# Port Security Affirmative – Northwestern 2012 – Abelkop/Vellayappan Lab

## First Affirmative Constructive

### 1AC – Attacks On Ports

#### ADVANTAGE ONE – ATTACKS ON PORTS

#### Ports ARE the target – gaps in security infrastructure make devastating attacks imminent

PR Newswire, 2011 (“10 Years After 9/11, Security Still a Top Priority of U.S. Ports”, The Maritime Executive, <http://www.prnewswire.com/news-releases/10-years-after-911-security-still-a-top-priority-of-us-ports-128888213.html>)

Among the materials Navy SEALS found in Osama Bin Laden's Pakistan hideout were plans showing the maritime industry is still a key Al-Qaida target. Given ongoing threats such as these, the seaport industry is asking Congress and the Administration make port security a top funding priority in current and future appropriations rather than considering it for funding cuts. AAPA is strongly in favor of reauthorizing the SAFE Port Act to ensure that U.S. port facilities and cargoes remain secure. One such bill, S. 832, was introduced in April by Sens. Susan Collins (R-ME) and Patty Murray (D-WA), which would authorize $300 million a year for five years for the Port Security Grant Program and reauthorizes, among other aspects of the original bill, the Container Security Initiative, C-TPAT and the Automated Targeting System to identify high-risk cargo. Since 9/11, the Port Security Grant Program has received about $2.6 billion in funding for 11 rounds of grant awards. AAPA commends Congress and the Administration for these allocations and will continue to recommend the federal government commit $400 million a year for a separate and dedicated program to help port facilities enhance their physical security. The association supports a risk-based evaluation process that allows all facilities that are required to meet MTSA regulations to apply. “Clearly, America’s ports have become much more secure since 9/11. In addition to guarding against cargo theft, drug smuggling, human trafficking and stowaways, ports and their law enforcement partners have added the protection of people and facilities from terrorism to their security plate,” remarked Mr. Nagle. “There’s no question that more investments in security equipment, infrastructure, technology, personnel and training will be needed. All parties—the ports, terminal operators, the various government agencies, and the Administration and Congress—must do their part in undertaking and funding these enhancements. Only by continuing to make port security a top priority will America’s seaports be able to continue serving their vital functions as trade gateways, catalysts for job creation and economic prosperity, and important partners in our national defense.”

#### And – Attacks on ports now are more likely than on any other critical infrastructure assets

Nadler et al, 2012 (Jerrold, Edward J. Markey, Bennie G. Thompson, “Cargo; the Terrorists’ Trojan Horse”, The International Herald Tribune, June 28, http://www.lexisnexis.com.turing.library.northwestern.edu/hottopics/lnacademic/)

Over the years, terrorists have shown themselves to be frighteningly inventive. They have hidden explosives in printer cartridges transported by air and embedded explosives in the shoes and underwear of airline passengers.¶ The cargo containers arriving on ships from foreign ports offer terrorists a Trojan horse for a devastating attack on the United States. As the Harvard political scientist Graham T. Allison has put it, a nuclear attack is ''far more likely to arrive in a cargo container than on the tip of a missile.''¶ But for the past five years, the Department of Homeland Security has done little to counter this threat and instead has wasted precious time arguing that it would be too expensive and too difficult, logistically and diplomatically, to comply with the law. This is unacceptable.¶ An attack on an American port could cause tens of thousands of deaths and cripple global trade, with losses ranging from $45 billion to more than $1 trillion, according to estimates by the RAND Corporation and the Congressional Research Service. Anyone who doubts these estimates should recall the labor strike that shut down the ports of Los Angeles and Long Beach for 11 days in 2002. Economic losses were put at $6.3 billion or more.¶

#### And – Those attacks will have catastrophic ripple effects throughout the economy decimating trade, employment, commodity prices, and nearly every sector of economic activity because ports are the KEY NEXUS POINT through which all goods travel

Allen, 2008 (Admiral Thad, U.S. Coast Guard, “Friend or Foe? Tough to Tell”, U.S. Naval Institute, [www.pacnwest.org/docs/friendorfoe.pdf](http://www.pacnwest.org/docs/friendorfoe.pdf))

