

Roundtable on Leadership and Administration



Center for Public Administration and Policy
Virginia Polytechnic Institute & State University
Alexandria, Virginia

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Roundtable on Leadership & Administration

*Crisis to Credibility Through Inclusion:
Developing an International
Port Security Network*

*A Conversation with
Suzanne Englebert
Captain, U.S. Coast Guard
Chief of Prevention, Seventh District*

Center for Public Administration & Policy
Virginia Polytechnic Institute and State University

SUMMARY REPORT

November 2007

Purpose of the Roundtable Series

The Virginia Tech Center for Public Administration and Policy Roundtable Series on Leadership and Administration:

- Brings together leading scholars, practitioners, students, members of academia, public managers, and participants from the nonprofit and private sectors;
- Stimulates insightful and thoughtful conversation with
- Focuses on the exchange of ideas;
- Advances our knowledge and understanding of leadership in public administration through the sharing of research and experiences.

Participants have the opportunity to explore the links between theory and practice in an intimate setting of conversation.

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Crisis to Credibility Through Inclusion: Developing an International Port Security Network

Saturday, November 3, 2007

The subject of this Roundtable session was "*Crisis to Credibility Through Inclusion: Developing an International Port Security Network.*" CPAP's own Dr. Anne Khademian interviewed Captain Suzanne Englebert, USCG, Seventh Coast Guard District.

During the Roundtable, Captain Englebert was also introduced as the first Coast-to-Coast Inclusive Management Fellow, part of the *Coast-to-Coast Inclusive Management Initiative*, a joint effort between Virginia Tech's Center for Public Administration and Policy and the University of California-Irvine.

Suzanne Englebert
Captain, U.S. Coast Guard
Chief of Prevention, Seventh District



Captain Suzanne Englebert,
USCG

“Most of you know that we, as a government, regulate based on tragedies, right? When we have fundamental change occurs, the next thing that happens after fundamental tragedy is fundamental change.

So, literally at Coast Guard Headquarters, we felt the Pentagon get hit, and we could see the smoke. It was not a rocket scientist approach. The Port Authority of New York owned the Twin Towers; most people do not know that. But, the Port Authority of New York is a powerful public Port Authority. We had very strong ties, and we continue to have strong ties with all port authorities. But -- so this was a devastating, fundamental maritime tragedy even though you do not think of it that way. In the respect that one of the huge ports of America was hit in a terrorist activity. Our Capitol was hit, the feet of our power, and also somebody had figured out how vulnerable our transportation system was, in general.

Now -- so the Coast Guard is the main delegation to the International Maritime Organization and has been since the founding of the United States and the founding of the Coast Guard. The Secretary of State and the President is the only delegation to another agency. So, on the United Nations front, the Coast Guard, as an entity actually, negotiates your international treaties on maritime activity.

And through the years, we had discussed security. Most of the other countries had always saved security as a ship born problem basically because of the strength of Malacca and other areas in the world that hierarchy exists.

Now, the United States never really thought piracy was much of a problem for the United States. We had the largest Navy, so there was a deterrent for pirates. And in a commercial world, our commercial owner -- ship owners did not feel piracy was really their issue. And when you go in an international forum and you negotiate, you negotiate based on your own country's issue.

So, we had never backed the Britain, the Philippines and Turkey who had several -- many, many times throughout the last 10 years before 9/11, presented different ideas on security. We did not back them very strongly and, therefore, they became somewhat papers in the background. They did not become resolutions. They did not become anything, just thought pieces that were put in the International Maritime Organization as ideas, as good practices for security, all based around ships.

Now, when 9/11 happened, we intuitively knew that transportation was being affected and literally within hours, we were meeting with the Commandant trying to figure out if we should -- and I was just a backbencher taking notes, but the Admirals were all trying to figure out if they should shut down the ports.

And the Secretary of Transportation had shut down airlines. We were trying to figure out if we should shut down ports, which is a much bigger machine. There -- it -- there is no analogy nor have we ever shut down a port. The only thing that had ever shut down any port in the United States really was Pearl Harbor and the labor strikes in Los Angeles were the two things that have shut down ports hard.

And to have a discussion at a level saying, "Should we make all the Captains of Ports in the United States shut down their ports?" Is this a huge transportation issue? Are there more terrorists out there?" Those discussions happened within hours.

The decision was made that because the Coast Guard is rather autonomous when it comes to the Captain of Port position that each Captain of the Port would meet with their local law enforcement and their FBI counterparts, and made decisions on their own and that the Commandant would just simply tell everybody to think about it. And that is what happened.

And a couple of Captain of Ports shut down their port for a time period, but not a very long time because the threat was really airplane based. Transportation [sounds like] nation based, yes, but more the vehicle was the airplane. And it was quickly assessed that the targeting was not towards the ship mill.

However, the seed was firmly planted that there needed to be something in the ports of the United States than the -- and the Port of New York was proven vulnerable by even a landside attack implicating the entire force.

The Port of New York, by the way, from a commercial aspect, was shut down for many weeks. And financially that was something that has actually never been assessed at -- from a port perspective how much money was lost because there were so many other things going on. Frankly, the transportation system in that area ground to a halt, so it was really almost impossible to assess it.

