

Questions Submitted for the Record
Submitted by the Honorable Jenniffer González-Colón
Subcommittee on Coast Guard and Maritime Transportation
Hearing on “Port Safety, Security, and Infrastructure Investment”
Tuesday, April 30, 2024

Questions for Rear Admiral Ann C. Phillips (Ret.), Administrator, U.S. Maritime Administration:

1. Puerto Rico has benefitted from the Port Infrastructure Development Program. Projects financed under these grants include the \$10 million for the Pier 15 RO/RO Terminal that serves inter-island commerce. In recent years, our port operators have submitted applications every time they have been eligible, and I expect this to continue to be so. I will be supporting the continued funding of this program as well as of others in the budget request. What does MARAD see as the highest priorities in the upcoming years for this sort of grant? As in, what is the most urgent area of port infrastructure focus in the short and medium term?

Answer: MARAD’s priorities for the PIDP are derived directly from the legislation authorizing the program (46 U.S.C. § 54301). MARAD continues to see overwhelming demand for port projects throughout the Nation that meet the statutory purpose of "improving the safety, efficiency, or reliability of the movement of goods through ports and intermodal connections to ports." MARAD will continue to assess PIDP applications on the basis of statutory criteria and award grants to those projects that best address those statutory criteria.

2. *Just last week my District Office had its Open House for students interested in the Service Academies including the Merchant Marine. One of the key selling points of the Academies is the notion that prospective attendees are headed for an environment that is strictly meritocratic and where they can feel safe. What can you advise us on progress of the Academy’s Sexual Assault Prevention and Response Office and the Advisory Council recommendation process, and on the implementation of the recommendations to reduce incidents of harassment and violence?*

Answer: I’m pleased to report that the U.S. Merchant Marine Academy (USMMA) has significantly increased Sexual Assault and Sexual Harassment (SASH) Prevention and Response-focused resources and programming and, in so doing, has made gains in campus culture—while increasing awareness of, and building trust in, the SASH-incident-reporting and investigation process. This effort continues to be driven by the Academy’s Sexual Assault Prevention and Response Office (SAPRO), the mission of which is to prevent and respond to relationship and sexual misconduct against Midshipmen, including sexual assault, sexual and gender-based harassment, stalking, relationship violence, and retaliation. The office is currently staffed by a Director, a Sexual Assault Response Coordinator, and two Victim Advocate/Prevention Educators, one of whom focuses on misconduct at sea, and is an alum and a U.S. Navy Strategic Sealift Officer. SAPRO is dedicated to supporting USMMA's students, faculty, and staff by providing effective prevention training and robust victim advocacy. Each year, USMMA publishes a Plan of Action in its [*Annual Report on Sexual Assault and Sexual Harassment*](#), recently released to Congress. This academic year’s (AY 2022-2023) Plan of Action can be found on page 13 of the report.

Based on its data collection, the contractor provided recommendations, which USMMA is incorporating into updates of its policies and practices. In revising its policy, USMMA will also consider the revised Title IX rule issued by the U.S. Department of Education in April 2024, and the experience of USMMA’s Sexual Assault Review Board with administration of the current policies and procedures.

On July 13, 2023, MARAD announced the 13 members of the USMMA Advisory Council. The Appointees to the Advisory Council are drawn from academia, the maritime industry and maritime labor, the senior ranks of the U.S. military, and five federal agencies: the Coast Guard, the Military Sealift Command, the Naval War College, the Department of Health and Human Services, and the Naval Facilities Engineering Systems Command. The Council members include experts in higher education administration and sexual assault and sexual harassment prevention and response.

On August 7 and November 16, 2023, the Advisory Council met to discuss and formulate independent advice and recommendations on improving the Academy, including in the areas of curriculum development and training programs; diversity, equity, and inclusion; sexual assault prevention and response; infrastructure maintenance and redevelopment; Midshipmen health and welfare; governance and administrative policies; and other matters. As part of this work, the Council will develop strategies and recommendations to address the issues identified in the 2021 National Academy of Public Administration's (NAPA) *Comprehensive Assessment of the U.S. Merchant Marine Academy* report. The first set of recommendations are due in Summer 2024.

3. Security in our maritime transportation industry is highly important. Puerto Nuevo Terminals, the private consortium that operates part of the container facilities in San Juan, was subjected last April 20 to a ransomware cyber-attack that although it failed to stop operations created serious delays in cargo movement and truck dispatch for a number of days. The FBI office in Puerto Rico is investigating the situation. On the maritime operations side, how is MARAD working with its partners to identify and address vulnerabilities of the fleet and its shoreside support, to this sort of trade disruption?

Answer: MARAD works with the U.S. Coast Guard (USCG), Cybersecurity & Infrastructure Security Agency (CISA), and other U.S. government agencies on the continuing development of maritime cybersecurity policy and the dissemination of maritime threat (including cybersecurity) information to U.S.-flag maritime industry stakeholders, but maritime cybersecurity regulation and incident response is outside of the authorities and capabilities of MARAD; they reside with the USCG, CISA, and the Department of Justice's Federal Bureau of Investigation.

The U.S. Maritime Alert and Advisory System, which is described in detail at maritime.dot.gov/msci, is a communication tool used by MARAD, the U.S. Coast Guard, and others to share information with maritime industry stakeholders on cybersecurity policy developments and threats, in addition to other maritime threat and resource information.