Some Americans take for granted how the shelves remain stocked at Target, Wal-Mart, and their local grocery store. More than 80 percent of the world’s trade is transported by merchant vessels.2 The United States Marine Transportation System (MTS), a complex combination of waterways, ports, terminals, inter-modal connections, vessels, people, and support services that intertwines the public and private sectors is the lifeblood of our national economy. Since the United States is the world’s leading maritime trading nation, accounting for nearly 20 percent of the annual ocean-borne overseas trade, our MTS also fuels the global economy.3 As the MTS has grown in global importance, its inherent vulnerabilities have also increased. Nearly 700 ships arrive in U.S. ports each day, and nearly 8,000 foreign flag ships, manned by 200,000 foreign mariners, enter U.S. ports every year.4 Annually, the nation’s 326 ports handle more than $700 billion in merchandise while the cruise line industry and its passengers contribute another $35 billion in spending.5 Overall, the MTS supports a global chain of economic activity that contributes more than $700 billion to our national economy each year.6 This enormous level of activity results in the MTS operating within extremely tight tolerances, and with limited ability to deal with disruptions. When the port of Los Angeles/Long Beach closed because of a labor dispute in 2003, the cost to the American economy was approximately $1 billion per day for the first five days with the price tag rising sharply thereafter.7 To safeguard the MTS, the Coast Guard has worked with other Department of Homeland Security (DHS) components to produce the Small Vessel Security Strategy (SVSS). The Small Vessel Security Strategy (SVSS) The SVSS was built on prior research efforts and combined with private sector input from the 256 attendees at the June 2007 National Small Vessel Security Summit held in Arlington, Virginia. It uses a risk-based approach by first considering the vulnerabilities, likelihood, and consequences of a small vessel attack in a specific port. Once the risk is determined, appropriate resources can be allocated and security measures can be implemented. The SVSS engenders a spirit of international as well as public and private sector cooperation. It also creates a framework to enhance our maritime security posture and increases our level of awareness to that already achieved by much of the international community. Immediately after 9/11, the International Maritime Organization (IMO) focused on regulating cargo containers and enhancing the security of large commercial vessels (over 300 gross tons on international voyages) and port facilities. To meet this challenge, the United States was a major proponent of the International Ship and Port Facility Security (ISPS) Code that revolutionized maritime security protocols. In 2004 148 nations approved the ISPS Code. Recognizing that a security gap still existed within the maritime domain, our nation, in conjunction with representatives from the United Kingdom and Japan, presented a small vessel threat briefing to the IMO’s Maritime Safety Committee (MSC) in 2007. This briefing addressed vessels not covered by the ISPS. To ensure a robust analysis, the briefing specifically included the private-sector input collected during the Small Vessel Security Summit. The committee appointed an international Correspondence Group, comprised of 38 voluntary member governments and 8 nongovernmental associations, to study small vessel security and submit proposed guidelines. The unprecedented number of participants underscored the seriousness of global concern. The Coast Guard has been an integral part of the Correspondence Group, and we expect the guidelines to be adopted at the MSC’s next session in November 2008. Even though the guidelines are voluntary, they reflect international consensus on small vessel security practices. Nations that follow the guidelines raise their status as favorable trading partners, so it will encourage self- correcting behavior. Once the guidelines are approved, the Coast Guard will work with DHS to incorporate them into an implementation plan for the United States. Not content to wait, some nations have already implemented their own safeguards. Singapore, home of one of the world’s busiest ports, is adjacent to two of the most heavily trafficked waterways in the world; the Singapore and Malacca straits. More than 1,000 vessels per day transit these two natural shipping choke points, making them both essential to the global supply chain and a nearpefect setting for a small vessel attack. To reduce that threat, Singapore has required all non-SOLAS-covered vessels within its port to carry a low- cost transponder that transmits the vessel’s identification and intended movement. By combining AIS data with information gleaned from the small vessel transponders, Singapore estimates it will be able to monitor 98 percent of the vessels within its waterways.8 While this type of monitoring heightens privacy concerns, the added situational awareness allows law enforcement agencies to identify high-risk vessels and detect anomalies in shipping patterns, two key aspects of a risk-based approach to maritime security. Based on lessons from previous incidents and security efforts throughout the international community, the SVSS addresses four key risk scenarios from small vessels: • Domestic use of WBIEDs; • Conveyance for smuggling weapons (including WMDs); Conveyance for smuggling terrorists; and • Waterborne platform for conducting a stand-off attack, e.g. man-portable air-defense system (ManPADS). More Eyes and Ears A small vessel attack can range from a simple improvised explosive device to a weapon of mass destruction. A WMD would have obvious catastrophic implications but even a garage-built bomb or a small-arms attack could force a port to shut down and have long-term economic and security ramifications. A small vessel could also be used to smuggle terrorists into the country. In 2007, approximately 5,000 illegal immigrants success- fully arrived on our shores and most were transported via small craft. There are a variety of threats from small vessels to our security, so we need a fresh approach to risk mitigation. Our Economic Lifeblood We rely on our Marine Transportation System to keep the shelves stocked at Target, Wal-Mart, and our local grocery store. An attack on a vessel in one of our ports, such as Los Angeles/Long Beach, could result in the port shutting down and spreading anxiety throughout the global financial marketplace.

#### And – Even though recent economic dips have occurred without massive impact, port attacks would cause a uniquely QUICK and IRRECOVERABLE economic collapse

Flynn, 2003 (Stephen, Jeane J. Kirkpatrick Senior Fellow in National Security Studies and Director, Council on Foreign Relations Independent Task Force on Homeland Security Imperatives, “The Fragile State of Container Security”, Testimony Before the U.S. Senate, <http://www.cfr.org/defensehomeland-security/fragile-state-container-security/p5730>)