So, we knew right away. We just did not still really know what the next step was. And the Admirals had several meetings, as you would imagine, any senior executives to have in the weeks after that to discuss what to do next. And I mean the fundamental thought that came out there that started the ball was all of them understood that the United States in the largest port state in the world. We import more than any other country, right? You all know that.

But, the magnitude of our imports are unfathomable compared to our next port state country, which is generally Britain, now the EU, in general. So, we are the massive port state entity in United Nation's conversation.

And like I said, none of the security discussions would ever come shore side. They have always been, "What do we do with the vessel?" "What do we do with the pirates hocking these vessels? What do we do there?" No one had ever had a shore side discussion. Yet inherently, every single senior executive in the Coast Guard understood that it was the shore side piece of security that needed to be international.

So, you had this very large problem. How do you introduce a concept that has never been introduced in an international arena and, basically, introduce it as, "This is the way to keep your ships safe. You have to keep your port safe and secure. And then your ships will be safe and secure." That was the logic. And it was a world problem not a U.S. problem, which was also something that they felt very strongly. But, it meant -- was based on any real fact.

So, that was the beginning of the problem and from an engineering standpoint that was a problem -- an insurmountable problem."

"So, the first thing that we do after tragedy -- the second thing we do after tragedy is what? Reorganize..... I am not kidding you. So, you know, you get your senior executive staff

together to go, "Oh my goodness, there is a big problem. We have sort of defined the problem, and now we have to reorganize to get our staff to work on the project."

So, they formed, very quickly, a port security directorate under the Admiral, who then was titled Marine Safety and Security...and Environmental Protection. And so, you can see even in the Coast Guard we had three different jobs. We did not have a port security job, we had more than one. And so, we formed a directive.

And in one of the more memorable meetings, he had everybody around him -- is Admiral Piett [CHECK SPELLING] at the time, and he was getting a report on the stand up of this new directorate, because basically the other part of reorganization is what? Yeah. No growth, right? ... Take from within, so what you -- he told his directors to do was form a new directorate and all of you donate, right? [Laughter] And the new directors, he is going to determine how many donations and that was the order.

So, at this particular landmark meeting, he was being told that "The emperor has no clothes." He was being told by his staff, his directorates that while their new directors had stood up, the new directors had no talent because everybody had donated -- [Laughter]. Unfortunately, if you are told as a leader that you have to give up staff, who do you give up? The ones that are the easiest to give up. The ones that are the biggest problems, and the ones that maybe have the least competency in the area.

So, it was one of those -- it was perfect. It was an example of amazing leadership in a vacuum. So, [Laughter] I then was a benchwarmer taking notes, and I was in the back taking notes. And I had told my boss that this was a recipe for failure because I knew the 350 people that worked in this directorate, and I knew exactly who the director had been given. And I knew that these were people that slept at their desk, came in late, were already on probation. I knew it because that was my job to know these things, and I did, and I told my boss and my boss got mad at me. So, I did not same thing, I wrote notes in the back of this meeting.

So, the one person that was the new director stood up at a meeting, and I do not know how many senior meetings you have been too, but you never stand up, right? If the senior person is sitting, you never -- you stay seated. Well, he broke that paradigm from the beginning, and he stood up when it got to him, and he said -- he did not say, "Emperor, you have no clothes." But, essentially that is what he said.

He said, "You have given me a directorate that has absolutely none of the key skills that I need to succeed in an either international negotiation or a national negotiation. I have nothing. You have given me no one that understands regulations writing, no one that understands cost benefit analysis, no one that can problem solve, and we have this big problem."

And there was complete bedlam [Laughter] and the Admiral just looked at him and said, "Well, I guess we have to fix that problem." And then he said, "Why do not you tell me what the job description is for these people you think?" And he sat down and the Captain sat down. And we ended the meeting and I sat there and said -- and I think I said the quote earlier, "Where opportunity and competency meet and then you have to have the vision to paint the steps."

And so, I broke paradigm that night and I sat down and I said, "Okay, I have the competency. I have -- wrote regulations in a lifesaving forum. I wrote regulations in the pollution preventing forum. I am actually one of the only" -- there was only three people at headquarters at a time that had been in any of those projects.

And so, that afternoon -- the meeting was so disturbing that that afternoon, I went to the other two people and I relayed the meeting to them. Both of these people were retired commanders who now had wonderful [inaudible] -- 14 and 13 jobs and both of them looked at

me and said, "Why would we do that? [Laughter] We have no interest in sticking our neck into such a failure." "Yes, but you have the skills." "We have no desire." [Laughter]

And it was really quite shocking to find that my teammates were not making [inaudible] [Laughter] They were not for [inaudible]. They were running away. But -- and you have to realize at the time, I was in an executive assistant position. I was a nothing. My competency was recognized as note taking and party planning [Laughter] and they are not mean. There are those jobs and that was my job at the time. That was the billet that I held and I did that very well, I must say. [Laughter]

So, then there was no expectation of anybody thinking that I had the competency when I sat in that room. And when I did my research by going to my friends and colleagues that I knew had that competency and they all pretty much -- the ending of the conversation was always, "Well, Sue, we understand, and if you are going to do it, we will help." ...

