

May 4, 2026

Mr. Glenn Wiltshire  
Deputy Port Director  
Port Everglades  
Broward County, Florida

**Re: Response to FDOT Request – Force Majeure and Proposed Schedule Relief**

Dear Glenn:

This correspondence responds to FDOT’s request for background regarding delays in the Port Everglades SPT Pilot Program and the basis for Safe Port Terminals’ (SPT) *force majeure* request under the Port Everglades Pilot Program Grant.

**Executive Summary**

SPT’s inability to advance the Pilot within the original schedule stems from multiple, overlapping *force-majeure* events beyond SPT’s reasonable control. These include CBP regulatory constraints and the absence of a defined regulatory “path forward”; a prolonged Congressional funding lapse affecting DHS and CBP engagement (although some agencies under the DHS may become funded in the coming weeks, ICE and the CBP will not be funded); and the United States’ entry into an active armed conflict with Iran beginning February 28, 2026. Collectively, these events materially impaired SPT’s ability to secure additional CBP approvals in a timely manner and to maintain investor confidence. In addition, they prevented federal engagement and directly obstructed SPT’s ability to secure private capital and advance the Pilot Program, as originally contemplated.

**Background and Timeline**

- June–July 2024: The Florida Legislature and Governor approved a \$1 million FDOT grant to support the Pilot, contingent on CBP endorsement.
- August 2024: CBP approved the Port Everglades Pilot Program.
- September 2024–February 2025: SPT’s potential investors’ due diligence revealed significant regulatory risk, which arose from CBP precedents. These CBP precedents showed that the CBP would approve privately funded pilots. But after the pilots were successful, the CBP would not authorize a path forward for deployment, so the investors could not foresee a return on their investment.
- March 2025: SPT senior management met with senior CBP officials in Washington, D.C., to discuss allowing SPT demonstration projects capable of establishing a viable regulatory pathway and a return on investment.
- February 14–April 30, 2026: DHS appropriations lapsed, restricting CBP engagement to essential duties and resulting in cancellation of scheduled SPT’s meetings with CBP Miami Sector.
- April 30, 2026 – date unknown: The DHS may be funded in the coming weeks, but no ICE or CBP funding has been allowed, and the Iran War is ongoing. Thus, there is no date certain for the CBP to be funded or for the War in Iran to end.

### **Impact on Financing**

The FDOT grant was intended to leverage private capital rather than fully fund the Pilot Program. Once investors identified the absence of a CBP-supported regulatory path forward, compounded by DHS funding uncertainty, private capital became unavailable due to the elevated regulatory risk that SPT could not mitigate on its own.

### **Basis for Force Majeure**

The delays underlying this request stem from federal regulatory constraints that made the CBP unavailable. The CBP's operational limitations restricted it to essential activities, not the Pilot Program. Prolonged lapses in Congressional funding for DHS and CBP primarily caused these conditions. These conditions were further compounded by the United States' entry into an active armed conflict with Iran, beginning on February 28, 2026, which resulted in heightened national-security postures, operational reprioritization within DHS and CBP, and the suspension of non-essential external engagement for projects at U.S. ports of entry, including Port Everglades.<sup>1</sup>

### **Requested Relief**

SPT respectfully requests that Port Everglades and FDOT recognize the applicability of *force majeure* and suspend applicable grant milestones until CBP engagement resumes and a viable regulatory path forward is established, with a proposed outside date of June 30, 2027.

Granting this relief will preserve the State's investment and maintain the ability to deploy technology that enhances port security, increases cargo throughput, and reduces operational strain without disrupting lawful trade.

Respectfully,

/s/ James Sletteland

James Sletteland  
CEO  
Safe Port Terminals

### **Footnotes (non-restricted)**

<sup>1</sup> Encyclopedia Britannica, '2026 Iran War,' updated April 30, 2026.