A year later I joined with former senators Warren Rudman and Gary Hart in preparing our report, “America: Still Unprepared—Still In Danger.” We observed that “nineteen men wielding box-cutters forced the United States to do to itself what no adversary could ever accomplish: a successful blockade of the U.S. economy. If a surprise terrorist attack were to happen tomorrow involving the sea, rail, or truck transportation systems that carry millions of tons of trade to the United States each day, the response would likely be the same—a self-imposed global embargo.” Based on that analysis, we identified as second of the six critical mandates that deserve the nation’s immediate attention: “Make trade security a global priority; the system for moving goods affordably and reliably around the world is ripe for exploitation and vulnerable to mass disruption by terrorists.” This is why the topic of today’s hearing is so important. The stakes are enormous. U.S. prosperity—and much of its power—relies on its ready access to global markets. Both the scale and pace at which goods move between markets has exploded in recent years thanks in no small part to the invention and proliferation of the intermodal container. These ubiquitous boxes—most come in the 40’x8’x8’ size—have transformed the transfer of cargo from a truck, train, and ship into the transportation equivalent of connecting Lego blocks. The result has been to increasingly diminish the role of distance for a supplier or a consumer as a constraint in the world marketplace. Ninety percent of the world’s freight now moves in a container. Companies like Wal-Mart and General Motors move up to 30 tons of merchandise or parts across the vast Pacific Ocean from Asia to the West Coast for about $1600. The transatlantic trip runs just over a $1000—which makes the postage stamp seem a bit overpriced. But the system that underpins the incredibly efficient, reliable, and affordable movement of global freight has one glaring shortcoming in the post-9-11 world—it was built without credible safeguards to prevent it from being exploited or targeted by terrorists and criminals. Prior to September 11, 2001, virtually anyone in the world could arrange with an international shipper or carrier to have an empty intermodal container delivered to their home or workplace. They then could load it with tons of material, declare in only the most general terms what the contents were, “seal” it with a 50-cent lead tag, and send it on its way to any city and town in the United States. The job of transportation providers was to move the box as expeditiously as possible. Exercising any care to ensure that the integrity of a container’s contents was not compromised may have been a commercial practice, but it was not a requirement. The responsibility for making sure that goods loaded in a box were legitimate and authorized was shouldered almost exclusively by the importing jurisdiction. But as the volume of containerized cargo grew exponentially, the number of agents assigned to police that cargo stayed flat or even declined among most trading nations. The rule of thumb in the inspection business is that it takes five agents three hours to conduct a thorough physical examination of a single full intermodal container. Last year nearly 20 million containers washed across America’s borders via a ship, train, and truck. Frontline agencies had only enough inspectors and equipment to examine between 1-2 percent of that cargo. Thus, for would-be terrorists, the global intermodal container system that is responsible for moving the overwhelming majority of the world’s freight satisfies the age-old criteria of opportunity and motive. “Opportunity” flows from (1) the almost complete absence of any security oversight in the loading and transporting of a box from its point of origin to its final destination, and (2) the fact that growing volume and velocity at which containers move around the planet create a daunting “needle-in-the-haystack” problem for inspectors. “Motive” is derived from the role that the container now plays in underpinning global supply chains and the likely response by the U.S. government to an attack involving a container. Based on statements by the key officials at U.S. Customs, the Transportation Security Administration, the U.S. Coast Guard, and the Department of Transportation, should a container be used as a “poor man’s missile,” the shipment of all containerized cargo into our ports and across our borders would be halted. As a consequence, a modest investment by a terrorist could yield billions of dollars in losses to the U.S. economy by shutting down—even temporarily—the system that moves “just-in-time” shipments of parts and goods. Given the current state of container security, it is hard to imagine how a post-event lock-down on container shipments could be either prevented or short-lived. One thing we should have learned from the 9-11 attacks involving passenger airliners, the follow-on anthrax attacks, and even last fall Washington sniper spree is that terrorist incidents pose a special challenge for public officials. In the case of most disasters, the reaction by the general public is almost always to assume the event is an isolated one. Even if the post-mortem provides evidence of a systemic vulnerability, it often takes a good deal of effort to mobilize a public policy response to redress it. But just the opposite happens in the event of a terrorist attack—especially one involving catastrophic consequences. When these attacks take place, the assumption by the general public is almost always to presume a general vulnerability unless there is proof to the contrary. Government officials have to confront head-on this loss of public confidence by marshalling evidence that they have a credible means to manage the risk highlighted by the terrorist incident. In the interim as recent events have shown, people will refuse to fly, open their mail, or even leave their homes. If a terrorist were to use a container as a weapon-delivery devise, the easiest choice would be high-explosives such as those used in the attack on the Murrah Federal Building in Oklahoma City. Some form of chemical weapon, perhaps even involving hazardous materials, is another likely scenario. A bio-weapon is a less attractive choice for a terrorist because of the challenge of dispersing the agent in a sufficiently concentrated form beyond the area where the explosive devise goes off. A “dirty bomb” is the more likely threat vs. a nuclear weapon, but all these scenarios are conceivable since the choice of a weapon would not be constrained by any security measures currently in place in our seaports or within the intermodal transportation industry. This is why a terrorist attack involving a cargo container could cause such profound economic disruption. An incident triggered by even a conventional weapon going off in a box could result in a substantial loss of life. In the immediate aftermath, the general public will want reassurance that one of the many other thousands of containers arriving on any given day will not pose a similar risk. The President of the United States, the Secretary of Homeland Security, and other keys officials responsible for the security of the nation would have to stand before a traumatized and likely skeptical American people and outline the measures they have in place to prevent another such attack. In the absence of a convincing security framework to manage the risk of another incident, the public would likely insist that all containerized cargo be stopped until adequate safeguards are in place. Even with the most focused effort, constructing that framework from scratch could take months—even years. Yet, within three weeks, the entire worldwide intermodal transportation industry would effectively be brought to its knees—as would much of the freight movements that make up international trade.

