12 Secretary of Homeland Security determines are ap-
13 propriate.

14 **SEC. 3. REPORT.**

15 (a) REQUIREMENT.—Not later than 180 days after
16 the date of enactment of this Act, the Secretary of Home-
17 land Security shall submit to the Committee on Appropria-
18 tions, the Committee on Homeland Security and Govern-
19 mental Affairs, and Committee on Commerce, Science,
20 and Transportation of the Senate and the Committee on
21 Appropriations, the Committee on Homeland Security,
22 and the Committee on Energy and Commerce of the
23 House of Representatives a plan for the implementation
24 of this Act.

1 (b) CONTENTS.—The report submitted under sub-
 2 section (a) shall describe, for each center that will be es-
 3 tablished under section 2(a)—

4 (1) the location of such center;

5 (2) the entities who will participate in the cen-
 6 ter;

7 (3) the cost to establish and operate the center;
 8 and

9 (4) the resources necessary to operate and
 10 maintain, including the cost-sharing requirements
 11 for other agencies and participants.

12 **SEC. 4. RELATIONSHIP TO OTHER REQUIREMENTS.**

13 The Commandant of the Coast Guard shall utilize in-
 14 formation developed for the report required by section 807
 15 of the Coast Guard and Maritime Transportation Act of
 16 2004 (Public Law 108–293; 118 Stat. 1082) to carry out
 17 the requirements of this Act. The Commandant shall uti-
 18 lize the information developed for the report required by
 19 that section in carrying out the requirements of this Act.

20 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

21 There are authorized to be appropriated such sums
 22 as may be necessary for each Coast Guard sector for fiscal
 23 years 2007 through 2012 to carry out this Act.

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