United States Government Accountability Office

Report to Congressional Committees

April 2023

COAST GUARD

Opportunities Exist To Strengthen Foreign Port Security Assessment Program

Accessible Version

GAO-23-105385

GAO Highlights

Highlights of GAO-23-105385, a report to congressional committees

April 2023

COAST GUARD

Opportunities Exist To Strengthen Foreign Port Security Assessment Program

Why GAO Did This Study

The U.S. Coast Guard is a multi-mission maritime military service within the Department of Homeland Security responsible for securing the U.S. maritime transportation system.

The William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 includes a provision for GAO to review the Coast Guard's International Port Security Program. This report addresses, among other things, the extent the Coast Guard: (1) assessed foreign port security from fiscal years 2014 through 2022, and (2) shared its foreign port assessments and coordinated capacity building efforts with relevant federal stakeholders.

GAO reviewed relevant law and federal guidance, analyzed Coast Guard and State Department documentation and data, and interviewed cognizant officials from these agencies and CBP.

What GAO Recommends

GAO is making six recommendations, including that the Coast Guard document its procedures for using alternative approaches to make foreign port security assessment determinations, share its annual assessment reports with CBP and other federal agencies it identifies as having a vested interest, and establish a process with the State Department for coordinating foreign port security capacity building.

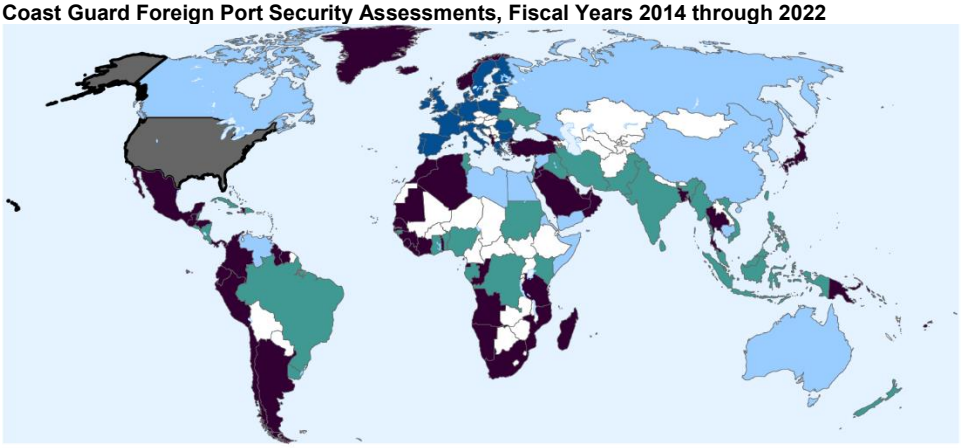
The Department of Homeland Security and State Department concurred with the recommendations.

View GAO-23-105385. For more information, contact Heather MacLeod at (202) 512-8777 or MacLeodH@gao.gov.

What GAO Found

Under its International Port Security Program, the Coast Guard has assessed the security of foreign maritime ports. Since 2014, the Coast Guard generally met its triennial foreign port security assessment requirement before the COVID-19 pandemic led it to suspend its country assessment visits during fiscal years 2020 and 2021. The program resumed its visits in May 2021.

Coast Guard Foreign Port Security Assessments, Fiscal Years 2014 through 2022



Source: GAO analysis of U.S. Coast Guard data; Map Resources (map). | GAO-23-105385

The Coast Guard has faced a longstanding challenge in accessing some countries' ports to conduct assessments. In recent years, the service began using alternative approaches—such as using Coast Guard intelligence—to make determinations for some countries it has been unable to visit. However, the program has not consistently done so. By documenting procedures for using alternative approaches, the Coast Guard could better ensure that personnel consistently implement this practice.

The program documents the results of its foreign port assessments in various reports. However, as of September 2022, it had not disseminated its most comprehensive report (known as its annual report) to Customs and Border Protection (CBP) and other federal agencies that may have a vested interest in receiving it. For example, it had not shared them with CBP, which is required to assess the information in its supply chain security efforts. By sharing its annual reports with CBP and other federal agencies, the Coast Guard could better support its "whole of government" approach for securing the U.S. supply chain.

Like the Coast Guard, the State Department provides capacity building to help its maritime trading partners strengthen their port security. However, the two agencies have not regularly coordinated planning and implementation in these

efforts. By establishing a process for doing so, they can better ensure that they are complementing, rather than potentially overlapping, their efforts.

Contents

Figures

Abbreviations

ATA	Anti-Terrorism Assistance
CBP	U.S. Customs and Border Protection
CSI	Container Security Initiative
CTPAT	Customs Trade Partnership Against Terrorism
DHS	Department of Homeland Security
ISPS Code	International Ship and Port Facility Security Code

U.S. GOVERNMENT ACCOUNTABILITY OFFICE
441 G St. N.W.
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April 18, 2023

The Honorable Maria Cantwell
Chair
The Honorable Ted Cruz
Ranking Member
Committee on Commerce, Science, and Transportation
United States Senate

The Honorable Sam Graves
Chair
The Honorable Rick Larsen
Ranking Member
Committee on Transportation and Infrastructure
House of Representatives

The United States relies on the efficient and secure transportation of cargo through the U.S. supply chain. The security of foreign seaports is critical to doing so, as 90 percent of global trade relies upon maritime vessels transiting from foreign ports, directly fueling more than $5.4 trillion of annual economic activity as part of the U.S. marine transportation system. According to the U.S. Department of Transportation, the majority of U.S. cargo arrives by maritime vessel—accounting for about 41 percent of total cargo value, or over $1.8 trillion, shipped in 2021.[1]

However, the movement of cargo through the U.S. supply chain is inherently vulnerable to terrorist threats given that criminals have exploited foreign seaports for other illegal purposes, such as to smuggle people, weapons, and illicit substances to the United States. The Department of Homeland Security's (DHS) supply chain security strategy has focused in part on identifying and addressing potential security risks at foreign ports as a way to reduce the risk posed by vessels transiting from them to U.S. ports.

[1]See U.S. Department of Transportation, Bureau of Transportation Statistics, *2023 Port Performance Freight Statistics Program: Annual Report to Congress,* (Washington, DC: 2023).

The Maritime Transportation Security Act of 2002 directed the Secretary of DHS to assess the effectiveness of antiterrorism measures maintained at countries with ports from which vessels depart to the United States (i.e., trading partners).[2] This responsibility is carried out by the U.S. Coast Guard, a multimission maritime military service within DHS, and the lead federal agency responsible for securing U.S. ports and waterways. In 2004, the Coast Guard established the International Port Security Program to implement this requirement.

The SAFE Port Act of 2006 amended the United States Code to include a three-year periodic reassessment period for foreign port assessments.[3] To be responsive to the SAFE Port Act provision, the program requires Coast Guard personnel to assess a country's port security measures at least every 3 years and offer assistance, as needed, as a way to encourage stronger global port security, and therefore reduce the risk of terrorism to the U.S. marine transportation system.[4] Created to mitigate the risk of importing terrorism via international maritime commerce, DHS considers the program a key component of its U.S. supply chain security efforts.

The William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 included a provision for GAO to study the Coast Guard's International Port Security Program.[5] We examined four objectives in this report on the Coast Guard's implementation of the program, including (1) the extent it assessed the security of foreign ports from fiscal years 2014 through 2022 and factors that affected its efforts to do so, (2) its actions in fiscal years 2014 through 2022 to address foreign ports that lack effective antiterrorism measures, (3) the extent it shared foreign port assessments and coordinated capacity building efforts with relevant federal agencies,

[2]Pub. L. No. 107-295, § 102, 116 Stat. 2064, 2079-80 (codified at 46 U.S.C. §§70108–70110).

[3]The port security provisions under § 102 of the Maritime Transportation Security Act of 2002 are codified at title 46, subtitle VI, of the United States Code. Pub. L. No. 107-295, § 102, 116 Stat. 2064, 2068-84 (codified at 46 U.S.C. §§ 70101-70117). The SAFE Port Act amended the codified provisions of the Maritime Transportation Security Act by adding a periodic reassessment provision under 46 U.S.C. § 70108. Pub. L. No. 109-347, § 234, 120 Stat. 1884, 1918-19 (codified at 46 U.S.C. § 70108(d)).

[4]The U.S. marine transportation system includes waterways, ports and land-side connections, moving people and goods to and from the water.

[5]Pub. L. No. 116-283, § 8255, 134 Stat. 3388, 4676.

and (4) the extent its performance measures aligned with key objectives of the program.

To address the first objective, we reviewed relevant laws and Coast Guard guidance pertaining to its foreign port assessments. We analyzed the Coast Guard's documentation on its process for meeting applicable requirements of the Maritime Transportation Security Act of 2002 and SAFE Port Act of 2006 and making determinations about foreign port security, including its international port security operations manual. We also analyzed Coast Guard data on its foreign port assessments—known as country assessments—from fiscal years 2014 through 2022. These data included the country that the Coast Guard assessed and the dates it did so.

We interviewed program officials from the Coast Guard's Atlantic Area Command and headquarters to understand how the program operated and challenges it faced. We evaluated this process relative to legal requirements for the Coast Guard; Coast Guard Commandant Instructions*;* the Coast Guard's *Framework for Strategic Mission Management, Enterprise Risk Stewardship, and Internal Control;* and *Standards for Internal Control in the Federal Government*.[6]

To address the second objective, we analyzed Coast Guard documentation on the actions it takes when it finds countries do not have effective maritime port antiterrorism measures in place, including the program's operations manual. We reviewed Coast Guard documentation on its program's decision-making process for determining whether to place additional security measures in place for vessels arriving from foreign countries. We also reviewed documentation on its process for selecting countries in which to offer technical support for strengthening port security.[7]

We analyzed Coast Guard data on the countries where the Coast Guard's International Port Security Program provided technical support, which

[6]U.S. Coast Guard Deputy Commandant for Operations, *Framework for Strategic Mission Management, Enterprise Risk Stewardship, and Internal Control* (July 2020); GAO, *Standards for Internal Control in the Federal Government*, GAO-14-704G (Washington, D.C.: September 2014).

[7]According to Coast Guard officials, the Coast Guard considers the foreign port security technical support it provides as meeting the statutory requirement of providing training to countries' ports that lack effective antiterrorism measures. 46 U.S.C. § 70109(b). For the purpose of this report, we refer to this training as technical support.

includes both capacity building and enhanced assistance, from fiscal years 2014 through 2022. We interviewed Coast Guard officials to obtain their perspectives on the technical support the Coast Guard provides.

To address the third objective, we reviewed applicable law, Coast Guard policy, and procedures outlining the types of assessment reports the program documents. Further, we reviewed the role of federal agency stakeholders related to their involvement with the Coast Guard's program, and their use of information contained in these assessments. We also reviewed Coast Guard documentation of the program's information sharing across DHS and with other federal departments and agencies, such as its dissemination lists for its annual country assessment reports. We interviewed Coast Guard program officials and U.S. Customs and Border Protection (CBP) Container Security Initiative and Customs Trade Partnership Against Terrorism program officials to obtain their perspectives on how the Coast Guard shared the results of its foreign port assessments.