#### And – Economic collapse would cause world-ending global nuclear catastrophe

Bearden, 2000 (Director, Association of Distinguished American Scientists, “The Unnecessary Energy Crisis: How to Solve it Quickly”, June 24, http://www.seaspower.com/EnergyCrisis-Bearden.htm)

History bears out that **desperate nations take desperate actions. Prior to** the final **economic collapse**, the **stress on nations will** have **increase**d **the intensity and number of** their **conflicts**, to the point where the **arsenals of weapons of mass destruction** (WMD) now possessed by some 25 nations, **are** almost **certain to be released**. As an example, suppose a starving **North Korea** {[7]} **launches nuclear weapons upon Japan and South Korea, including U.S. forces there**, in a spasmodic suicidal response. Or suppose a desperate **China** — whose long-range nuclear missiles (some) can reach the United States — **attacks Taiwan**. In addition to immediate responses, the mutual treaties involved in such **scenarios will quickly draw other nations into the conflict, escalating it significantly**. Strategic nuclear studies have shown for decades that, **under such extreme stress** conditions, once a few nukes are launched, **adversaries and potential adversaries are** then **compelled to launch** on perception of preparations by one's adversary. The real legacy of the MAD concept is this side of the MAD coin that is almost never discussed. Without effective defense, **the only chance a nation has to survive at all is to launch immediate full-bore pre-emptive strikes** and try to take out its perceived foes as rapidly and massively as possible. As the studies showed, **rapid escalation to full WMD exchange occurs**. Today, a great percent of the WMD arsenals that will be unleashed, are already on site within the United States itself {[8]}. **The resulting great Armageddon will destroy civilization** as we know it, **and** perhaps most of **the biosphere**, at least for many decades.

#### And – Their generic economy impact defense is a non-starter – it assumes recession-induced dips, not total GRIND-TO-A-HALT shutdown

Bakir, 2007 (Niyazi Onur, Postdoctoral Research Associate at University of Southern California Center for Homeland Security, “A Brief Analysis of Threats and Vulnerabilities in the Maritime Domain”, published 1/1/2007 by CREATE Research Center, pg. 9)

Seaports are arguably the most critical nodes in the global supply-chain and hence have a central role in business continuity. They make a huge contribution to the US economy by facilitating trade and tourism, providing jobs, and supplementing the energy need. 95% of overseas trade by weight and 75% by value moves through US seaports. Many critical coastal targets, including petroleum tank farms, hazardous material storage facilities and factories are located around the ports. Besides, several major US cities lay in close proximity to waterways and seaports. Therefore, a well organized attack at a major US port is likely to inflict high number of casualties and cause grave nationwide economic damage. Estimates of the economic impact of a major terrorist attack at a US seaport vary. Earlier studies predicted that a port closing could cost the economy as high as $1 trillion [27]. A more recent study by Gordon et al. [18] puts this figure around $45 billion for a dirty bomb attack. For a potential nuclear attack, partially due to higher level of uncertainty, experts are able to state a wider range for potential consequences. In a 2003 study [1], direct trade losses were calculated to be around $100-200 billion whereas property damage is expected to lie between $50 and $500 billion. A more disturbing figure is the estimated indirect costs to the economy ranging from $300 billion to $1.4 trillion. On the casualty side, the study group judges that the number should be between 50,000 and 1,000,000. Port security has been increasingly intertwined with the security of containerized cargo in the public and the media. While containers are arguably the “Trojan Horses” of the modern era, failure to recognize other vulnerabilities may leave the US homeland unguarded for another surprise attack. In this paper, port security is analyzed under four headings: cargo security, access to secure areas, cruise lines, and security around the port perimeters. Most of the discussion centers around the cargo security as monitoring the contents of containers without interrupting the flow of trade poses tremendous challenges to both public and private stakeholders. However, as will be evident in the discussion, there are other forms of weaknesses in port security that are equally important because any attack on the port facility may trigger a slowdown of cargo processing and inflict casualties.

#### **And – It spillsover and collapses all commerce and international trade**

Lautenbacher, 2006 (Vice Admiral Conrad C., Under Secretary of Commerce for Oceans and Atmosphere, Delivered at World Maritime Technology Conference”, March 6, [www.pco.noaa.gov/PPTs/IMarEST.ppt](http://www.pco.noaa.gov/PPTs/IMarEST.ppt))