And that competency is a very small competency within the Coast Guard. I would profess it is a small competency within every federal organization is a very difficult one to have. To write regulations every day is probably one of the hardest things to do. And so, to have that competency is not a flag waving kind of thing.

But, I had done that with the Oil Pollution Act in 1990, I had had worked on double bottoms for tag ships, believe it or not, that was one of my things. And if you are in Santa Domingo right now, you are happy that I did that [Laughter] because I have a large LTT carrier far to ground with a double bottom.

But -- so I went the next morning and volunteered. Something that ... you do not ever do. Because I realized that we were in a position where we needed to succeed, and sometimes you just have to stand up and say, "Okay, this is a really bad job that you have to do and you need some help. And, although I might not have all the skills, I have some." And it makes an impression when somebody stands up and says that you are going to fail and it makes an impression on people that can make a difference on that. So, that is how I got involved in it.

The funny thing was in order to volunteer, you cannot just volunteer. You have to volunteer and this is another inclusive piece that I did not realize what I was doing until you mentioned, was I actually could not volunteer. I could not go into the Admiral and tell him because I was this party planner [Laughter] and his note taker. So, I could not just walk up and say, "You kind of look like Admiral Piatt, right. [Laughter] [Cross-talking] -- [inaudible] Admiral and I could not just walk to him. That was not the way to volunteer. That was not constructive. And I could not go to the Captain and volunteer because he did not have any reference from my work either.

So, in an inclusion, I had to go and actually get somebody that knew who I was in my other job and tell them. But, I also had to get somebody who was in the room at the meeting. So, there was only one person, and I actually met him on the stairwell. This is the part -- it is kind of a funny story.

I met him on the stairwell from the -- going up from the parking lot. The first time I had ever seen him in a year in the parking lot at the same exact time I was. And I said, "Well, okay now or never. I will just drop a hint." So, I did.

On the way up, I said, "You know that meeting yesterday was very disturbing." "Yes it was." And I said, "Well, you know I have all those skills that he was saying he needed." And the GS-15 turned and looked at me and said, "Are you volunteering?" And I said, "I think somebody needs to."

And okay, I have five minutes. I am not kidding you. I got to my desk. I put down my briefcase and he was in -- his boss was in the Admiral's Office [inaudible] "Just do it." It took

five minutes to -- so they understood exactly what was going on. Actually my boss was comical, "Sue? Sue has those skills, really? [Laughter] I did not know that."

So, you know, you need to have a champion and you need to have a champion that understood the context of the problem and I did that. So, I -- it was not a clear way in, but it was -- that is why everybody always told you that you had to talk to Sue because really I became I guess the flag carrier for the entire process just simply because he -- I got marched into the Admiral's office.

And the Admiral looked at me and said, "I have been told that you are the person that I need to get this done." And I said, "Admiral, I think I can help a great deal with all those competencies that the captain said." And he said, "Well, good, what do you need?" And I said, [Laughter] -- exactly, I said, "I need full rights to pick my own team." ... "And I need autonomy with your blessing." And those were the two things that started the ball.

I do not know how I got the guts to say those two things nor where they came from in my head, but I knew that I had to pick my own team and I knew I needed a semblance of non-bureaucracy in order to break some of the barriers. But, I intuitively knew we were going to have to do."

"Well, throughout my career, I have always noticed that I know the least about the problem usually -- and I have always approached that from that context. I get reminded of that a lot that I do not know what I am talking about.

And so, I knew -- and we all knew, but I picked -- remember now I have a handful picked team....We started with about 15 and, by the way, they were not the stars. They were the motivated, because remember, I knew -- those 350 people on the staff, I knew exactly who was who. I knew who had had a bad fitness report and needed a chance, just one chance. I knew the pavilions that were ground down and needed just one chance.

In fact, I had an argument with the lead JAG at the time, the lawyer at the time, because I selected a GS-13, which was sacrilege for such a big project, and he argued with me. He said, "You are picking the wrong person. She obviously does not have this competency. And you are just going to run -- that is not going to work."

And I looked and I said, "Well, who would you suggest?" And he said, "I suggest this person." And I said, "You know what? I am going to go with my team and this is the person I want. But, I tell you what, in two months if this person is not working out, I will come back to you and we will trade. How is that?" "Okay, but I think she is going to fail." But, I never relayed that conversation to her.

So, about 15 was the core. All different -- at this point, we had the lawyers, we had the engineers, and then we had the few people that were port security specialists. From back in the Cold War era, we did have port security specialists as a core competency in the Coast Guard they are mostly reserves. And there were a couple of reserves that were called back on active duty. And so, I had a couple of these folks that really as their port security experience had to do with walking the piers with guns, not particularly integrated in making facility type security as much as the protection part, the MP type part.

So, we said, "Well, you know what, we are not the experts. In fact, we are really not the experts. And the whole idea here is to make a world -- to change the world. To change those ports overseas, to change how business is conducted, to change how cargo is loaded fundamentally, so that theoretically the dirty bomb does not even get on the ship in Majorca or wherever it is being loaded."