We analyzed data from Coast Guard and the Department of State (State Department) on the number of capacity building courses the two agencies conducted from fiscal years 2014 through 2022.[8] Further, we interviewed Coast Guard and State Department officials to obtain information about how they coordinate and share information, if at all, pertaining to their programs' capacity building efforts. We evaluated the program's and State Department's information sharing actions and coordination related to Coast Guard program policy, *Standards for Internal Control in the Federal Government*, and best practices to mitigate potential fragmentation, overlap, and duplication within the federal Government.[9]

For these three objectives, we assessed the reliability of Coast Guard's data we reviewed by (1) having discussions with cognizant officials in the Coast Guard, (2) conducting manual testing of the data, and (3) reviewing the data for missing values, outliers, or errors. We determined Coast

[8]Capacity building includes seminars and workshop type training activities. The Coast Guard does not consider these to be formal training activities. This is because they do not require attendance and have no formal assessments at the completion of the course. However, for comparison to the State Department's activities, we use the term training when referring to them.

[9]GAO-14-704G and GAO, *Fragmentation, Overlap, and Duplication: An Evaluation and Management Guide,* GAO-15-49SP, (Washington, D.C.: April 2015).

Guard data were sufficiently reliable for reporting from fiscal years 2014 through 2022 on the extent the program assessed foreign ports during this time, and met SAFE Port Act of 2006 requirements for DHS to assess foreign ports every 3 years;[10] and the number, location, and years it conducted capacity building and enhanced assistance activities. For the third objective, we also assessed the reliability of State Department capacity building activity data by reviewing it for missing values, outliers, and errors. We determined State Department's data were reliable for reporting on the number, location, and years it conducted capacity building activities from fiscal years 2014 through 2022.

To address the fourth objective, we reviewed applicable legal requirements for the program and Coast Guard documentation and data describing the program's performance measures, targets, and results for fiscal years 2014 through 2022. Further, we reviewed program policy to determine the key objectives of the program.[11] We interviewed cognizant Coast Guard headquarters officials for their perspectives on how the service measures the program's performance and potential challenges in doing so. We evaluated the Coast Guard's performance evaluation efforts based on the Coast Guard's *Framework for Strategic Mission Management, and Enterprise Risk Stewardship, and Internal Control*.

Finally, to inform all four objectives, we conducted two site visits to observe the program's foreign port assessment and capacity building actions in real time. In April 2022, we visited Jamaica to observe how program officials provide capacity building to foreign government and port officials on implementation of international port security standards. In May 2022, we visited Angola to observe how program officials conduct a country assessment. During that visit, we observed program assessment activities at the ports of Luanda and Lobito.

We selected Jamaica and Angola for our site visits based on factors including the type of activity the program planned, its visit schedule, and geographic region. The information we obtained is not generalizable to the Coast Guard's overall foreign port assessment and technical support activities. However, it provided insight on how program officials conduct foreign port assessments and provide technical support to officials representing foreign governments and port facility operators.

[10]Pub. L. No. 109-347, § 234, 120 Stat. at 1918 (codified at 46 U.S.C. § 70108(d)).

[11]U.S. Coast Guard Commandant Instruction 16618.9 (Washington, D.C.: May 3, 2021).

We conducted this performance audit from August 2021 to April 2023 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.

Background

International Port Facility Security Standards

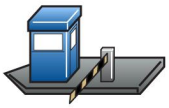
Within the United Nations, the International Maritime Organization issued an international framework of standards to guide cooperation among countries and shipping and port industries to address security threats and incidents.[12] The framework, in place since July 2004, is known as the International Ship and Port Facility Security (ISPS) Code. It provides the primary security requirements and guidance applicable to ships engaged in international voyages, and port facilities serving such ships. It establishes respective roles and responsibilities for countries and port facility operators, requires countries to have plans in place for addressing security risks, and aims to help ensure that adequate maritime security measures are in place. According to Coast Guard officials, in 2004, the Coast Guard notified countries with vessels traveling to U.S. ports that they must follow the ISPS Code.[13]

The ISPS Code includes four key elements, as shown in figure 1.

[12]The International Maritime Organization is a specialized agency of the United Nations responsible for measures to improve the safety and security of international shipping and to prevent pollution from ships. It is also involved in legal matters, including liability and compensation issues and the facilitation of international maritime traffic. For more information on the International Ship and Facility Code, see International Maritime Organization, *International Ship & Port Facility Security Code and SOLAS Amendments 2002* (London: 2003).

[13]According to Coast Guard information, the Coast Guard is responsible for assessing whether 164 different countries are following the ISPS Code.

Figure 1: Key Elements of the International Ship and Port Facility Security Code Standards



Access control
A system is in place to provide adequate credentialing of personnel, including guards to verify authorized access and to search people and vehicles that enter the port.

Monitoring
A system is in place, such as closed circuit television, to monitor the security of the port facility.

Control of cargo and ships' stores
A system is in place to ensure that cargo and ships' stores being delivered to the port facility are authorized and do not contain contraband.

Training and exercises
People responsible for facility security have had adequate training. Exercises are carried out at appropriate intervals to ensure port facility personnel understand their duties.

Source: GAO analysis of U.S. Coast Guard and International Maritime Organization information; GAO (illustrations). | GAO-23-105385

Coast Guard's International Port Security Program

The Coast Guard considers the International Port Security Program to be a key component of its activities to meet its statutory mission to protect the U.S. marine transportation system from security threats.[14] Specifically, Coast Guard policy identifies the primary goal of the program as the reduction in risk of terrorism to the United States and its marine transportation system.[15] According to the policy, it is to address this risk by (1) assessing the effectiveness of anti-terrorism measures in foreign ports, (2) setting conditions of entry for vessels arriving from ports with inadequate security, and (3) improving port security capacity and maritime governance.

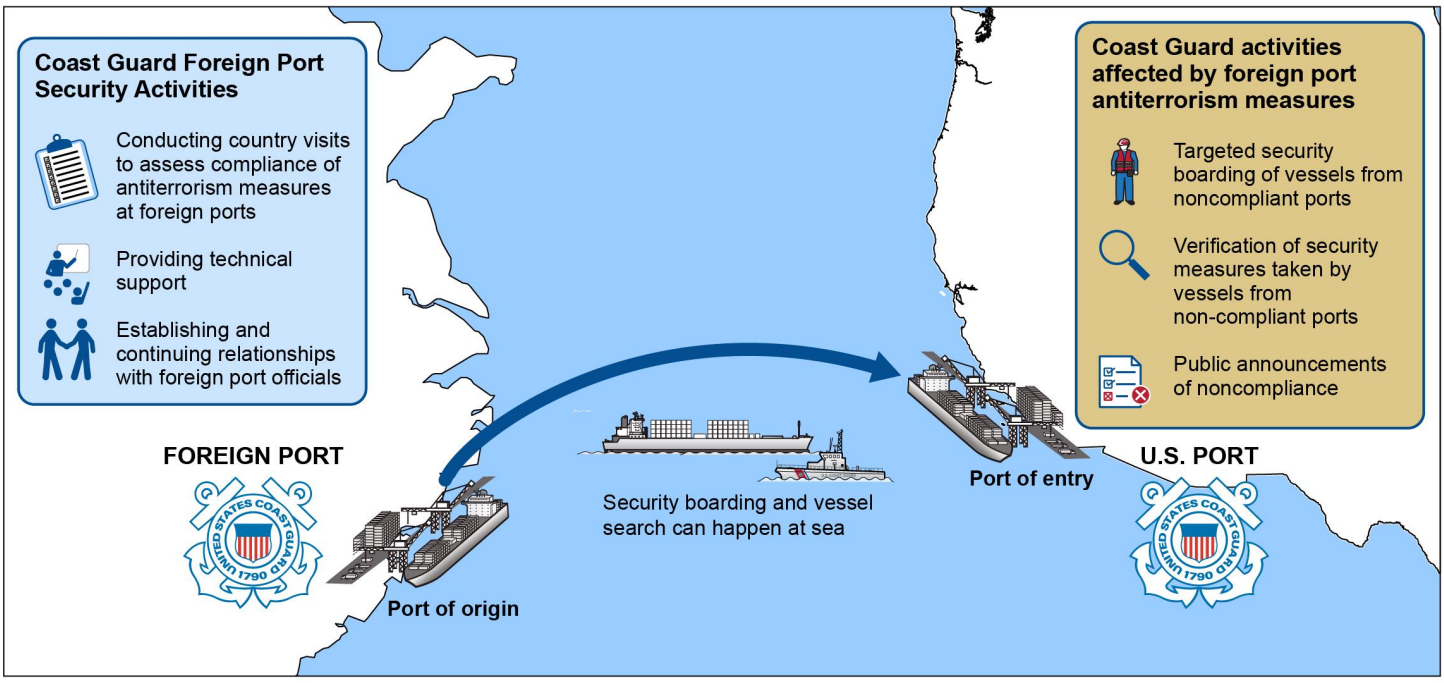
[14]See generally 6 U.S.C. § 468(a)(2).

[15]Commandant Instruction 16618.9 (May 2021).

The service uses the program as an early warning indicator on potential risks posed to U.S. ports by vessels transiting from foreign ports that are not implementing effective antiterrorism measures. Specifically, according to program documentation, the program's efforts are to (1) provide the Coast Guard with domain awareness of the global port security environment, (2) identify ways for foreign governments and port facility operators to more fully implement the ISPS Code and antiterrorism measures, and (3) use results of the program's assessments to inform how the Coast Guard implements domestic port security measures for vessels arriving from foreign ports.

Figure 2 illustrates how the program's foreign port assessments influence the Coast Guard's domestic port security efforts.

Figure 2: Coast Guard International Port Security Program's Broader Role in Maintaining U.S. Port Security



Source: GAO analysis of U.S. Coast Guard information; GAO (illustrations); U.S. Coast Guard (logo). | GAO-23-105385

Country assessments. The program generally conducts in-person foreign port security assessments—known as country assessments—to meet the Coast Guard's statutory requirement to assess maritime trading partner ports on at least a triennial basis.[16] In conducting its country

[16]46 U.S.C §§ 70108(d).

assessments, the program assesses the effectiveness of a trading partner's port antiterrorism security measures based on its implementation of ISPS Code standards. The country assessment is the program's most comprehensive assessment and formal determination on the extent a country is implementing key elements of the ISPS Code. To conduct these, program personnel generally visit a sample of ports within a country (see figure 3).

Figure 3: Coast Guard Foreign Port Assessments in Guinea-Bissau (left), Tanzania (top right), and Thailand (bottom right)

Source: U.S. Coast Guard. | GAO-23-105385

During its visits, personnel are to meet with the country's officials responsible for implementing the ISPS Code—including government representatives and port facility operators—and observe security measures in place at port facilities. From these meetings and through its observations of port security measures, program officials determine the country's overall port security performance. Program teams generally include a head delegate, responsible for managing the assessment visit, an assessor, and a liaison officer. The liaison officer is responsible for

coordinating the logistics of country assessments and maintaining program relations with the host country.[17]

Program Budget and Staffing

According to Coast Guard officials, the program had a fiscal year 2022 budget of about $3.5 million, excluding program personnel salaries. When adjusted for inflation to 2022 dollars, the budget decreased slightly from fiscal year 2016, which was about $3.6 million.[18]

As of October 2022, the program included 65 authorized positions based out of Coast Guard headquarters in Washington, D.C., and the Atlantic Area Command, located in Portsmouth, Virginia, with some stationed at overseas locations in the Netherlands and Japan. About 75 percent (49 of 65) were active duty military personnel, with the rest civilian personnel. According to Coast Guard program leadership, active duty military personnel generally serve the program for periods of 3 to 4 years before rotating to other units. As a result, the program routinely brings on new personnel.