I would like to start with talking about the importance of Marine Technology in supporting global trade and how we all must work to making sure the necessary navigation products and services are in place to support the increased use of the intermodal transportation network. We are continuously improving our ability to providing accurate and timely navigation products and services to the our country’s maritime and intermodal transportation network. We have a responsibility to both protect economic investment as well as protecting environmental integrity and peoples lives. So I would also like to talk about how we were recently tested in these responsibilities during and after the recent Hurricanes Rita and Katrina and worked to bring the region back into the Global Economy **Economic** Importance of Marine Transportation Systems: The Marine Transportation System was critical to the start of the United States as a nation and remains today the backbone of the country’s commerce Our Nation’s ports support nearly $2 trillion dollars in U.S. waterborne foreign trade. (Source: American Association of Port Authorities) Our Nation’s ports and waterways support the annual movement of more than 2.5 billion tons of domestic and international commerce. (Source – Maritime Administration) Our Nation’s coastal and inland waterways support our commerce, our recreation, and our national security. U.S. water carriers annually generate a gross output of $32 billion, purchase $24 billion in goods and services from other industries, and employ more than 57,000 workers. Public ports generate significant local and regional economic growth, directly creating jobs for more than 1 million Americans, and indirectly creating jobs for another 3.8 million. Waterborne commerce also generates more than $16 billion in federal, state, and local taxes. (Source: IMO) An example of how observations are affecting management decision today, we only have to look to the Coastal Ocean Observation System, a future component of GEOSS. In addition to providing Hurricane Forecast Models and Warnings prior to the Hurricanes landing, NOAA also worked to assist in the disaster relief and facilitated the reopening of the area’s Marine Transportation System. Hurricanes Katrina and Rita recently put NOAA to the test in using all of our technological and human knowledge to reopen the Gulf Coast area for international commerce. With the Mississippi River mouth closed to international traffic, grain from the Midwest could not be shipped out to Africa and Europe. Chiquita Bananas had to reroute shipment of bananas and other fresh produce to other areas. 25% of its imports went through Gulfport Mississippi. Half of the Folger’s Brand of coffee comes out of New Orleans The offshore oil and gas transportation infrastructure at Port Fourchon, including pipelines, processing facilities and tanker traffic were all shut in causing severe spikes in gasoline prices. Just one Trucking Company, Yellow Roadway lost a million dollars a day with no shipments coming in or out of New Orleans. NOAA deployed its resources, including response teams, hydrographic survey vessels, and state-of-the-art technologies, as part of a large scale federally-coordinated response effort. NOAA Navigation Response Teams directly contributed to relief efforts and the resumption of maritime commerce. NOAA NRTs provided critical information, supporting Coast Guard efforts to rapidly assess and reopen waterways, which allowed maritime-based relief efforts into impacted communities. The field teams conduct hazardous obstructions surveys and mapping support through out the Atlantic Seaboard, Pacific Coast, Great Lakes and the Gulf of Mexico. The field units operate in a 365 day a year environment to support NOAA's mission of promoting safe maritime navigation. The NRTs stand ready to respond to natural and manmade incidents in our waterways; their surveys enable authorities to reopen ports and channels to navigation after accidents and weather events. NOAA conducted damage assessment flights, collecting over 8300 images, covering 1600 miles of linear flight lines. The images captured include the coastal areas of Alabama, Mississippi, and Louisiana, including the ports of Mobile, Pascagoula, Gulfport, New Orleans, and Port Fourchon. Thirty-two tide stations operated by NOAA’s National Water Level Observation Network along the Gulf Coast disseminated storm tide conditions in real and near real-time as Hurricanes Katrina and Rita approached and made landfall. These stations were supplemented by thirty-one partner stations operated to NWLON standards, doubling the storm tide observing capacity in the Gulf, and demonstrating the value of an Integrated Ocean Observing System. The Houston/Galveston PORTS® provided important navigational information following Rita required by ship masters and pilots to avoid collisions and groundings. NOAA’s Continuously Operating Reference Stations (CORS) were operating in the area affected by Katrina, and collected data to support remote sensing missions and other GPS applications such as surveying and mapping activities associated with the post-hurricane recovery work. In the wake of Hurricane Katrina, NOAA is continuing providing invaluable scientific support to the our Coast Guard and Environmental Protection Agency and the States of Louisiana, Mississippi, and Alabama in their response efforts. NOAA Restoration Teams are working with state and federal partners to assess the impacts to natural resources and to plan for restoration, within the context of the broader recovery efforts. NOAA expertise is critical to mitigate harm, provide critical information for allocation of response assets, restore adverse effects on natural resources, aid planning and response decision-making, and document damages. We continue to monitor the ecosystem in the area. We are monitoring water quality and tissue samples from fish and bivalves. In an area known for being a dead zone, where we thought that due to the massive pollution associated with hazardous spills, we were finding some good news. We were able to open up the fisheries and that is another step in rebuilding the gulf coast economy. PHOTO Bottom Left: NCCOS Biologist is using a net tow to test for toxic phytoplankton (HAB). PHOTO Bottom Right: Bert and Emily of NRT 4 at Port Allen Nowhere is the interconnections of our globe more evident than in marine commerce and transportations. We are bridging the gap between economic development and those who use oceans to transport goods to the global economy. These are global concerns as we expand our economic integration and need to observe and connect systems to provide information from multiple data sources.