So, this was a problem none of us had any idea how to solve on a -- from a U.S. basis. So, we knew that we had to have an international, and we knew we had to have the industry talk discussion -- a dialogue with industry, an open dialogue with absolutely no strings.

So, innocently we pursued the competency that we were missing by going out to this workshop, and that was very novel. It was right after Christmas that I proposed this as a two-day workshop where industry would be invited as a public meeting, but with no strings.

And what we used as a basis was, the existing international document, remember it was really sketchy. It was all vessel focused. But, we said, "We want to talk about this. And we want to talk about vessel security. We want to talk about shore security. We want to talk about people security. We want to talk about it. So, we are going to have this open forum."

And we encouraged all of the Captain of Ports to send invites everywhere, and we did the public issue, but with no strings attached. Although, we did say, "We are working on international policy for port security. So, the things that you are going to tell us are going to be the fundamental things that we are going to work towards as we work towards this international" -- never did we say national policy because regulations are bad, right? So, we said, "International" [Laughter] "International policy."

And we just put on the two-day workshop. We facilitated it with contractors that -- and the -- it was interesting because industries without -- with very little expectations, but knowing intuitively that something was going to happen really participated well.

And we went to all the different ones. We went to the facility owners. We went to the vessel and the ship owners and we went to the unions to try and get the mariners and the labor unions. And then, we went to the general population of politicians that had interest in maritime this whole time -- pretty much the Maritime Lawyer Group who were represented from that.

And we did the two-day where we just stood up and we said, "Okay, this is what we are going to do. This is what we are framing." We had a general session and then we had break ups. And the break ups were all facilitated and it was just free discussion. "Okay, here is the problem. How would you secure a container facility if you Mr. Facility Owner had this issue?"

And then, of course, the industry would teach us, "Well, you could put up that dah, dah, dah." "Well, how do you feel about this?" Does everybody need a fence?" "Da, da, da" -- and they go back and forth and back and forth about those issues. And some of the fundamental things, when you have unscripted like that, at the end of the two days, we had plenty of input and very little compromise -- very little consensus. [Laughter] So, lots of input, hardly any consensus.

So, the whole point was to try and get some fundamental consensus and that would be the forum, the kernel, on which we would launch everything else. And it adds incredible credibility if you ask first, or you take a two by four, and it did. We were able to use that open forum discussion throughout the rest of the rulemaking and the rest of the international discussion as this is our national forum. This is our U.S. position. What should we feel like our U.S. position should be? It should be this.

So, what I was looking for was consensus and that is what we told them at the beginning, "We are looking for kernels of consensus in the port security realm. So, we are going to have all these discussions and then we are going to come back." And then we -- the last session, the second day was all about do you buy into what we heard? This is what we heard. Do you buy into that? And basically we were taking the physical whether or not they agreed or not agreed. No, we did not do a hand vote.

And what we came up with in general was they did not want us to dictate what security was for an individual pier or an individual port. That I think one of the quotes that you hear all the time if you study this is "You have seen one port, you have seen one port." [Laughter] That is a famous quote from one of the Admirals when we went on road shows later on, he would say that.

Well, that came from an industry person that said that at the very first workshop, and his point being, "Do not treat us all in the same little box. We are different. We have different economic models. We have different cargo. We have different workers. We are just different and you cannot make us all do that."

And the other thing they said was -- one of the other fundamental things they all agreed on -- "Security is an important thing." They all agreed with that. And more importantly when they said that out loud and we wrote it down, I said, "Is security an important thing from a -- from all aspects or just from a federal government aspect?"

And remember we had industry and we labor and we had all different people. We did not just have federal people in the room or state people in the room, and there was consensus that it was an everybody thing. That was again powerful, shared responsibility. So, then when you go forward with regulations the concept of shared responsibility was an important cornerstone to keep as we went along.

So, okay shared responsibility, security is a good thing, we are not all the same, and I -- the other ones that I remember distinctly was, no consensus points. And there was a violent no consensus points and one thing that turned out to be the hardest thing to solve. The vessel owners and operators felt strongly that security was a facility thing. The facility security owners felt very strongly and violently, in fact -- they got very animated, that it was all about the vessel. The vessel was the problem. [Laughter]

And so, the non-consensus point was just a little less as important, because throughout the rest of the communication about what we were doing, we had to somehow talk about this relationship. And in a public forum communication that actually it is a shared responsibility and that kind of means that the facilities have to share that responsibility.

And it became a fundamental discussion in the international community because internationally I have a port, but I do not own the ship, so why it is my responsibility? So, we knew from that workshop -- we knew the fundamental problem and our fundamental perk in just a two-day period with a cross cut of the general population interested in that topic."

Working with the International Maritime Organization..." was the -- one of the competency I did not have was the international competency. I had a lot of domestic work until this time, but I never actually had been over in the UN thing. So, I was a new face in probably a room of over 500 faces that had been negotiating with each other for years. And in an international environment, negotiations go very slow.

And one of the other things I kind of wanted to point out here was there was a resistance. Not everybody in the Coast Guard agreed that it was a world -- when we started the process, for the first six months there was some agreement that the international solution was the right solution.

But, there was some worry, especially at the Commandant level and the department level, because typically international negotiations and international change is a slow moving thing, and I mean that is probably a good thing.