COVID-19 Affected the Coast Guard's Progress Assessing Foreign Ports; Service Does Not Have a Process for Assessing Countries It Does not Visit

The Coast Guard generally met its triennial foreign port security assessment requirements from fiscal year 2014 until March 2020, when the COVID-19 pandemic led it to suspend its country visits. In May 2021,

[17]Beyond the country assessments, liaison officers are also to conduct annual assessments to, among other things, maintain situational awareness of maritime security in the country, preserve and renew relationships and lines of communication with country representatives, and identify new points of contact. Liaison officers also are to provide additional technical support to countries when program officials determine a country would benefit from the assistance to increase its port security. Liaison officers also are to continuously assess port security conditions between triennial country assessments and report findings to the program leadership. They also work with foreign port authorities and country officials to establish reciprocal engagements where foreign governments visit U.S. ports to foster better relationships with foreign government officials.

[18]We adjusted for inflation using the U.S. Gross Domestic Product Price Index from the U.S. Department of Commerce, Bureau of Economic Analysis.

the Coast Guard restarted its triennial country assessment cycle to meet its assessment requirements. Coast Guard officials reported that the program implemented alternative assessment efforts for those countries it may be unable to visit for its country assessments; however, it has not fully established a process for doing so.

Progress in Conducting Country Assessments Slowed by COVID-19

During our site visit to Angola, we observed Coast Guard personnel conducting practices that benefited their mission to facilitate increased anti-terrorism measures at a port:

- **Real Time Recommendations can be Made**: Coast Guard officials recommended that an Angolan port facility implement a random vehicle inspection after witnessing inconsistencies in how port officials were doing it. As a result, Coast Guard officials were able to make real time recommendations and make it clear what needs to be addressed, why, and how.
- **Building Trust and Fostering Cooperation between Nations**: Angolan government officials asked the Coast Guard for help on how to train and oversee the work of port officials. Further, Angolan officials shared that they would welcome the Coast Guard's offer for them to visit the U.S to observe its port security operations.

U.S. Coast Guard Personnel Speaking with Angolan Officials at Port Lobito

Source: GAO. | GAO-23-105385

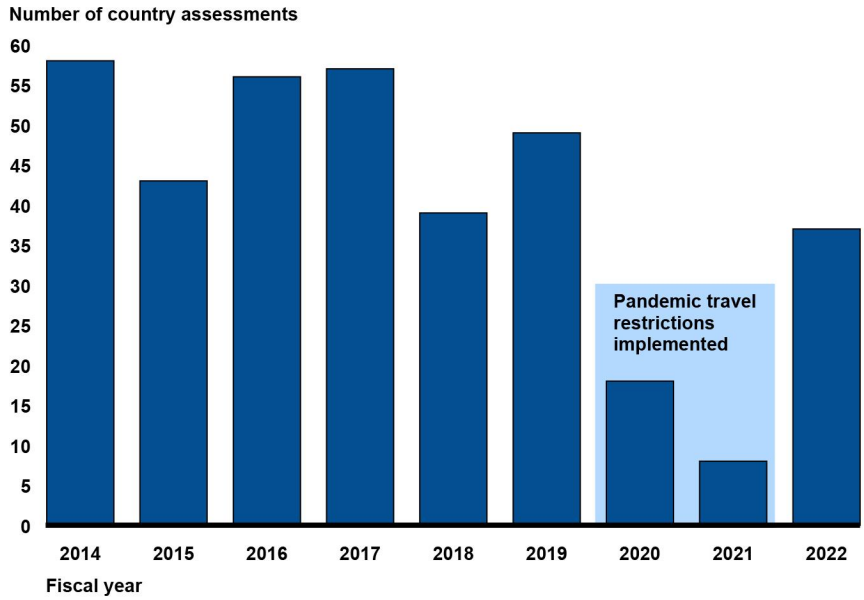
During fiscal years 2014 through 2022, the Coast Guard conducted country assessments of 123 of its 164 maritime trading partners.[19] However, the COVID-19 pandemic affected the Coast Guard's progress in completing its statutorily required triennial country assessments.[20] Specifically, from March 2020 to May 2021, the Coast Guard suspended all country assessment visits due to COVID-19. This resulted in the program canceling 80 planned country assessments during this time.

Prior to COVID-19 travel restrictions, the Coast Guard had completed an average of 50 country assessments per year from fiscal year 2014 through fiscal year 2019. In comparison, due to COVID-19, it only conducted an average of 13 country assessments for fiscal years 2020 and 2021. In fiscal year 2022, the program completed 37 country assessments, which more closely aligned with its pre COVID-19 pace (see figure 4).

[19]The Coast Guard has an agreement with the governing body for 23 European Union nations. Through this agreement, the Coast Guard recognizes inspections completed by that nation's governing body in the same manner as it recognizes its own country assessment. 46 U.S.C. § 70108(f) (permitting the Secretary to recognize an assessment conducted by other entities as an assessment conducted by the Secretary).

[20]46 U.S. C. § 70108(d).

Figure 4: Number of Coast Guard International Port Security Program Country Assessments, Fiscal Years 2014 through 2022



Source: GAO analysis of U.S. Coast Guard data. | GAO-23-105385

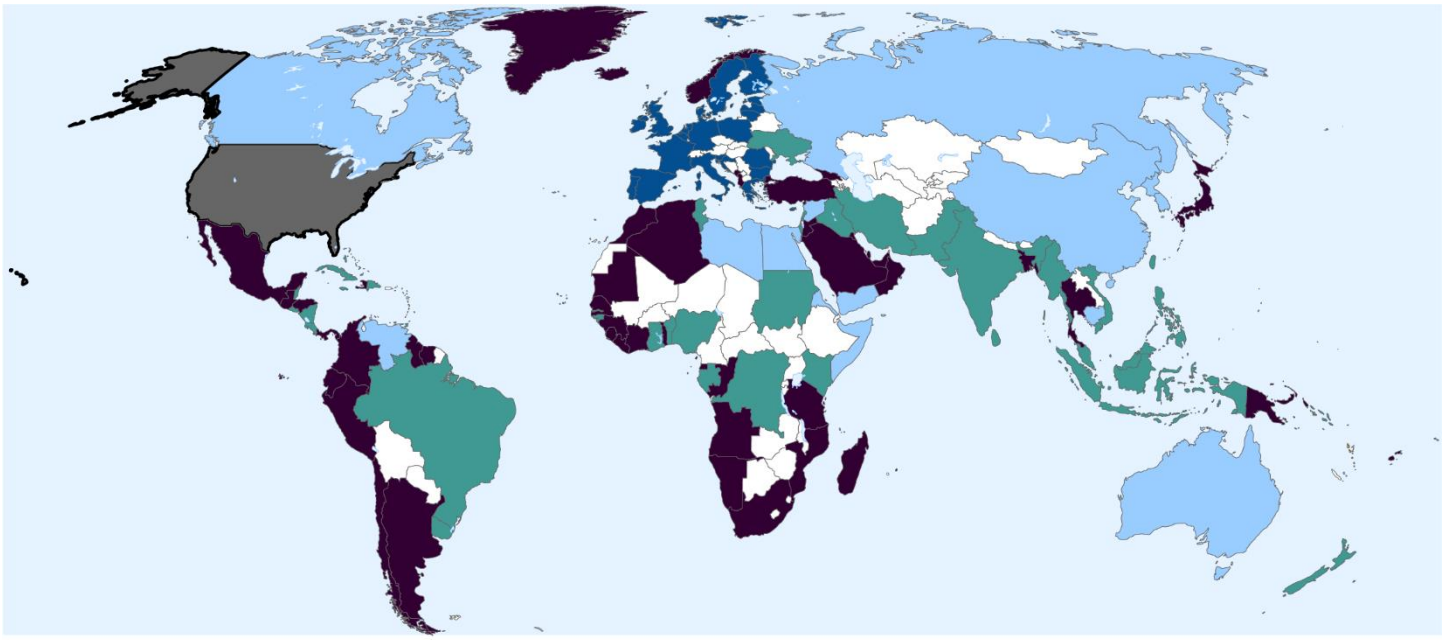
Accessible Data for Figure 4: Number of Coast Guard International Port Security Program Country Assessments, Fiscal Years 2014 through 2022

Fiscal year	Number of country assessments
2014	58
2015	43
2016	56
2017	57
2018	39
2019	49
2020	18
2021	8
2022	37

As of September 2022, the Coast Guard had documented determinations as to whether a country's ports implemented the ISPS Code for 89 of 164 trading partner countries (54 percent) within the last 3 years, as required. However, it had not made determinations in over 3 years for 75 of 164 countries (46 percent). Coast Guard officials generally attributed the program not having made determinations on these countries to its

COVID-19 travel suspension—when it did not conduct country visits.[21] Figure 5 shows the Coast Guard's status in meeting its triennial port security assessments for fiscal years 2014 through 2022.

Figure 5: Status of Coast Guard's Triennial Foreign Port Assessments of Trading Partners, Fiscal Years 2014 through 2022



Coast Guard has conducted assessment within the last 3 years, as required[a]

Coast Guard used results from European Commission's assessments[b]

Coast Guard has conducted assessment since 2014 but not within the last 3 years[c]

Coast Guard has not conducted assessment since 2014[d]

Source: GAO analysis of U.S. Coast Guard data; Map Resources (map). | GAO-23-105385

[a]The Coast Guard is up to date in meeting its triennial country assessments for 64 countries. That is, the Coast Guard has conducted a country assessment within the last 3 years, as required by law. 46 U.S.C. § 70108(d).

[b]The Coast Guard has an agreement with the governing body for 23 European Union nations. Through this agreement, Coast Guard recognizes inspections completed by that nations governing body in the same manner as it recognizes its own country assessment. 46 U.S.C. § 70108(f). In fiscal year 2020, the Coast Guard documented that all affected European Union nations were maintaining effective antiterrorism measures at their ports.

[21]In this report, we refer to determinations as the final result of the program's country assessment indicating whether a country is implementing the ISPS Code. While all country assessments result in determinations, the Coast Guard may make determinations based on other sources of information. We discuss this in more detail later in the report. Further, we defined a determination to be within 3 years if the Coast Guard completed it within the third fiscal year since its last one.

[c]The Coast Guard conducted country assessments of 59 countries from fiscal years 2014 through 2022. However, as of September 2022, it is not up to date in meeting its triennial country assessments for 59 countries.

[d]The Coast Guard did not conduct country assessments of 18 countries during fiscal years 2014 through 2022.

Procedures Not Established for Using Alternative Approaches to Make Foreign Port Security Determinations

The Coast Guard has not always conducted a country assessment in person to make a foreign port security determination. Coast Guard officials stated that even prior to the COVID-19 pandemic, the program faced challenges accessing some countries to conduct required country assessments. For example, according to Coast Guard documentation, program officials have not visited 18 countries since 2014. According to officials, a longstanding challenge has been the program's reliance on foreign countries' willingness to cooperate with the assessment process, and the Coast Guard's inability to access some of them for country assessments. This is because the program's ability to do so is subject to a country's approval and its diplomatic relations with the United States.