#### And – Trade solves war

Boudreux, 2006 (Donald J., Chair of the Economics Department at George Mason University, “Want World Peace? Support Free Trade”, November 20, <http://www.csmonitor.com/2006/1120/p09s02-coop.html>)

During the past 30 years, Solomon Polachek, an economist at the State University of New York at Binghamton, has researched the relationship between trade and peace. In his most recent paper on the topic, he and co-author Carlos Seiglie of Rutgers University review the massive amount of research on trade, war, and peace. They find that "the overwhelming evidence indicates that trade reduces conflict." Likewise for foreign investment. The greater the amounts that foreigners invest in the United States, or the more that Americans invest abroad, the lower is the likelihood of war between America and those countries with which it has investment relationships. Professors Polachek and Seiglie conclude that, "The policy implication of our finding is that further international cooperation in reducing barriers to both trade and capital flows can promote a more peaceful world." Columbia University political scientist Erik Gartzke reaches a similar but more general conclusion: Peace is fostered by economic freedom. Economic freedom certainly includes, but is broader than, the freedom of ordinary people to trade internationally. It includes also low and transparent rates of taxation, the easy ability of entrepreneurs to start new businesses, the lightness of regulations on labor, product, and credit markets, ready access to sound money, and other factors that encourage the allocation of resources by markets rather than by government officials. Professor Gartzke ranks countries on an economic-freedom index from 1 to 10, with 1 being very unfree and 10 being very free. He then examines military conflicts from 1816 through 2000. His findings are powerful: Countries that rank lowest on an economic-freedom index - with scores of 2 or less - are 14 times more likely to be involved in military conflicts than are countries whose people enjoy significant economic freedom (that is, countries with scores of 8 or higher). Also important, the findings of Polachek and Gartzke improve our understanding of the long-recognized reluctance of democratic nations to wage war against one another. These scholars argue that the so-called democratic peace is really the capitalist peace. Democratic institutions are heavily concentrated in countries that also have strong protections for private property rights, openness to foreign commerce, and other features broadly consistent with capitalism. That's why the observation that any two democracies are quite unlikely to go to war against each other might reflect the consequences of capitalism more than democracy. And that's just what the data show. Polachek and Seiglie find that openness to trade is much more effective at encouraging peace than is democracy per se. Similarly, Gartzke discovered that, "When measures of both economic freedom and democracy are included in a statistical study, economic freedom is about 50 times more effective than democracy in diminishing violent conflict." These findings make sense. By promoting prosperity, economic freedom gives ordinary people a large stake in peace. This prosperity is threatened during wartime. War almost always gives government more control over resources and imposes the burdens of higher taxes, higher inflation, and other disruptions of the everyday commercial relationships that support prosperity. When commerce reaches across political borders, the peace-promoting effects of economic freedom intensify. Why? It's bad for the bottom line to shoot your customers or your suppliers, so the more you trade with foreigners the less likely you are to seek, or even to tolerate, harm to these foreigners.

#### And – Port security investment is key to revitalize the maritime sector, which INDEPENDENTLY bolsters the economy

Palac-McMiken, 2005 (Evanor, Director of the Economic Analytical Unit at the Department of Foreign Trade and Affairs, “Economic Costs and Benefits of Combating Terrorism in the Transport Sector”, Asian-Pacific Economic Literature, <http://onlinelibrary.wiley.com/store/10.1111/j.1467-8411.2005.00158.x/asset/j.1467-8411.2005.00158.x.pdf;jsessionid=04AE22510AFBB1EA4756D40DEA0CFA55.d03t03?v=1&t=h4ppdiht&s=3f469b88d024638a8733b4601e8cf7c32550c4c9>)

Standardising and introducing compatible electronic manifests systems at all ports will save time and reduce costs through quicker processing of cargo, faster vessel turnaround, a more consistent approach to cargo and vessel data reporting, increased confidence in the reporting system and more timely responses for importers and exporters. All these benefits may lower freight and handling costs, reduce final prices of traded goods and increase demand. With international trade expanding rapidly and increasingly relying on just-in-time delivery, efficient global logistics systems are essential. Expenditure on new logistics systems represents an investment that will deliver considerable efficiency returns. Enhanced security, by bringing greater certainty and stability to the global economy, should encourage investor, business and consumer confidence. Using the above framework, the potential medium to long-term economic costs and benefits of counter-terrorism measures can be illustrated through a variety of general equilibrium model simulations. 1 In modelling, it is always difficult to estimate precisely the extent and duration of shocks arising from an event, such as the decline in productivity growth caused by terrorism. Thus, modelling simulation results should be interpreted with caution. It should also be remembered that modelling of a particular scenario is simply for the purpose of illustration.

#### And – Growth solves extinction

Zey, 1998 (Michael G., Executive Direction of the Expansionary Institute and Professor at Montclair State University, Seizing the Future, p. 34-40)

However, no outside force guarantees the continued progress of the human species, nor does anything mandate that the human species must even continue to exist. In fact, history is littered with races and civilizations that have disappeared without a trace. So, too, could the human species. There is no guarantee that the human species will survive even if we posit, as many have, a special purpose to the species’ existence. Therefore, the species innately comprehends that it must engage in purposive actions in order to maintain its level of growth and progress. Humanity’s future is conditioned by what I call the Imperative of Growth, a principle I will herewith describe along with its several corollaries. The Imperative of Growth states that in order to survive, any nation, indeed, the human race, must grow, both materially and intellectually. The Macroindustrial Era represents growth in the areas of both technology and human development, a natural stage in the evolution of the species’ continued extension of its control over itself and its environment. Although 5 billion strong, our continued existence depends on our ability to continue the progress we have been making at higher and higher levels. Systems, whether organizations, societies, or cells, have three basic directions in which to move. They can grow, decline, or temporarily reside in a state of equilibrium. These are the choices. Choosing any alternative to growth, for instance, stabilization of production/consumption through zero-growth policies, could have alarmingly pernicious side effects, including extinction.