So, there was severe doubt that we would be successful. And once again, you know, there were people standing up saying, "You will not succeed." In the international forum, "You will not succeed." So, we just kind of ignored them and said, "Well, how can we succeed?"

And we had this problem that the U.S. had until that point really not supported the countries that we now found had to be our best friends. So, we took the one that we had the best relationship with, which was British -- Britain and the UK. So, we took that relationship and the first thing we did is -- a lot of the diplomacy at the very high level, I was not involved in at the beginning. You know say little things like meeting with them before the meeting.... You know you meet before the meeting? And because the UK had proposed things in the past and did like the idea of shore side security a great deal, they supported that initial thought.

So, then the way it works in the United Nations' system when you have to write point papers for discussion, and they get interpreted before the meeting even starts. So, we had gone to the UK and said, "We would like you, if you could find the time, to just to write some security based proposal. And oh, by the way, here is the security based proposal [Laughter] that we think might resonate."

So, they had got done about [inaudible]. The meeting was in May, so the timeline goes November of 2001, I start the project. I get kind of into the project because first we had to [inaudible]. And then, by May we are having our first international meeting. So, we are already on a timeline. We are already -- the politicians in the United States were already upset that things had not magically changed.

And so, in Februaryish we had the public workshop. And almost immediately after the public workshop, we put together a paper and handed it to the Brits and handed it to the Philippines, who were another friend at the time, and said, "Hey, look, we are going to propose these sorts of things. If you think that that is a great idea, you should maybe compose some [inaudible] the same thing." Like that.

So, before May happened, there was probably about 10 countries that had come in -- because, of course, the Brits called their friends -- oh, and your paper kind of, even in draft form, gets blown out into the public forum. And so, we had about 10 countries with different proposals written before the meeting even started.

The other thing that we did is we went to the International Maritime Organization leadership and said, "This is a really important thing and the United States thinks it is really important." Now, of course, that is arrogant and it gets them crazy.

So, the next sudden [inaudible] we say is, "So what?" And the higher negotiations -- some of the autonomy has been we pre-deemed this and the -- we had a lot of help from some of my senior directors. They had gotten money squirreled away. And they said, "It is so important we would like a special session, and the United States will pay" -- because we had a timeline -- "So, we need this discussion to be on an accelerated pace."

So, nothing in the international world happens without money and nothing happens if you are a country that wants it without you being the one that foots the bill. So, while you get a lot of your accomplices in the room to have the discussion and to help you. At the end of the day, the United States foot the bill for a special session and we proposed the special session to be some time in the summer.

So, because we had asked the -- for this sort of thing, right off the bat in May, they knew they were going to have a special session in August, which -- I think it was August. So, they already knew that they needed to have a workgroup on security break out.

And that is how most international negotiations happen. They have a workgroup. And because so many countries had proposed different security things, they had a plethora of stuff to discuss.

And because the entire world actually was very upset about the terrorist attacks at 9/11, it was not a U.S. event. And most events are usually localized and the piracy thing until then had been very localized, so no support. But 9/11 was viewed from the world as a world crisis. These people are out of control in the world. So, there was a great desire within the IMO organization to support that initiative.

But, of course, the U.S. had to kind of back down -- we had to try desperately to be in the back, the back and let the forum gain its own energy, otherwise they were not going to get to the end of the problem. You needed a lot more friends.

So, one of the things I did is, I put me in the workgroup at the lead, which was really weird for me because I had never had any positions or had any -- and I was also an unknown. Nobody knew me. All of these -- and I will just have to say it, they were all men -- all of these very established mariner men people [Laughter] and me. [Laughter]

And I had lawyers. I had a little team. We were able to bring a little -- like three people. And then, we had -- our lead's delegate had to sit in the general assembly. So, this was the workgroup. And the workgroup was such a huge workgroup that they had to go and get another room and use their -- actually their other big room for it, because every country decided to be in this workgroup, because really you had to a precursor of all these papers. So, you knew it was going to be a big thing. And you also knew that there was money and that is another draw.

So, okay, this is going to be a big thing. This might be changed. So, everybody had to be in the room. And, of course, the Coast Guard was trying desperately to drive from the back seat, so that was my job. I was supposed to deliver without being [on] point. And so, they felt that I was the best choice because at the time I was -- became the subject matter expert. And so, I was the subject matter expert.

What I did not realize was my credibility as a Marine Engineer and Naval Architect was really actually what gelled the consensus. It did not have anything to do with me not being in the international forum. It had me -- to do with mainly -- I had met all the engineers. And guess what? Engineering is a language that is universal, and I struck up a wonderful relationship with the German technical advisor, because all of these different diplomats have their advisors and their advisors are the ones that go to the workgroup.

So, all the people in the workgroups were all engineers or lawyers, and my second chair was a lawyer. And then -- so we had -- or I had credibility simply because I could speak the language of engineering, and so I was not as scary. And also because I was new, they all knew that, so they took time to explain things more, which was good because I needed it explained.

And so, they did not treat me as somebody that was always on the offense. They treated me as somebody that needed to be educated, which is a very powerful position. If you got into the backseat, you know the powerful -- to be in that position -- teach me and then we can have the dialogue.