Real-Time Recommendations Resulting in Real-Time Fixes

During the program's country assessment visit to Angola, we observed Coast Guard personnel identify deficiencies with a port facility operator's physical security infrastructure. Program officials recommended the Angolan port facility operator address these deficiencies, and, in one instance, by the time our observation had concluded, Angolan personnel had addressed it.

Source: GAO | GAO-23-105385

The Coast Guard Authorization Act of 2010 states that the absence of the Coast Guard's inspection of a foreign port does not prohibit its determination of ineffective antiterrorism measures.[22] Further, the Coast Guard generally recognizes the importance of making determinations to help assess and reduce risk to the U.S. marine transportation system. Thus, Coast Guard officials stated that when the program did not conduct a country assessment, it has used alternative approaches—such as reviewing Coast Guard intelligence or open-source reporting—to determine whether a country's ports are implementing the ISPS Code. However, as of fiscal year 2022, the program had conducted alternative assessments for only two of the 18 countries it did not visit.[23]

Coast Guard officials told us that while the program has used alternative approaches to determine whether a country is meeting the ISPS Code, it did not have documented procedures for doing so. For instance, it does

[22]Pub. L. No. 111-281, § 806(a), 124 Stat. 2905, 2992 (codified as 46 U.S.C. § 70108(e)).

[23]The program provided documentation showing its determination of the status of the Russian Federation and Lebanon in meeting ISPS Code. According to Coast Guard's most recent annual country assessment report, the program has not been able to visit the Russian Federation since prior to 2014 and Lebanon since 2019.

not document how or when the program should make determinations using alternative approaches, or at what intervals. Officials noted that, in January 2021, the program began using alternative approaches to make foreign port security determinations as a way to address its inability to access certain countries. However, as of September 2022, the program had only documented two such determinations of countries it was unable to visit because of access issues. Officials noted that the newness of its process was the reason the program had not documented procedures for it. Still, the program's most recent update to its standard operating procedures, in September 2022, did not include a process for using alternative approaches to make port security determinations.

The Coast Guard Authorization Act of 2010 states that the Secretary of DHS has the authority to make a determination regarding ISPS Code implementation even when it cannot complete an inspection of a foreign port.[24] Moreover, Coast Guard policy requires that Coast Guard units produce and retain adequate supporting documentation to monitor implementation of its activities. Coast Guard policy highlights *Standards for Internal Control in the Federal Government* that states management should document policies and procedures for each unit's responsibility for an operational process's objectives and related risks, and control activity design, implementation, and operating effectiveness.[25]

Coast Guard officials told us they recognized the importance of regularly updating the program's standard operating procedures for documenting its determinations, particularly in light of the routine turnover the program experiences as part of the Coast Guard's personnel rotation process. By documenting procedures for when and how the program should use alternative approaches to meet its triennial assessment requirements, the Coast Guard could better ensure program personnel consistently implement the practice. Further, implementing this practice would help the Coast Guard assess and enhance security to reduce risk to the U.S. marine transportation system.

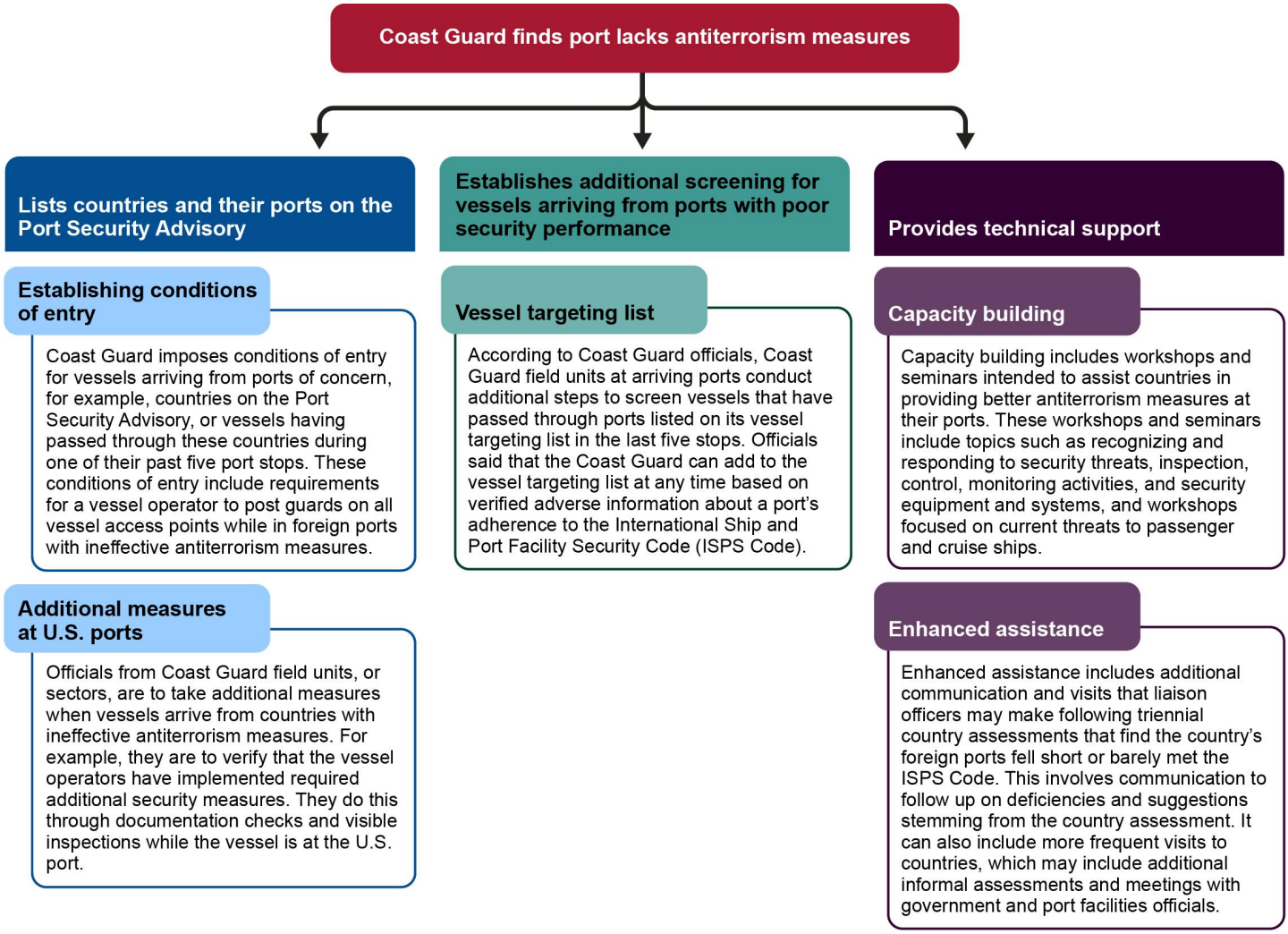
[24]Pub. L. No. 111-281, § 806(a), 124 Stat. at 2992 (codified as 46 U.S.C. §§ 70108(e)) (stating "The absence of an inspection of a foreign port shall not bar the Secretary from making a finding that a port in a foreign country does not maintain effective antiterrorism measures."). While this responsibility is assigned to DHS, the Coast Guard carries out this responsibility.

[25]U.S. Coast Guard Deputy Commandant for Operations, *Framework for Strategic Mission Management, Enterprise Risk Stewardship, and Internal Control* (July 2020); and GAO-14-704G.

Coast Guard Has Taken Three Key Actions when it Finds a Country's Ports Lack Effective Antiterrorism Measures

When it finds a foreign country's port to not be implementing effective antiterrorism measures, the Coast Guard has generally implemented three key actions. These include (1) increasing arriving vessel security as a result of issuing Port Security Advisories, (2) establishing additional screening for vessels arriving from ports with poor security performance, and (3) providing technical support. See figure 6.

Figure 6: Actions the Coast Guard Generally Takes when It Determines Foreign Ports Are Not Effectively Implementing the International Ship and Port Facility Security Code



Source: GAO analysis of U.S. Coast Guard information. | GAO-23-105385

Port Security Advisories: The Coast Guard generally issued port security advisories for countries with ports it found did not meet the ISPS Code. In accordance with the Maritime Transportation Security Act of 2002, the Coast Guard is required to notify the public of its findings of a foreign port's ineffective antiterrorism measures, and it does so through

its Port Security Advisory.[26] As of August 2022, the Coast Guard had identified ports from 20 countries on its Port Security Advisory.[27]

However, the Coast Guard has not always included countries that it determined did not meet the ISPS Code on its Port Security Advisory. For example, we found that the Port Security Advisory does not include five countries, which it determined did not meet the ISPS Code from fiscal years 2014 through 2022. Coast Guard officials noted that diplomatic concerns are a factor in whether the Coast Guard includes a country's ports on its Port Security Advisory. They stated that its decision not to place these five ports on the Port Security Advisory list was based on diplomatic concerns from its interagency partners. For example, in four out of five of these cases, the State Department, the National Security Council, or both expressed concerns about the impact of issuing a Port Security Advisory on the United States' relations with that country. In the fifth case, the Coast Guard chose not to list the country on the Port Security Advisory due to instability in the host country's government affecting its ability to communicate the advisory.[28]

Vessel Targeting List: The Coast Guard may place vessels from ports that did not meet the ISPS Code on its Vessel Targeting List. According to officials, as it does with vessels arriving from countries on the Port Security Advisory, Coast Guard field units at arriving ports conduct additional steps to screen vessels arriving from ports on its Vessel Targeting List. Officials told us that they can update their Vessel Targeting List at any time, regardless of whether program officials conducted a country assessment. Further, officials told us that they may

[26]46 U.S.C. § 70110(a)(3).

[27]The twenty countries on the Coast Guard's Port Security Advisory include Cambodia, Cameroon, Comoros, Djibouti, Equatorial Guinea, The Gambia, Guinea-Bissau, Iran, Iraq, Libya, Madagascar, Micronesia, Nauru, Nigeria, Sao Tome and Principe, Seychelles, Syria, Timor-Leste, Venezuela, and Yemen. The Port Security Advisory can be found here.

[28]Prior to adding a country to the Port Security Advisory, generally the appropriate authorities of the foreign government must be notified of a finding that the foreign port did not maintain effective antiterrorism measures, along with recommended steps necessary to improve the antiterrorism measures in use at the port. 46 U.S.C. §§ 70109(a), § 70110(a)-(b). Accordingly, the Coast Guard might not list a country on a Port Security Advisory because there is no government in place to receive its advisory. For example, Coast Guard officials said that the government of Sudan changed after the program determined its ports lacked effective anti-terrorism measures. Because the U.S. embassy in Sudan had closed, the Coast Guard was unable to deliver its finding to the Sudanese government. As a result, the Coast Guard did not place the country on its Port Security Advisory.

also add countries to this list based on verified media reports or observations from international port security liaison officers. For example, program officials provided an example where they learned that a foreign government had a vacant port facility security officer position. After hearing this, program officials said they verified the situation and determined it had led to deteriorated port security conditions in that country's implementation of the ISPS code. Officials then added this country to the Coast Guard's Vessel Targeting List. Doing so, they said, was to prompt Coast Guard field units to conduct additional security screening for arriving vessels that transited through that country's ports within its last five stops before arriving in the United States.

