

February 15, 2017

The Honorable Jeff Sessions  
United States Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

RE: Impact of sanctuary cities policy on U.S. seaports

Dear Attorney General Sessions,

The American Association of Port Authorities (AAPA) congratulates you on becoming the 84<sup>th</sup> Attorney General of the United States. As you take office, we would like to raise an issue that is of great concern to our industry and the security of our nation: the potential impact of an overarching sanctuary cities policy on our nation's seaports, particularly as it pertains to security and transportation funding. AAPA believes that port authorities should be exempt from a sanctuary city policy that would withhold federal funding.

AAPA is the unified and collective voice of the seaport industry in the Americas. AAPA empowers port authorities, maritime industry partners and service providers to serve their global customers and create economic and social value for their communities. Our activities, resources and partnerships connect, inform and unify seaport leaders and maritime professionals in all segments of the industry around the western hemisphere. This letter is on behalf of our U.S. members.

At this time, it is unclear how a sanctuary city policy would impact seaports. However, public seaports are state and local government entities, mostly independent, but many are located in sanctuary cities/states. Seaports also serve as international borders for marine cargo and passengers and must comply with federal laws related to access control and federal inspection of cargo and passengers.

To maintain security, ports work closely with federal government agencies, including the U.S. Coast Guard, Transportation Security Administration, Federal Bureau of Investigation, U.S. Customs and Border Protection (CBP) and the Domestic Nuclear Detection Office. International seaport facilities are subject to federal laws governing access control and are required to report suspicious activity to federal agencies to ensure coordinated federal and local responses. Public ports must comply with federal mandates related to security as outlined in the Maritime

Transportation Security Act of 2002 and other laws, and are required to establish Coast Guard-approved maritime transportation security plans.

In addition, ports adhere to federal laws and regulations regarding international passengers and crewmembers who arrive at U.S. maritime facilities. Federal law requires all persons with unescorted access to secure seaport facilities to carry a federal security card known as a Transportation Worker Identification Credential (TWIC). Visitors to seaports must also show some sort of identification as outlined in the facility's security plan and be escorted at all times within the secure area of the port. All international cruise and ferry passengers must undergo a CBP clearance process similar to those arriving at international airport terminals. International crew are also vetted by federal officials before leaving a ship for the first time to enter the U.S.

To provide heightened security, ports, their terminal operators, tenants, and state and local governments receive funding from a number of federal sources, including the Federal Emergency Management Agency (FEMA) for port security, the U.S. Department of Transportation for land and waterside infrastructure and the U.S. Environmental Protection Agency's Diesel Emissions Reduction Act for environmental stewardship and compliance. Local governments also rely on federal funds to comply with federal port security requirements and to build connecting infrastructure into seaports.

AAPA believes that sustained federal funding for ports is imperative to national security. As maritime borders and critical infrastructure, ports must remain eligible for federal support. Withholding federal resources from any part of America's port system would severely erode the nation's ability to protect ports and keep communities and the economy secure against physical and cyber attacks. Port cargo activity supports more than 23 million American jobs, accounts for over a quarter of the U.S. economy, and generates over \$320 billion in local, state, and federal tax revenue. The safe and efficient movement of cargo depends on modern infrastructure and a secure supply chain. Ongoing federal investment is vital to ensuring that America's international ports are secure and that American farmers and manufacturers remain internationally competitive.

AAPA looks forward to working with you. Please do not hesitate to contact me directly if I can be of further assistance in providing additional information on port security and the economic impact of the nation's port system.

Sincerely,

A handwritten signature in black ink, appearing to read "Kurt J. Nagle". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Kurt J. Nagle  
President and CEO

cc: The Honorable John Kelly, Secretary, U.S. Department of Homeland Security