### 1AC – Trafficking Through Ports

#### ADVANTAGE TWO – TRAFFICKING THROUGH PORTS

Terrorists are committed to detonating a nuclear weapon on American soil – U.S. ports will be the trafficking point

Calvan, 2012 (Bobby, Boston Globe Staff and former foreign reporting fellow with the D.C.-based International Center for Journalists, “US to miss target for tighter port security”, Boston Globe, 6/12/12, <http://articles.boston.com/2012-06-12/nation/32176427_1_homeland-security-cargo-containers-nuclear-bomb/3>)

The Department of Homeland Security will miss an initial deadline of July 12 to comply with a sweeping federal law meant to thwart terrorist attacks arriving by sea, frustrating border security advocates who worry that the agency has not done enough to prevent dangerous cargo from coming through the country’s ocean gateways, including the Port of Boston.¶ Only a small fraction of all metal cargo containers have been scanned before arriving at US ports, and advocates for tighter port security say all maritime cargo needs to be scanned or manually inspected to prevent terrorists from using ships bound for the United States to deliver a nuclear bomb.¶ The scenario might be straight out of a Hollywood script, but the threat of terrorism is not limited to airplanes, according to Homeland Security critics, including Representative Edward Markey of Massachusetts. Markey accuses the agency of not making a good-faith effort to comply with a 2007 law he coauthored requiring all US-bound maritime shipments to be scanned before departing overseas docks.¶ “We’re not just missing the boat, we could be missing the bomb,’’ the Malden Democrat said. “The reality is that detonating a nuclear bomb in the United States is at the very top of Al Qaeda’s terrorist targets.’’¶ Only about 5 percent of all cargo containers headed to the United States are screened, according to the government’s own estimate, with some shipments getting only a cursory paperwork review.¶ Homeland Security officials argue that wider screening would be cost-prohibitive, logistically and technologically difficult, and diplomatically challenging. While acknowledging the threat as real, they are exercising their right under the 2007 law to postpone for two years the full implementation of the congressionally mandated scanning program. That would set the new deadline for July 2014.¶ Critics say the consequences of delay could be catastrophic. Terrorists have long sought to obtain uranium or plutonium to construct a nuclear bomb, global security analysts say. Government officials, including President Obama and his predecessor, George W. Bush, have worried that terrorist cells could be plotting further devastation in the United States, perhaps through radioactive explosives called “dirty bombs.’’¶ Homeland Security “has concluded that 100 percent scanning of incoming maritime cargo is neither the most efficient nor cost-effective approach to securing our global supply chain,’’ said Matt Chandler, an agency spokesman. Homeland Security “continues to work collaboratively with industry, federal partners, and the international community to expand these programs and our capability to detect, analyze, and report on nuclear and radiological materials,’’ Chandler said, adding that “we are more secure than ever before.’’¶ The agency has used what it calls a “risk-based approach’’ to shipments. As a result, Homeland Security has focused on cargo originating from 58 of the world’s busiest seaports, from Hong Kong to Dubai. Last year, US agents stationed at those ports inspected 45,500 shipments determined to be high risk, according to joint testimony by Homeland Security, Coast Guard, and US Customs officials in February before the House Homeland Security Committee.¶ Republicans have been wary of forcing the agency to comply with the scanning mandate because of the presumed cost, perhaps at least $16 billion - a figure disputed by Markey and others who cite estimates that the program could cost a comparatively modest $200 million.¶ Representative Candice Miller, a Michigan Republican who chairs the House subcommittee on border and maritime security, was more inclined to accept the estimate from Homeland Security officials. In light of the country’s budget troubles, “we have to try and prioritize,’’ she said.¶ Scanning cargo “100 percent would be optimal,’’ she conceded, “but it’s not workable.’’¶ Still, she acknowledged the need to secure the country’s borders, whether by air, land, or sea.¶ There is no dispute that a terrorist attack at a major port could be catastrophic to the global economy. Much of the world’s products - T-shirts sewn in China, designer shoes from Italy, and other foreign-made products - arrives in the United States in large, metal cargo containers.¶ While some countries have voluntarily improved cargo screening, others have not. Large retailers have opposed measures that could increase their costs. Without full scanning compliance, it is often difficult to determine if shipments have been inspected because cargo is sometimes transferred from ship to ship offshore.