Technical Support: The program provides technical support to encourage countries to increase security measures at their ports. It does so through capacity-building sessions and enhanced assistance activities it conducts in the years between its triennial country assessments for those countries.

- According to Coast Guard documentation, capacity building consists of Coast Guard-led workshops and seminars to assist foreign government and port facility officials in meeting the ISPS Code.[29] For example, the Coast Guard has provided capacity building on various topics. These have included the mandatory components of the ISPS Code, recognizing and responding to security threats, inspection, control, monitoring activities, and security equipment and systems, and workshops focused on current threats to passenger and cruise ships. Figure 7 shows Coast Guard conducting capacity building in Jamaica.

Observed Benefits of Capacity Building

During our site visit to Jamaica, we observed Coast Guard personnel conducting a number of seminars as part of a capacity building session at the Port of Montego Bay. These seminars were to improve the ability of the Government of Jamaica and the port facility operators to meet the International Ship and Port Facility Security Code (ISPS Code).

1. Coast Guard officials had recently assessed this port and used the capacity building seminars to demonstrate how its suggested security improvements could be implemented.
2. Coast Guard instructed participants on different lessons including suspicious activity detection, cruise ship terminal security best practices and setting security levels, among others.
3. Participants had the opportunity to share potential security improvements and challenges they faced meeting the ISPS Code.
4. Coast Guard officials pointed out a recommendation they previously made that the facility operators had implemented, while offering additional suggestions.

Source: GAO | GAO-23-105385

[29]See 46 U.S.C. § 70109(b) (noting that the Secretary shall operate a port security training program for ports in foreign countries that are found under section 70108 to lack effective antiterrorism measures); 46 U.S.C. § 70110(f) (permitting Coast Guard assistance programs which may include providing technical training and support to the owner or operator of a foreign port or facility to assist in bringing the port or facility into compliance with applicable ISPS Code standards).

Figure 7: U.S. Coast Guard Personnel Conducting Capacity Building with Jamaican Officials at Port of Montego Bay

Source: GAO. | GAO-23-105385

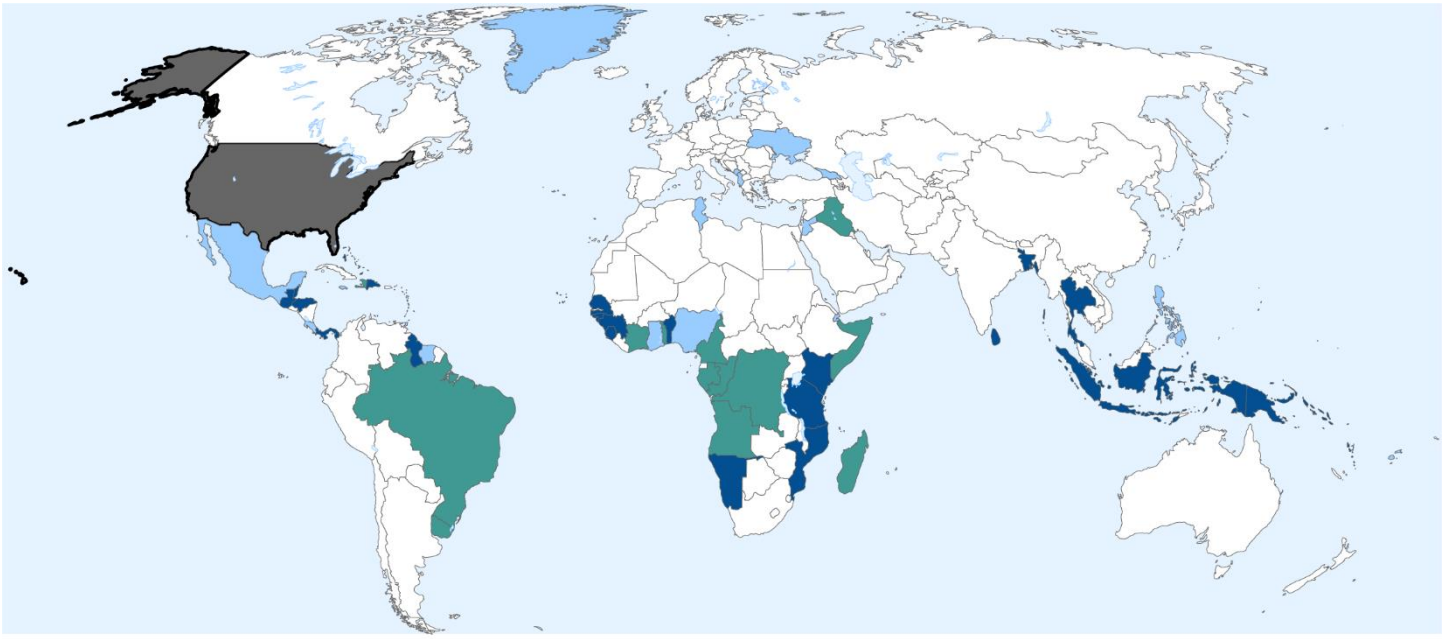
- Enhanced assistance is an additional visit program liaison officers may make following triennial country assessments that find the country's foreign ports fell short or barely met the ISPS Code. According to Coast Guard documentation, it is a way to encourage progress through frequent engagement between country officials and the country's liaison officer.[30] This engagement involves communication to follow up on deficiencies and suggestions stemming from the country assessment. It can also include more frequent visits to countries receiving enhanced assistance. Specifically, enhanced assistance visits may include additional

[30]Commandant Instruction 16618.9 (May 2021).

informal assessments and meetings with government and port facilities officials.

From fiscal years 2014 through 2022, the program provided technical support to 91 countries in the form of 152 capacity building sessions and 110 instances of enhanced assistance. According to program documentation, these 91 countries included: 35 in Africa (about 38 percent), 13 in the Caribbean (about 14 percent), 13 in Oceania (about 14 percent), 12 in Asia (about 13 percent), eight in Central America (about 9 percent), five in South America (about 5 percent), three in Europe (about 3 percent), and two that were held for multiple countries. Figure 8 shows the countries with which the program provided technical support during fiscal years 2014 through 2022.

Figure 8: Countries to which the Coast Guard's International Port Security Program Provided Technical Support, Fiscal Years 2014 through 2022



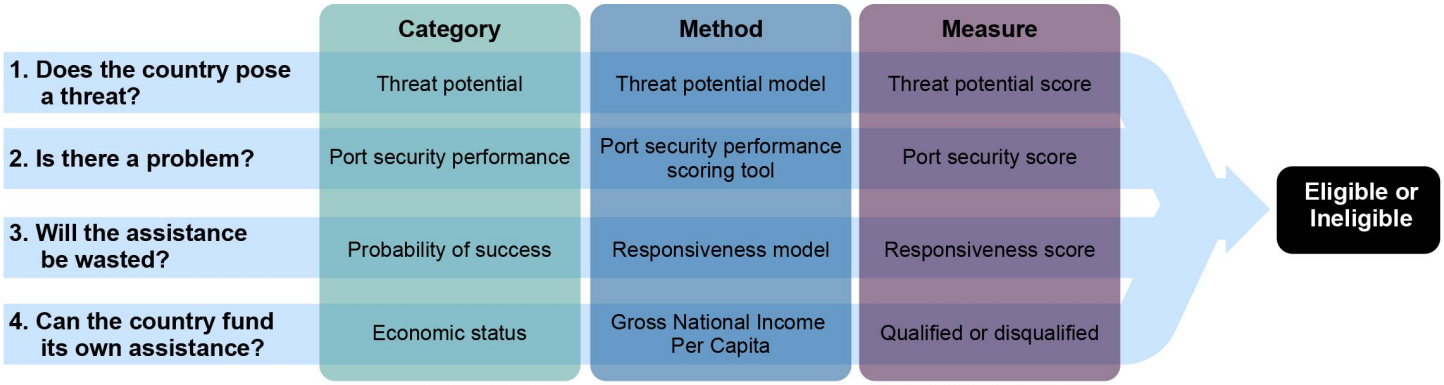
Source: GAO analysis of U.S. Coast Guard information; Map Resources (map). | GAO-23-105385

Note: The Coast Guard International Port Security Program provides technical support to encourage countries to increase security measures at their ports. It does so through capacity-building sessions and enhanced assistance activities. Capacity building consists of Coast Guard-led workshops and seminars to assist foreign government and port facility officials in meeting the ISPS Code. Enhanced

assistance is an additional visit program liaison officers may make following triennial country assessments that find the country's foreign ports fell short or barely met the ISPS Code.

Program officials use a quantitative scoring model—referred to as the return on investment model—as a foundation for identifying areas of port security weakness among U.S. maritime trade partners. The model considers various factors, including port performance scores and threat potential, among others (see figure 9). The Coast Guard data shows that the service generally uses this as a foundation for its process to decide which countries to offer technical support.

Figure 9: Coast Guard International Port Security Return on Investment Model Considerations for Providing Technical Support to Countries



Source: GAO analysis of U.S. Coast Guard information. | GAO-23-105385

According to the program's operations manual, while the return on investment model provides the foundation for the program's decision-making process, program officials should select countries for technical support where it is most needed and is most likely to be successful in improving port security.[31] Coast Guard officials noted that in order to best achieve this, they take into account additional factors. These factors include U.S. geographical strategic considerations, other international engagement priorities, and liaison officers' observations and recommendations. That is, they ask liaison officers to identify conditions where additional aid and support could benefit the security of foreign ports.

[31]*See also* 46 U.S.C. § 70110(f)(2) (noting that conditions for providing Coast Guard assistance programs, among others, include an assessment of the risks to the security of the United States and the inability of the owner or operator of the port or facility to bring the port or facility into compliance with those standards and to maintain compliance with, or exceed, such standard).

For example, the program cancelled its visits to one country after 2014 because of ongoing conflict within the country and restructuring of some government agencies. According to Coast Guard documentation, the liaison officer reached out to the U.S. embassy in that country and secured a visit. Program officials performed a country assessment in 2016, and port authorities showed that they were meeting ISPS Code, but had lost much of the previous institutional knowledge as a result of continued shake-ups within government agencies.

Since this country met the program's criteria for qualifying to receive capacity building, program officials developed a plan and schedule to offer additional assistance. While this country had long had effective maritime port security, it had not applied some of the more administrative aspects of the ISPS Code. According to Coast Guard documentation, between 2016 and 2018, the program officials performed six capacity building sessions to increase the port security capacity of the country's government. As a result of these sessions, country officials established new port security policies and procedures and began conducting drills and exercises within their ports.

Coast Guard Has Not Shared Assessment Reports with Relevant Stakeholders or Coordinated its Capacity Building Efforts with the State Department

Annual Foreign Port Security Assessment Reports Not Shared with Key Government Stakeholders

The program documents the results of its foreign port assessments in various reports, but as of December 2022, Coast Guard has not disseminated its most comprehensive report (known as its annual report) to Customs and Border Protection (CBP) and other federal agencies that may have a vested interest in receiving it. Table 1 summarizes each type of the program's assessment reports.