So, it opened up the dialogue in a friendly way with a lot of nations that were angry, very upset. You had that a lot. And so, for the first couple of sessions that we had in the UN there was a lot of anger about the U.S. pushing their policies. The U.S. going unilateral and, of course, I would always say, "Look, we are trying not to go unilateral. That is why we are very interested in success here." And it took a lot of effort to keep them non-threatened.

"The other thing about international issues is they watch what the American national policy is doing. They really watch it. And when they watch it, they make assumptions. And that is why the unilateral kept coming up, because what they would -- usually the first -- we would have a week long meeting and the first two days I would have to unplug them from how mad they were [Laughter] about "Congressman So and So writing this statement." And so, they watched what was going on on the Hill more than I did. [Laughter]

And it was just fascinating to see how they took everything that is being said in our House and our Senate and they put it into their concept. And so, for the first two days of every single thing that we did, I had to say, "Well, we are not going unilateral. He is saying that because of this issue. Do you --" and we would have to go from there. Because at the same time, we were doing this International Ship and Port Facility Code -- which, by the way, that title was about six years -- sixteen hour discussion. The title was more of the discussion than some of the points in the resolution.

While we were doing that, at the same parallel, the Maritime Transportation Safety Act was being negotiated between the House and Senate. Actually the House bill was being written and the Senate bill was being written, and I was going up to the Hill fairly regularly to tell them, "Well, you know, it would be so much better if we wrote it this way."

Because in my head, I knew what the international one was and I was trying desperately to add credibility to say that we were not unilateral. And in order to try and be unilateral -- try not to be unilateral in a federal act we had to have the same components -- this was my way of saying that I was credible -- I had to have the same components and they had to be complimentary. They could not go too far over. It would -- unless it was just to the American public, for instance, a public labor worker. Well, that is okay to require a public labor worker to do something in the U.S. realm because that does not affect what is going on in China on the ship side -- or on excuse me, on the facility side.

So, there were certain things I could give the Maritime Transportation Security Act and there were certain things that we had to bring back into the international realm and try and win. But, once again, I could not say, "Well, it is because of the MTSA that I am trying to get this changed." I could not say that because that is unilateral.

What I would say is, "Do you not think it would be better if we did it this way and da, da, da, da, da." So, that was a lot of relationship building and communicating and juggling. So, at the same time I was doing the international negotiations, we were doing the national ones and the international community knew that.

The success of the International Security Ship and Port Facility Security Code cannot be understated. In 18 months, we changed the international policies on port facility security and ship security. Every ship had to have security. Every port had to have security. There was a regime. It was -- there has been a lot of criticism that it is rather wide open to interpretation and it is not prescriptive enough. It is more performance based. You shall have security. You shall have monitoring. You shall have access security.

We decided on eight different things that you had to have to say that you are secure, in a general sense, and how you did that was up to you. And how your country decided whether or not you did it appropriately was up to you as a country.

So, we went with performance standards because that is the more powerful way to make change, in my opinion. And then, of course, we had to unplug the Congressmen and the Senators that wanted to make a fence in every port and very prescriptive. And the fence had to be 10 feet tall and this is why we needed a cop in every corner and that is very prescriptive.

And what we were trying for was performance based, "Listen, we have never had this environment at all and now you are trying to say the world makes this environment and the United States makes this environment. We need to go with some markers and just put some ideas of the security around."

So, when we signed the International Ship and Port Facility Security Code, which is a code underneath the stole of convention, which is the major convention of maritime rescue, believe it or not. But, it was the easiest article to put a major change under and that was consensus from the international instruments.

The sad part -- the part that was the hardest to do was we had negotiated it all the way -- and actually the words were done and we had had all these meetings in rocket time, and we were to the point where -- the week of Thanksgiving every year is the Maritime Security meeting in London and that is when they sign documents and resolutions and codes like this. So, we knew that Thanksgiving was when we needed all this done, and we actually had it in the international realm done in October. So, we were all happy, very satisfied.

Then this chore [sounds like] came in to try to convince Senate and Congress not to vote on their Act until their -- we were trying to time it. And here is a little agency inside of a very vague department that is in the middle of transition. So, this little small agency was trying to convince everyone this - just hold just a little, just hold just a little bit. [Laughter]

So, we failed miserably on that count because the session was closing for Thanksgiving and because the President wanted to give before Thanksgiving a symbolic -- not a symbolic, these are my words -- but, he wanted to give the public something tangible, some change based on 9/11. You know, "It has been over a year, what have you done?" So, he was desperately under pressure to do something.

So, he decided and Congress decided that they would sign the Department of Homeland Security Bill at the same day that they signed the Maritime Transportation Security Act Bill. And it all had to happen before Thanksgiving because the -- that was the policy that the [inaudible] two weeks before we do the final signing in London.

And remember everybody in microcosm, everybody knows now, and when we walked in -- when the American delegation who now for signing of this proportion you bring your statesmen and you bring your lead Admirals. And in this case we brought our Commandant, who is the lead member of the delegation for the United States. So, the Commandant walked through the door with the maybe 15 people in the delegation, me being one of them, and the anger was palpable.

