

109TH CONGRESS
2D SESSION

H. R. 5720

To improve maritime and cargo security, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 2006

Mr. BROWN of South Carolina (for himself, Mr. SPRATT, Mr. RUPPERSBERGER, Mr. BARRETT of South Carolina, and Mr. WILSON of South Carolina) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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”.

1 **SEC. 2. ESTABLISHMENT OF ADDITIONAL INTERAGENCY**
2 **OPERATIONAL CENTERS FOR PORT SECU-**
3 **RITY.**

4 (a) **IN GENERAL.**—Not later than 2 years after the
5 date of enactment of this Act, the Secretary of Homeland
6 Security, acting through the Commandant of the Coast
7 Guard, shall establish or designate a center as an inter-
8 agency operational centers for maritime and port security
9 in each geographic region designated as a Coast Guard
10 sector by the Commandant.

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

18 (c) **LOCATION.**—Each center established or des-
19 igned under subsection (a) shall be co-located with the
20 command center for each geographic region designated as
21 a Coast Guard sector.

22 (d) **CONNECTIVITY.**—If a port is associated with a
23 command center that is not located at such port, the Sec-
24 retary shall utilize appropriate electronic communications,
25 including virtual connectivity, to maintain awareness of

1 activities of that port and to provide for participation by
2 the entities set out in subsection (f).

3 (e) REQUIREMENTS.—Each center established or des-
4 ignated under subsection (a) shall—

5 (1) be modeled on the Charleston Harbor Oper-
6 ations Center (popularly known as Project
7 SeaHawk) administered by the United States Attor-
8 ney’s Office for the District of South Carolina for
9 the Port of Charleston located in Charleston, South
10 Carolina; and

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

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

17 (1) The Coast Guard.

18 (2) The United States Attorney’s Office in the
19 district in which the center is located.

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

22 (4) The Bureau of Immigration and Customs
23 Enforcement of the Department of Homeland Secu-
24 rity.

1 (5) The Department of Defense, if the Sec-
2 retary of Homeland Security and the Secretary of
3 Defense determine appropriate.

4 (6) The Federal Bureau of Investigation.

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

8 (8) State and local law enforcement and first
9 responder agencies responsible for the port, as ap-
10 propriate, or as otherwise determined appropriate by
11 the Secretary.

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

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

20 (1) assist, as appropriate, in the implementa-
21 tion of maritime transportation security plans devel-
22 oped under section 70103 of title 46, United States
23 Code;

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

4 (3) be incorporated into the implementation of
5 maritime intelligence activities under section 70113
6 of such title;

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

9 (5) be incorporated into the implementation of
10 section 70116 of such title;

11 (6) carry out information sharing activities con-
12 sistent with such activities required by section 1016
13 of the National Security Intelligence Reform Act of
14 2004 (6 U.S.C. 485) or the Homeland Security In-
15 formation Sharing Act (6 U.S.C. 481 et seq.);

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

19 (8) carry out such other responsibilities that the
20 Secretary of Homeland Security determines are ap-
21 propriate.

22 **SEC. 3. REPORT.**

23 (a) **REQUIREMENT.**—Not later than 180 days after
24 the date of enactment of this Act, the Secretary of Home-
25 land Security shall submit to the Committee on Appropria-

1 tions, the Committee on Homeland Security and Govern-
2 mental Affairs, and Committee on Commerce, Science,
3 and Transportation of the Senate and the Committee on
4 Appropriations, the Committee on Homeland Security,
5 and the Committee on Energy and Commerce of the
6 House of Representatives a plan for the implementation
7 of this Act.

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

11 (1) the location of such center;

12 (2) the entities who will participate in the cen-
13 ter;

14 (3) the cost to establish and operate the center;
15 and

16 (4) the resources necessary to operate and
17 maintain, including the cost-sharing requirements
18 for other agencies and participants.

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

20 The Commandant of the Coast Guard shall utilize in-
21 formation developed for the report required by section 807
22 of the Coast Guard and Maritime Transportation Act of
23 2004 (Public Law 108–293; 118 Stat. 1082) to carry out
24 the requirements of this Act. The Commandant shall uti-

1 lize the information developed for the report required by
2 that section in carrying out the requirements of this Act.

3 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

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

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