Table 1: Types of Coast Guard International Port Security Program Reports

Report Name	Description
Annual Report	Summary of each of the Coast Guard's most recent country assessment findings for each trading partner. The annual report is the program's compilation of data from the most recent assessment findings for individual countries, including updating information on assessments the program conducted during the previous fiscal year or the last time the country was visited. According to Coast Guard documentation, these reports inform operational decision making for all Coast Guard programs and personnel overseeing oceangoing trade.
Country Assessment Report	Formal assessment of whether a country's foreign ports were implementing effective antiterrorism measures. It is based on the program's in-person country assessment. It includes program findings and suggestions based on its observations of security at ports the program team visited, and their interviews with foreign government officials and port facility operators.
Quick Trip Report	Summary of program country visit information, such as participants, trip accomplishments, initial observations and follow-up items.
Port Facility Survey	Summary of program facility observations during country visits. Information provided includes port facility visited, types of freight the facility handles, program suggestions for security improvement, and survey questions and answers Coast Guard assesses while on location.

Source: GAO analysis of Coast Guard Information. | GAO-23-105385

The program's annual country reports serve as the primary source of information summarizing the program's most recent findings for its trading partners and countries with ports of interest to the United States. The annual reports identify key data for each country, including country assessment determinations, how frequently ships arrive in the United States from the country, threat potential posed by vessel arrivals from each country, potential responsiveness to past technical support the program may have provided, and suggestion-driven improvements for the country's ISPS Code implementation. They also include past assessment visit dates, scores, and port-specific concerns.

Because of its COVID-19 travel suspension, the program did not issue annual reports in 2021 and 2022. According to Coast Guard documentation, the program disseminated its most recent annual report in August 2020 to Coast Guard regional commands and district offices and to State Department.

Coast Guard policy emphasizes the need for the program to support a "whole of government" approach, given that its foreign port assessments may support various agencies. It states that, because of its access, capabilities and expertise, the program may be called upon to support the

assessment efforts of other federal agencies.[32] Among other things, it notes that, within DHS, these programs include CBP's Container Security Initiative (CSI)[33] and Customs Trade Partnership Against Terrorism (CTPAT) programs.[34] It also notes that, outside of DHS, stakeholders may include the State Department's Export Control and Border Security[35] and Anti-terrorism Assistance Programs,[36] and the Department of Energy's Nuclear Smuggling Detection and Deterrence Program.[37]

Notably, federal law requires CBP to assess the program's foreign port assessment findings, among other factors, when making decisions regarding designation of foreign seaports to participate in its CSI program.[38] According to CBP, in order to fulfill its statutory requirement, the program initiates a request via email to the Coast Guard for documentation related to the specific country the program is considering. CBP documentation shows that CSI officials requested the program provide information on three countries from fiscal years 2014 through 2022. It shows the Coast Guard provided CSI with observational reports,

[32]Commandant's Instruction 16618.9 (Washington D.C.: May 3, 2021).

[33]Under the CSI program, CBP places officials at select foreign seaports to use intelligence and risk assessment information to determine whether U.S.-bound cargo container shipments from those ports are at risk of containing weapons of mass destruction or other terrorist contraband.

[34]CTPAT is a voluntary program in which CBP officials work with private companies that meet certain criteria, referred to as certified partners, to review and protect the security of their international supply chains and improve the security of their shipments to the United States. In return, certified CTPAT partners receive various benefits to facilitate the flow of legitimate cargo, such as reduced number of CBP examinations and front of the line inspections.

[35]State's Export Control and Border Security program seeks to prevent the proliferation of weapons of mass destruction and destabilizing accumulations and irresponsible transfers of conventional weapons by building effective national strategic trade control systems in countries that possess, produce, or supply strategic items, as well as in countries through which such items are most likely to transit.

[36]The State Department's Anti-Terrorism Assistance program provides U.S. government antiterrorism training and equipment to law enforcement agencies of partner nations throughout the world.

[37]The Department of Energy's Nuclear Smuggling Detection and Deterrence program works with partner countries to detect, disrupt, and investigate the smuggling of radioactive and nuclear materials that could be used in these acts of terrorism.

[38]Pub. L. No. 109-347, § 205(b)(3), 120 Stat. at 1906 (codified at 6 U.S.C. § 945(b)(3)).

port facility surveys, and quick trip reports. However, as of December 2022, the program had not disseminated its annual report to CBP.

Program officials noted that during their most recent discussions with cognizant CBP CSI officials in early 2021, CBP officials had not requested individual country assessment reports. However, CBP CSI officials told us this was because they were unaware the program produced annual reports and acknowledged the information would be useful in its efforts. Nonetheless, CBP CSI officials stated they were aware they were required to consult Coast Guard assessments. For example, the program assessed the Port of Guayaquil as part of a 2018 Ecuador country assessment. In 2019, CBP added the port to its CSI program without assessing the results of the Coast Guard assessments, as required. Had CBP CSI reviewed the program's annual report, it may have leveraged the information in its decision to add that port to the CSI program in fiscal year 2019.

Program officials stated they had briefed DHS components on their findings, including the DHS Secretary, the Transportation Security Administration, and CBP. However, they said the program had not disseminated its annual report to CBP and the other agencies that its own documentation identifies as potential stakeholders because it was not required to do so.

According to Coast Guard policy, a properly designed decision-making framework facilitates well-informed and timely decisions made at the right level in the organization.[39] Such a framework provides regular, repeatable, and transparent processes that promote appropriate deliberation while ensuring decision-makers receive accurate, timely input from relevant parties. To ensure decisions optimize enterprise effectiveness, cross-programmatic impacts and the concerns of affected stakeholders must be considered. Moreover, *Standards for Internal Control in the Federal Government* states that management should periodically evaluate the entity's methods of communication and communicate quality information externally.[40] By providing the annual report to agencies with a vested interest in foreign port security, Coast Guard ensures that agencies have the appropriate tools to communicate

[39]Commandant's Instruction 5420.40C (Washington, D.C.: Aug. 10, 2021).

[40]GAO-14-704G.

quality information outside the entity on a timely basis to address related risks.

The Coast Guard's program provides a unique and critical source for DHS and other federal agencies with a vested interest in securing the global maritime supply chain. The program's own 2019 annual report notes that its assessments enable Coast Guard senior leadership and other federal agencies to make important operational risk management decisions to reduce the likelihood of maritime terrorism. However, by Coast Guard limiting the sharing of its most comprehensive report on global port security, these agencies may operate with different or limited information, which can lead to overlap or a fragmented federal approach to assessing and addressing risks associated with foreign port security.[41]

By disseminating its annual reports to CBP, the program can better support CBP to assess, as directed, Coast Guard's foreign port assessments in its CSI port selections. Moreover, by determining whether other federal agencies beyond CBP and State could benefit from receiving the program's annual reports—and disseminating the reports to them—the Coast Guard can more fully leverage its foreign port assessments to support its policy for a whole of government approach for securing the U.S. supply chain.

Capacity Building Efforts among Coast Guard and State Department Have Not Been Fully Coordinated, Increasing Potential for Overlap

Like the Coast Guard's International Port Security Program, the State Department provides capacity building to countries to support their maritime antiterrorism efforts. However, the two agencies' programs have not regularly coordinated their respective efforts. This relates to each

[41]We have previously reported that agencies may be able to achieve greater efficiency and effectiveness by reducing or better managing overlap, duplication, and fragmentation. Using the framework established in our prior work on addressing fragmentation, overlap, and duplication, we use the following definition for the purpose of assessing port security assessment information sharing. Fragmentation occurs when more than one agency (or more than one organization within an agency) is involved in the same broad area of national interest and opportunities exist to improve customer service. See. GAO-21-104648. See also GAO's Duplication and Cost Savings web page http://www.gao.gov/duplication/overview.

agency's capacity building technical support for either choosing locations to visit or in developing their curriculum. Although their course offerings are similar, they do not substantially coordinate in deciding where they will offer these courses.[42]

Specifically, the Coast Guard's International Port Security Program and State Department's Anti-Terrorism Assistance (ATA) program offer capacity building to countries to strengthen their maritime port security. According to Coast Guard and State Department documentation, both the Coast Guard International Port Security Program capacity building and ATA's Maritime Port and Harbor Security Management training identify their purpose as being to increase compliance with ISPS Code standards. Further, the programs provide capacity building to countries that they separately identify as needing assistance meeting the ISPS Code at foreign countries' ports.

From fiscal year 2014 through 2022, more than half (nine of 16) of ATA's maritime port security training offerings occurred within a year of Coast Guard providing similar offerings to the same country.[43] Table 2 summarizes Coast Guard and State Department capacity building activities provided during these years, and instances in which the two agencies provided it during similar timeframes.

[42]Though they have not coordinated on the location of the capacity building courses they have coordinated in other ways. According to Coast Guard documentation, Coast Guard and State coordinated through interagency support on an in-person assessment of the security measures of the Panama Canal in May 2019.

[43]On average, Coast Guard officials told us the program expended $25,000 per capacity building course it provided during fiscal years 2014 through 2022. According to State documentation and GAO analysis, the department spent an average of $46,000 per session offered over the same time.

Table 2: Coast Guard and State Department Summary of Maritime Port Capacity Building Courses Provided, Fiscal Years 2014 through 2022

Category	Category Data
Number of Coast Guard capacity building courses held	152
Number of State Department capacity building courses held	16
Number of capacity building courses held in the same country by both agencies within a year of each other	7 (Bahamas, Bangladesh, Jordan[a], Philippines, Senegal, Thailand, and Tunisia)
Number of capacity building courses held in the same country by both agencies in the same year	2 (Jordan[a] and Tunisia)
Comparison of total State Department capacity building courses held to those held within a year of Coast Guard courses in the same country	9 of 16
Comparison of total Coast Guard capacity building courses held to those held within a year of State Department courses in the same country	9 of 152

Source: GAO analysis of Coast Guard and State Department Information. | GAO-23-105385

[a]In 2015, both the Coast Guard and State Department provided capacity building to Jordan. In 2016, the Coast Guard again provided capacity building to Jordan.

In addition, the Coast Guard's International Port Security Program operations manual identifies the State Department's ATA program as a stakeholder to its own program. Further, *Standards for Internal Control in the Federal Government* states that management should use quality information to achieve the entity's objectives. It states that management should externally communicate and receive from external entities the necessary quality information to achieve the entity's objectives.[44] Further, the standards call for management to communicate quality information throughout the entity using established reporting lines. Quality information is communicated down, across, up, and around reporting lines to all levels of the entity.

State Department officials told us that, while they had received the Coast Guard International Port Security Program annual reports on assessments, they had not coordinated their capacity building programs with the Coast Guard because they were not familiar with Coast Guard's program. Further, State Department officials said that, within the department, various offices that would have a role in coordinating such an effort, including ATA and the Bureau of Counterterrorism, do not regularly share information with each other.

[44]GAO-14-704G.

According to State Department officials, they did not regularly coordinate internally because maritime port and harbor assistance represented a small portion of its total capacity building assistance to foreign countries. Officials stated this limited their ability to effectively coordinate with Coast Guard on maritime port security matters. Further, officials from the Coast Guard International Port Security Program and State Department each told us that the two agencies did not have a formal process or agreement in place to coordinate their respective plans for foreign port security capacity building. They both acknowledged the potential benefit of having such a process.

By establishing a process for coordinating in their capacity building planning and implementation, the Coast Guard and State Department can better ensure that they are complementing, rather than potentially overlapping their efforts. Further, by coordinating internally between its offices, including ATA and the Bureau of Counterterrorism, State Department can better ensure that it harmonizes efforts and coordinates with the Coast Guard on capacity building.