And the only thing I can say is it was really good that it was a five-day meeting, because once again, it took two days. It took two days of everybody's energy, all 15 staff, all the tea times, all the coffee times, all the bathroom times, because I used to get highjacked in the bathroom [laughter] to tell them, "Really, if you look at the MTSA, really compliments -- it is this code and there really is not any disconnects going on except for these things that are very state side and you really -- " and they had read in the Maritime Transportation Security Act once again probably more in depth than I had, and they were very, very upset. And at the end, I think it was a political dynamic for them. They felt pressured as the UN instrument to do something internationally.

It was certainly not in support of the United States. It was certainly in support of all the work that they had done until that point. We almost had -- Norwegians basically boycotted it. We had countries boycotting. The Norwegians were the most vocal. But, we had countries that changed their votes. We had countries that tried to derail the whole thing, right? And, "Well,

we think that this resolution needs to go back into a committee, bah, bah, bah, bah" as they derail. [Laughter]

We had a lot of behind the scenes going on in order to get them to agree. And the signing itself was just a -- so fundamentally wonderful to still be able to deliver that at the end -- it was actually the day before the end that they basically took the vote and it passed.

And then, the next day you actually literally signed the instrument and all the countries signed. And by the last day when they all signed, everybody signed. Nobody had -- even Norway got a phone call from their State Department saying, "Sign," [laughter] because the State Departments talk back and forth after they get in trouble.

And so, yeah, there was 167 countries signed the document all the same day right before -- I think it was right after Thanksgiving, the Friday after Thanksgiving. So, that was just the phenomenon."

"The first thing I did was find out why they were angry. I did not assume they were wrong to be angry because most of the time they were very angry for very good reasons.

And what I learned in that whole process is that we are incredibly arrogant. We are. It is a bit painful. And when we are an international forum like -- and we are incredibly arrogant with our own citizens, not just -- and that was my MTSA experience.

You know, if you approach, in my opinion, public policy with an arrogant -- even a little bit of a view, you are not going to have the success, the ringing success, the creativeness -- you should see how some of these folks do facility security practically speaking for a grain piles. What do you do? It is a problem that you -- when you watch how they followed it, you just have so much fun watching how they spell your concepts because you did not really have a concept to how to even solve it, you just wanted them to solve it in their world.

And so, no, it was not manipulation. There was a lot of discussion. There was some knowledge of the system. I think you are -- you cannot be inclusive unless you do not understand your own -- the box that you are working in. We knew that we could not get very fast in the international agreement unless we brought money to the table and had a special meeting. You could call that manipulation. I call it knowing the game.

One of the things that we did was we started from a known base. We took all -- we compiled all of the different papers that had ever been written and said, "Okay, this is the public knowledge of the subject." And that is where we formed some of the -- and we added to that the public workshop meeting stuff, and that was the soup that we made the proposals, international community.

So, we did not start from our own. Is that manipulation or is that just good use of researching tools? I would say it is just starting from a known discussion point especially since it was not that known. Maritime Security has always been considerate of MP-like function. In World War II dogs, guns, you know, we never really had it in an industrial or an industry requirement."

"I do not think anyone should ever underestimate the power of active listening in every situation. And I have just learned to do that. I do not quite know who taught me, but I do it automatically. And the more I did it, the better it got.

So, every single time I would do -- not do it, I would usually go backwards. So, absolutely at -- I would call it active listening. The active listening skills and really listening, not writing your paper in the back of your head while you are -- and I also notice that a lot of times in our

own government we do not do that. We just do not remember to do that with people that are interested."

"One of the hallmarks of the MTSA -- when we were doing the regs for MTSA was that practice. Not that I -- at the time I did not -- I just want to give you another example of best practice. ... In writing the regulations, I made no assumptions. I made no assumptions that anybody knew what was going on internationally. I made no assumptions that anybody knew what happened at the workshop, and I made the assumption that we were going to have engaged population ready to have further discussion on the issues. And because of those assumptions, we ended up with the public meetings that we had before we did the -- what we did is went remember parallel. So, we had to have the final rule in place at the same time that the international instrument came into force.

So, by planning it on Thanksgiving something, we again started the time clock on our own domestic problem of actually writing regs. And once again, writing less -- writing the regulations, getting them final rule, and actually having them start to be enforced, once again, in 18 months, which has anybody written regs in here? [Laughter] How many people have written?

Okay, that is impossible, right? Would not you say? Right? Once again, I was told impossible, but you just started with massive communication of, "Okay, this is where we are in the world. This is why we are here. I am not assuming that you do not know, and I am assuming that you have value to add to the discussion. So, here we go. We are going to discuss stuff."

And I scripted the public meetings -- we held them across the United States, six of them, which is a wonderful practice and actually they are doing it now -- unfortunately, they are doing it after the notice is out. [Laughter] We did something creative -- yeah --

Oh, they learned -- it is another agency though. It is not the Coast Guard. The problem we had was we knew we had to go to final rule and we had to do it by October, because you had to -- we had to get the plan started by December to enforce by July. It had to be in force by July because that was when the international world was then in force.