Coast Guard's Performance Measures Do Not Fully Align with Program's Key Objectives

In fiscal year 2023, the Coast Guard revised how it measures the performance of the International Port Security Program; however, its measures do not fully address the program's key objectives.[45] Officials told us that they adopted these new measures to better gauge the performance of the program. According to Coast Guard documentation, the new measures are

- **Country assessment completion**. The program will measure the extent it has completed at least 40 country assessments annually. The program indicated that completing these assessments would help the program progress towards post-COVID compliance with its statutorily mandated target to assess all ports of trading partners at least once every 3 years.[46]

[45]The Coast Guard discontinued the measures it had used in fiscal year 2022. For information on the results of the performance measures for fiscal year 2022, see appendix II.

[46]46 U.S.C. § 70108(d).

- **Port security performance score**. The program will compare assessment scores from one year to the next following sustained capacity building investment or enhanced assistance. The program scores countries as part of the country assessment.

As discussed, statute requires the Coast Guard to assess the effectiveness of foreign port anti-terrorism measures at least every 3 years.[47] However, the program's current measures do not address the extent the Coast Guard has met this standard. Specifically, the program's new country assessment completion measure gauges the extent the program met its target of completing at least 40 country assessments in a year. However, it does not fully address the triennial requirement. This is because the program's measure does not show how or if its schedule for country assessments was adequate for meeting its triennial country assessment requirement. The Coast Guard is required to assess the port security of these countries, regardless of whether program officials visit them for country assessments.[48]

Further, Coast Guard policy identifies the primary goal of the program as reducing risk of terrorism to the United States and its marine transportation system. The program does this in part by assessing countries' adherence to the ISPS Code, making suggestions to how countries can improve their adherence, and developing country assessment performance scores. However, while the program's new performance measure includes scores for capacity building and enhanced assistance, it does not incorporate the scores of all other countries assessed. In this way, the measure does not set a standard for which to compare overall improvements or decreases in risk as calculated by assessment scores from year to year. Accordingly, the measure does not show the effect of the Coast Guard's actions on the security of the U.S. marine transportation system.

As described in the Coast Guard's *Framework for Strategic Mission Management, Enterprise Risk Stewardship, and Internal Control*, an appropriate performance measure system makes setting performance standards and gauging progress toward achievement possible. The key to assessing effectiveness is measuring the right things, and not just

[47]46 U.S.C. § 70108(d).

[48]46 U.S.C. § 70108(e).

aspects for which there are data. Further, devising good outcome measures is especially important, such as events, conditions, consequences, or results of direct importance to mission beneficiaries.[49]

Program officials acknowledged that the program lacked an internal performance measurement program. They said the program had thus far unscientifically and hastily developed its measures for use in Coast Guard planning, rather than measuring overall effectiveness of the program. Regarding their current measures, they stated that measuring the program's ability to meet the triennial requirement would not track the effectiveness of the program, which is why they had not used it as a performance measure. However, because a key objective of the program is to meet the statutory periodic reassessment, demonstrating that the program is able to do so is an important indicator of its success.[50]

Program officials also stated that the program had a measure gauging the implementation of the ISPS Code in all countries it assessed from fiscal years 2014 through 2020, but discontinued using it because the program had not been able to meet its established targets. However, our past work highlights other approaches to measuring and improving performance, including revising the target to be more realistic based on past performance, revising the measure to better assess the security of ports, or making programmatic decisions like reallocating resources or changing strategies.[51]

By removing the measure altogether, the Coast Guard lacks a way to gauge impacts on the overall reduction or increase in risk as it assesses antiterrorism security measures. Having a performance measure that gauges security at all assessed countries provides a clearer picture of all

[49]U.S. Coast Guard Deputy Commandant for Operations, *Framework for Strategic Mission Management, Enterprise Risk Stewardship, and Internal Control* (July 2020).

[50]46 U.S.C. § 70108(d).

[51]For revising the target to be realistic and informed by trend data see GAO, *Managing for Results: An Agenda to Improve Usefulness of Agencies' Annual Performance Plans*, GAO/GGD/AIMD-98-228 (Washington, D.C.: Sept. 8, 1998). For having a measure be revised to better assess program efforts, see GAO, *Tax Administration: IRS Needs to Further Refine Its Tax Filing Season Performance Measures,* GAO-03-143 (Washington, D.C.: Nov. 22, 2002). For using various other management decisions that could improve results, see GAO, *Managing for Results: Enhancing Agency Use of Performance Information for Management Decision Making*, GAO-05-927 (Washington, D.C.: Sep. 9, 2005).

Coast Guard activities and addresses risk to the entire system, not just a subset such as those countries receiving technical support.

By revising its performance measures to include how the program has addressed its two key objectives—namely addressing the triennial assessment mandate and assessing security measures at all visited countries—Coast Guard leadership and the Congress would have more complete information on the effectiveness of the program, as provided by law and Coast Guard policy.

Conclusions

The Coast Guard's International Port Security Program is the key component of the service's efforts to meet its statutory mission to protect the U.S. marine transportation system. With the majority of cargo arriving in the United States by maritime vessel—worth over $1.8 trillion shipped in 2021—the program's efforts provide an early warning indicator on potential risks posed to U.S. ports. The Coast Guard has opportunities to strengthen its efforts. First, while the program has generally met its country assessment requirements, it has faced challenges accessing some ports for its country assessments. By documenting procedures for when and how the program should use alternative approaches to meet its triennial assessment requirements, the Coast Guard could better ensure that program personnel consistently implement the practice.

In addition, the program documents the results of its foreign port assessments in various reports, but as of December 2022, had not disseminated its annual report to CBP and other federal agencies that may have a vested interest in receiving it. Federal law directs CBP to use the program's foreign port assessment findings when making decisions regarding designation of foreign seaports to participate in its CSI program. By disseminating its annual reports to CBP, it can help CBP in meeting requirements to assess the Coast Guard's foreign port assessments in its CSI port selections. Moreover, by determining whether other federal agencies beyond CBP and the State Department could benefit from receiving the program's annual reports—and disseminating the reports to them—the Coast Guard can more fully leverage its foreign port assessments to support its policy for a whole of government approach for securing the U.S. supply chain.

Moreover, both Coast Guard's International Port Security Program and the State Department provide maritime antiterrorism capacity building to

countries across the globe. However, the two agencies' programs have not regularly coordinated in their respective efforts. By establishing a process for coordinating their capacity building planning and implementation, the Coast Guard and the State Department can each better ensure that they are complementing, rather than potentially overlapping their efforts. Additionally, the State Department reported that part of its challenge was that two of its offices responsible for planning and implementing maritime capacity building—the office of Antiterrorism Assistance and Bureau of Counterterrorism—had not fully coordinated their efforts. By establishing a process to do so, the State Department can better ensure it communicates and coordinates with the Coast Guard regarding its capacity building.

Finally, the Coast Guard's performance measures for the International Port Security Program do not fully address the program's key objectives. By revising its performance measures to include how the program has addressed its two key objectives—namely addressing the triennial assessment mandate and assessing security measures at all visited countries—Coast Guard leadership and the Congress would have more complete information on the effectiveness of the program, as provided by law and Coast Guard policy.

Recommendations for Executive Action

We are making the following five recommendations to the Coast Guard and one recommendation to the Department of State:

The Commandant of the Coast Guard should ensure the International Port Security Program documents procedures describing when and how it should use alternative approaches to issue a foreign port security assessment determination. (Recommendation 1)

The Commandant of the Coast Guard should ensure the service disseminates the International Port Security Program's annual foreign port assessment reports to CBP. (Recommendation 2)

The Commandant of the Coast Guard should ensure the service determines which federal agencies have a vested interest in receiving the International Port Security Program's annual foreign port security assessment reports and disseminate its reports to them. (Recommendation 3)

The Commandant of the Coast Guard should ensure the International Port Security Program establishes a process with cognizant Department of State offices to coordinate planning on foreign maritime port security capacity building. (Recommendation 4)

The Secretary of State should ensure its cognizant offices establish a process to coordinate planning with each other and with the Coast Guard International Port Security Program to implement maritime port security related capacity building. (Recommendation 5)

The Commandant of the Coast Guard should ensure the International Port Security Program incorporates performance measures that fully address the program's two key objectives of meeting its triennial assessment mandate and assessing risk to maritime security by assessing security at all visited ports. (Recommendation 6)

Agency Comments

We provided a draft of this report to DHS and the State Department for review and comment. In its comments, reproduced in appendix III, DHS concurred with all five of our recommendations and described actions the Coast Guard planned to address them. For example, DHS stated that the Coast Guard would document procedures for how and when its International Port Security Program will use alternative approaches to issue a foreign port security assessment determination. It also stated it would ensure that it shared future issues of the program's annual report with CBP. DHS also provided technical comments, which we incorporated as appropriate.

In its comments, reproduced in appendix IV, the Department of State concurred with the one recommendation we addressed to it. We clarified the recommendation to the department, based on its initial comments. Specifically, we made the recommendation broader to include all cognizant entities within the department that would have a stake in coordinating capacity building with the Coast Guard.

We are sending copies of this report to the appropriate congressional committees, the Secretary of Homeland Security, the Commandant of the Coast Guard, the Secretary of State and other interested parties. In addition, this report is available at no charge on the GAO website at http://www.gao.gov.

If you or your staff members have any questions about this report, please contact Heather MacLeod at (202) 512-8777 or macleodh@gao.gov. Contact points for our Office of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributors to this report are listed in appendix V.

Heather MacLeod
Director, Homeland Security and Justice Issues

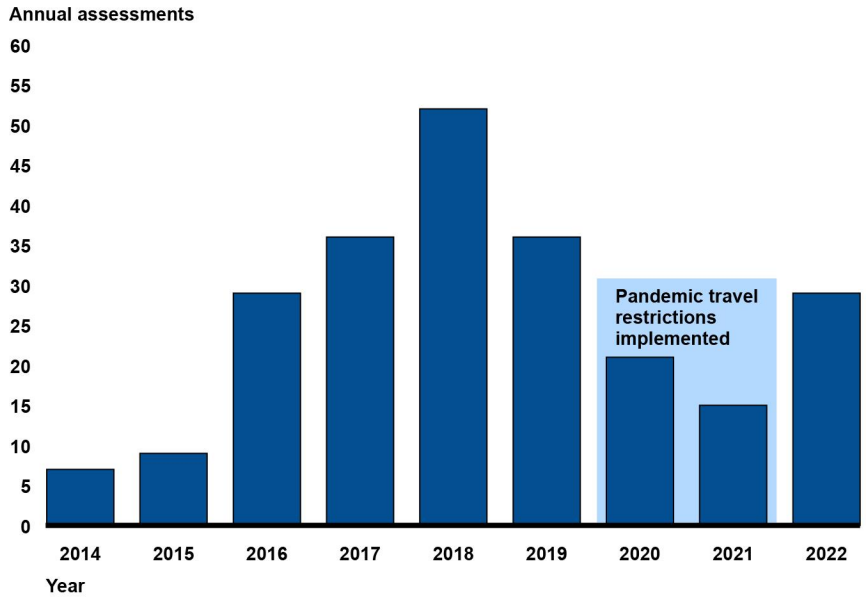
Appendix I: Coast Guard International Port Security Program Annual Assessments

Coast Guard International Port Security Liaison Officers conduct annual assessments. According to Coast Guard documentation, the purpose of the annual assessment is to

1. Spot check whether effective anti-terrorism measures have been maintained, enhanced, or degraded since the last country assessment, and identify new efforts and future intentions.
2. Follow up on suggestions and items of concern from previous country assessments;
3. Maintain awareness of port security in the country, ensure government contact information is up to date and verify posture identified in previous country assessment reports;
4. Establish or maintain relationships and lines of communication with country representatives;
5. Identify areas where the United States may be of assistance in enhancing port security, such as guiding capacity building efforts; supporting training initiatives, drills, and exercises, and facilitating multilateral cooperation; and
6. Identify new ports and port facilities that must follow the International Ship and Port Facility Security Code that were not observed during previous country assessments.

According to Coast Guard documentation, the Coast Guard conducted 234 annual visits in 106 countries from fiscal years 2014 through 2022. The decline in the Coast Guard's annual assessments in fiscal years 2020 and 2021 was due to the impacts of COVID-19.From March 2020 to May 2021 the program suspended its country visits. Figure 10 shows the number of annual assessments the program conducted from fiscal year 2014 through 2022.

Figure 10: Coast Guard International Port Security Annual Assessments, from Fiscal Year 2014 through 2022



Source: GAO analysis of Coast Guard data. | GAO-23-105385

Accessible Data for Figure 10: Coast Guard International Port Security Annual Assessments, from Fiscal Year 2014 through 2022

Year	Annual assessments
2014	7
2015	9
2016	29
2017	36
2018	52
2019	36
2020	21
2021	15
2022	29

Appendix II: Coast Guard International Port Security Program Fiscal Year 2022 Performance Measures

In fiscal year 2022, the Coast Guard measured the performance of the International Port Security Program with four performance measures. The four measures were

1. Assessment score for countries receiving technical support. The program compares the average score of these countries to those countries that do not receive technical support.
2. Scheduled country assessments completed.
3. Scheduled countries receiving capacity building exercises.
4. The number of stowaways found on board vessels.

According to the Coast Guard, the program met all four measures in fiscal year 2022, as shown in table 3.

Table 3: Fiscal Year 2022 Coast Guard International Port Security Program Performance Measures, Targets, and Reported Results

Description	Target for Fiscal Year 2022	Reported Result
Country score for countries receiving a capacity building engagements or enhanced assistance	Average score for these countries is 2 percent higher than assessed countries not receiving a capacity building exercise or enhanced assistance	3.9 percent higher Met Target
Percentage of scheduled country assessments completed	Conduct 100 percent of country assessments the program scheduled in fiscal year 2021	Conducted 3 of 3 assessments Met Target
Percentage of scheduled capacity building engagements completed	Conduct 100 percent of capacity building engagements the program scheduled in fiscal year 2021	Conducted 4 of 4 capacity building engagements Met Target
Stowaways found on board vessels	No more than 35 stowaways found on vessels coming to the United States	16 stowaways Met Target

Source: Coast Guard. | GAO-23-105385

Appendix III: Comments from the Department of Homeland Security

U.S. Department of Homeland Security
Washington, DC 20528

Homeland Security

March 27, 2023

Heather MacLeod
Director, Homeland Security and Justice
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Re: Management Response to Draft Report GAO-23-105385, "COAST GUARD: Opportunities Exist to Strengthen Foreign Port Security Assessment Program"

Dear Ms. MacLeod:

Thank you for the opportunity to comment on this draft report. The U.S. Department of Homeland Security (DHS or the Department) appreciates the U.S. Government Accountability Office's (GAO) work in planning and conducting its review and issuing this report.

DHS leadership is pleased to note GAO's positive recognition that the U.S. Coast Guard (the Coast Guard) generally met its triennial foreign port security assessment requirement since 2014 (assessments resumed in May 2021 after being suspended during fiscal years 2020 and 2021 due to the COVID-19 pandemic). The Coast Guard has faced a longstanding challenge in accessing some countries' ports to conduct assessments. In January 2021, the service began using alternative approaches – such as leveraging Coast Guard intelligence – to make determinations for some countries it has been unable to visit and as a way to address its inability to access certain ones.

The draft report contained six recommendations, including five for the Coast Guard with which the Department concurs. Enclosed find our detailed response to each recommendation. DHS previously submitted technical comments addressing several accuracy, contextual, and other issues under a separate cover for GAO's consideration.

Again, thank you for the opportunity to review and comment on this draft report. Please feel free to contact me if you have any questions. We look forward to working with you again in the future.

Sincerely,

JIM H CRUMPACKER Digitally signed by JIM H CRUMPACKER Date: 2023.03.27 14:58:10 -04'00'

JIM H. CRUMPACKER, CIA, CFE
Director
Departmental GAO-OIG Liaison Office

Enclosure

Enclosure: Management Response to Recommendations Contained in GAO-23-105385

GAO recommended that the Commandant of the Coast Guard:

Recommendation 1: Ensure the International Port Security [IPS] Program documents procedures describing when and how it should use alternative approaches to issue a foreign port security assessment determination.

Response: Concur. The Coast Guard Office of International and Domestic Port Assessment (CG-PSA) will promulgate internal Coast Guard procedures documenting when and how the IPS Program will use alternative approaches to issue a foreign port security assessment determination. Estimated Completion date (ECD): February 29, 2024.

Recommendation 2: Ensure the service disseminates the [IPS] Program's annual foreign port assessment reports to [U.S. Customs and Border Protection] CBP.

Response: Concur. CG-PSA will draft an annual report promulgation letter to include CBP, ensuring that current and future issues of the IPS Program Annual Report are provided to CBP. ECD: May 31, 2023.

Recommendation 3: Ensure the service determines which federal agencies have a vested interest in receiving the IPS Program's annual foreign port security assessment reports and disseminate its reports to them.

Response: Concur. CG-PSA will draft an annual report promulgation letter to include relevant federal entities, ensuring provision of current and future issues of the IPS Program Annual Report. ECD: May 31, 2023.

Recommendation 4: Ensure the [IPS] Program establishes a process with cognizant Department of State offices to coordinate planning on foreign maritime port security capacity building.

Response: Concur. CG-PSA will coordinate with the State Department Economic Bureau to establish an external Port Security Community of Interest (ECD October 31, 2023). Within this Community of Interest, agencies with Port Security interests will coordinate capacity building planning and activities. ECD: August 30, 2024.

Recommendation 6: Ensure the [IPS] Program incorporates performance measures that fully address the program's two key objectives of meeting its triennial assessment mandate and assessing risk to maritime security by assessing security at all visited ports.

Response: Concur. The Coast Guard Atlantic Area (LANT-51) will develop appropriate internal performance measures drawn directly from data contained in IPS Program information

2

systems, which are being rebuilt by October 31, 2023 due to the planned obsolescence of current software. Due to delays stemming from the information system dependencies, completion and implementation will take more than a year:

1. Projected IPS Program information system Full Operating Capability (FOC): October 31, 2023;
2. Projected LANT-51 performance measures work begins: October 31, 2023;
3. Projected Initial Operating Capability of internal performance measures: April 30, 2024; and
4. Projected FOC of internal performance measures: July 31, 2024.

ECD: July 31, 2024.

3

Accessible Text for Appendix III: Comments from the Department of Homeland Security

March 27, 2023

Heather MacLeod
Director, Homeland Security and Justice
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

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Recommendation 6: Ensure the [IPS] Program incorporates performance measures that fully address the program's two key objectives of meeting its triennial assessment mandate and assessing risk to maritime security by assessing security at all visited ports.

Response: Concur. The Coast Guard Atlantic Area (LANT-51) will develop appropriate internal performance measures drawn directly from data contained in IPS Program information systems, which are being rebuilt by October 31, 2023 due to the planned obsolescence of current software. Due to delays stemming from the information system dependencies, completion and implementation will take more than a year:

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ECD: July 31, 2024.

Appendix IV: Comments from the Department of State

United States Department of State
Comptroller
Washington, DC 20520

MAR 28 2023

Jason Bair
Managing Director
International Affairs and Trade
Government Accountability Office
441 G Street, N.W.
Washington, D.C. 20548-0001

Dear Mr. Bair:

We appreciate the opportunity to review your draft report, "COAST GUARD: Opportunities Exist to Strengthen Foreign Port Security Assessment Program." GAO Job Code 105385.

The enclosed Department of State comments are provided for incorporation with this letter as an appendix to the final report.

Sincerely,

James A. Walsh

Enclosure:
As stated

cc: GAO – Heather Macleod
CT – Chris Landberg (Acting)
OIG - Norman Brown

Department of State Response to GAO Draft Report

COAST GUARD: Opportunities Exist to Strengthen Foreign Port Security Assessment Program
(GAO-23-105385, GAO Job code 105385)

The Department of State appreciates the opportunity to comment on GAO's draft report *"Coast Guard: Opportunities Exist to Strengthen Foreign Port Security Assessment Program."*

Recommendation 5: The Secretary of State should ensure its cognizant offices establish a process to coordinate planning with each other and with the Coast Guard International Port Security Program to implement maritime port security related capacity building.

Response: State concurs with Recommendation 5. Interagency and donor coordination, both domestic and international, is a cornerstone of Bureau of Counterterrorism's (CT's) approach to capacity building. CT and Diplomatic Security, Office of Antiterrorism Assistance (DS/T/ATA confer on an ongoing basis together and with implementing partners, industry partners, foreign governments, posts, beneficiaries, as well as the U.S. interagency, including the Department of Homeland Security, to stay abreast of planned and actual activities and technical assistance. Regularized engagement includes but is not limited to: periodic and formal meetings with partners and donors, both bilaterally and regionally; USG-only interagency planning events, which include DHS HQ and its component agencies, at CT's annual strategic planning event; and monitoring and reporting from the field, including from CT's own overseas program coordinators, to track key areas where we commit foreign assistance resources. CT coordinates efforts to the fullest extent possible, and clears programmatic plans with relevant Embassies, not only to avoid duplication of effort, but to synchronize and burden-share, wherever and whenever feasible, and to advance U.S. national security policy.

While maritime security capacity building is not a major State CT Bureau focus area, this GAO review has reinvigorated policy and programmatic coordination with the Coast Guard IPS Program on its priorities, assessments, and expertise, as well as with State's Bureau of Economic and Business Affairs, which works closely with the Coast Guard. CT looks forward to routinizing that collaboration further and is pleased to consider assessments and expertise from any program that might potentially benefit or relate to CT-funded capacity building.

Accessible Text for Appendix IV: Comments from the Department of State

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Managing Director
International Affairs and Trade
Government Accountability Office
441 G Street, N.W.
Washington, D.C. 20548-0001

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MAR 2 8 2023

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James A. Walsh

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CT - Chris Landberg (Acting)
OIG - Norman Brown

Department of State Response to GAO Draft Report

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Appendix V: GAO Contact and Staff Acknowledgments

GAO Contact:

Heather MacLeod at (202) 512-8777 or MacLeodH@gao.gov

Staff Acknowledgments:

In addition to the contact named above, Jason Berman (Assistant Director), Jeremy Manion (Analyst-in-Charge), Taiyshawna Battle, Lilia Chaidez, Erika Cubilo, Elizabeth Dretsch, Kevin Gonzalez, Eric Hauswirth, Grant Mallie, Heather May, Janet Temko-Blinder, Mary Turgeon, and Adam Vogt made key contributions to this report.

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