And so, our credibility as a nation was rested on us being able to do this now by July of 2004. So, the time ticked basically starts with a series of public meetings, and we had envisioned using the fact that there is an international instrument and a timeline to go to interim final rule.

So, there was a little trick. They were going to go skip the Notice of [indiscernible] rule making and go right to the interim final rule. In order to do that we had to really meet scheme - - and this was not manipulation, but [Laughter] we really had to say, "Okay, we have to have a public dialogue that is so robust that it is bulletproof. No one can tell us that they did not discuss this with us as a regulatory agency."

So, we had to have something that is so robust that we can look Congress in the eye and say, "Yeah, we had that discussion and this is what happened and this is why it is the way it is." And the industry is a big part of that discussion. So, we went out with six public meetings across the nation. And if you do not want [unintelligible] big deal.

One of the things we did for the planned success is we had the same ears -- remember active listening? I believe that repetitive listening is a good thing too. I convinced our lead agencies that were with us and my own boss to be at every single meeting, the same ears. That also builds credibility because the same Admiral sitting in that chair hears six different cities and courts saying the same thing.

And then, when you present him with this solution to the same thing, there is not as big a deal about that, but there is also a justification, "Oh, yes, what are we going to do about that?" "We are going to do this." "Oh, that seems to make sense with what I heard."

So, there was some consistency in the receptors and the thing that I stepped out of bounds in, traditionally -- are their lawyers in the room? [Laughter] Would you admit it? [Laughter] One of the things I find [indiscernible] One of the things I find about the professional -- the engineers of the world and the lawyers of the world it is like oil and water, and having to work with both, I have become a facilitator of their languages. And in this case that was exactly what happened.

We were transitioning from DOT to DHS. The lawyer system was trying to figure out how to do this transition, and in the process of that transition, they allowed the Coast Guard to kind of do things without a lot of oversight, should I say.

So, the public announcement -- if you go back to the public announcement of these meetings, you will see that it is -- is as thick as those documents. And a lot of lawyers in the -- after we released it and did the public meetings told us that they felt that was really a no exposed rule making and that we did it incorrectly. My comment back to them was, "I needed to have a dialogue with America and if you are going to have a dialogue with America, you definitely got to script it because otherwise you will never get where you are going. So, this is a script of what questions we need answered."

And if you look at the public meeting, it was definitely -- there was questions right down the board. It was a very thick document of all the different questions with no inference. There was an inference of regulations, but it was more like, "Tell us first before we take our pen and sharpen it and start writing stuff for you. Tell us first."

And I have to say that there was some dramatic changes between -- we listened -- dramatic changes between the public meeting and what the IFR actually said. We were not writing the IFR as we had the public meeting. We were filling it in, should I say. We were filling in what it was going to say at the end. And it actually went a long way from going to the IFR to the final rule. We had I think -- I cannot remember -- you go with the docket I -- it is over 3,000 comments -- the docket for the final IFR, the final rule was over 3,000, and we had two months to write the answers to it and get it out and publish it. Two months.

So, we did a lot of internal processes to make that successful, but remember I had my team and -- but those 3,000 comments or so, we were able -- because it was hardly comments compared to what we should have had for such a landmark rulemaking. And I think a lot of it is because we included them from the beginning they understood what we were doing from the beginning. They were worried about their piece of it, which was the comment was, "What is my piece? I am in Chicago and I tie up my boat and it freezes in the water. What should I do? Are you going to make it flexible enough for me?" So that was the comment. But, it was not, "Why the heck are you doing this? This is just stupid." We did not get those comments, which -- that means that you have been totally unsuccessful in having a dialogue. So, we were able to establish need and establish a way ahead with the public."

At the Table

Suzanne Englebert, Captain, U.S. Coast Guard, Seventh District

Captain Englebert is currently the Chief of Prevention for the 7th District, US Coast Guard in Miami Florida. In August 2008 she will become Sector Commander for the US Coast Guard Sector Seattle, assuming leadership responsibility for the geographic area that includes all of Puget Sound and much of the Washington coastline.

In October 2007, Captain Englebert was named the first Inclusive Management Fellow with Virginia Tech's Center for Public Administration and Policy.

Upon graduation from the U.S. Coast Guard Academy in 1984, she served as a Deck Watch Officer aboard the 180' buoy tender CGC IRIS which operated off the coast of Oregon, and then was assigned to command a Long Range Aids to Navigation Station in Okinawa, Japan.

Captain Englebert is a fully qualified Marine Inspector responsible for inspection and marine safety field programs off the coast of Maine (Rockland) and in the Upper Great Lakes (Duluth, MN). While assigned to Coast Guard Headquarters in Washington, DC, Captain Englebert was a leader in developing national regulations for lifesaving safety standards, pollution prevention standards, and comprehensive maritime security requirements mandated by the Maritime Transportation Security Act of 2002. She was named Captain of the Port of St. Louis, Missouri in 2003, the first Commander of Sector Upper Mississippi River in 2006, and in August 2006, she was appointed to her current position as Chief of Prevention in the 7th District.

Captain Englebert holds an M.S.E. degree in Naval Architecture and Marine Engineering and an M.S.E. degree in Mechanical Engineering from the University of Michigan.