#### Lack of effective security at ports guarantees WMD smuggling into the United States – increased port security investment is key

Flynn, 2006 (Stephen, President of the Center for National Policy and CISAC Consulting Professor at Stanford, “Port Security Is Still a House of Cards” 3/9/2006 <http://www.cfr.org/port-security/continued-vulnerability-global-maritime-transportation-system/p10074>)

When it comes to port security, the buck essentially stops outside Washington, DC. Since seaports in the United States are locally run operations where port authorities typically play the role of landlord, issuing long-term leases to private companies; it falls largely to those companies to provide for the security of the property they lease. In the case of Los Angeles, this translates into the security of 7500 acres of facilities that run along 49 miles of waterfront, being provided for by minimum-wage private security guards, and a tiny port police force of under 100 officers. The situation in Long Beach is even worse with only 12 full-time police officers assigned to its 3000 acres of facilities and a small cadre of private guards provided by the port authority and its tenants. The command and control equipment to support a new joint operations center for the few local, state, and federal law enforcement authorities that are assigned to the port will not be in place until 2008. Up to 11,000 independent truck operators have access to the port terminals yet there still is no credentialing system in place to confirm the backgrounds of the drivers. West Coast terminal operators have no way of identifying who is in their facilities at any given moment. In the four years since September 11, 2001, the two cities have received less than $40 million in federal grants to improve the port’s physical security measures. That amount is equivalent to what American taxpayers spend in a single day on domestic airport security. But the fallout from a terrorist attack on any one of the nation’s major commercial seaports would hardly be a local matter. For instance, should al Qaeda or one of its imitator organizations succeed in sinking a large ship in the Long Beach channel, the auto-dependent southern California will literally run out of gas within two weeks. This is because, as Hurricanes Katrina and Rita highlighted, US petroleum refineries are operating at full throttle and their products are consumed almost as quickly as they are made. If the crude oil shipments stop, so too do the refineries and there is no excess capacity or refined fuels to cope with a long term disruption. But the most serious consequence of a major terrorist attack on America’s waterfront is if it involved a weapon of mass destruction smuggled into one of the over nine million 40’ cargo containers that entered US seaports in 2005. The September 11, 2001 attacks on New York and Washington, the March 11, 2004 attacks on Madrid, and the July 7, 2005 attacks on London highlight that transport systems have become among the most favored targets for terrorist organizations. Cargo containers have long been exploited to smuggle narcotics, migrants, and stolen property including luxury automobiles. Their vulnerability is highlighted by the billions of dollars in cargo losses derived from theft each year. A typical cargo container that is shipped from Asia will pass through over a dozen transportation waypoints before it is loaded on a ship destined for the United States. Most are “secured” only with a fifty-cent lead seal passed through the pad-eyes on the container doors. It is just a question of time before terrorists with potentially more destructive weapons breach the superficial security measures that have been put in place to protect the ports, the ships, and the millions of intermodal containers that link global producers to consumers. Should that breach involve a “dirty bomb,” the United States and other states will likely raise the port security alert system to its highest level while investigators sort out what happened and establish whether or not a follow-on attack is likely. Multiple port closures in the United States and elsewhere would quickly throw this system into chaos. Container ships already destined for the United States would be stuck in anchorages unable to unload their cargo. Ships would be delayed in overseas loading ports as the maritime industry and their customers try to sort out how to redirect cargo. Marine terminals would have to close their gates to all incoming containers since they would have no place to store them. Trucks and trains would be stuck outside the terminal with no place to go. If they are carrying perishable goods, the cargo would perish. Also, the trucks and trains would not be able to re-circulate to pick up new shipments until they could get rid of the old ones. Goods for export would pile at factory loading docks with no place to go. Imports to support “just-in-time” deliveries would be no shows and soon factories would be idled and retailers’ shelves would go bare. In short, a catastrophic terrorist event involving the intermodal transportation system could well lead to unprecedented disruption to the global trade system. In economic terms, the costs associated with managing the attack’s aftermath will substantially dwarf the actual destruction from the terrorist event itself. Those costs will be borne internationally which is why transportation and trade security must be not only a U.S. Homeland Security priority, but an urgent global priority. As grave as this threat is, in our fifth year since the 9/11 attacks, there still are no minimum federal standards for access control, perimeter control, electronic surveillance, guards, and communications. State and local port authorities have not been able to make any significant progress towards improving the state of security within their ports. This is largely because ports face a competitive environment where they must make significant capital investments to improve the commercial operations in order to retain or attract shipping lines. It they divert funds away from capital improvements to pay for added security they may face a decline in vessel traffic that reduces their revenues. If they try to pass along increased security costs to their private tenets, those tenets may decide to move to a lower cost neighboring port. In short, in the absence of a level national playing field, U.S. port authorities have been reluctant to make major new investments in security.

#### And – Nuclear terrorism causes extinction

Ayson, 2010 (Robert, Professor of Strategic Studies and Director of the Centre for Strategic Studies: New Zealand at the Victoria University of Wellington, “After a Terrorist Nuclear Attack: Envisaging Catalytic Effects,” Studies in Conflict & Terrorism, Volume 33, Issue 7, July, Available Online to Subscribing Institutions via InformaWorld)

But these two nuclear worlds—a non-state actor nuclear attack and a catastrophic interstate nuclear exchange—are not necessarily separable. It is just possible that some sort of terrorist attack, and especially an act of nuclear terrorism, could precipitate a chain of events leading to a massive exchange of nuclear weapons between two or more of the states that possess them. In this context, today’s and tomorrow’s terrorist groups might assume the place allotted during the early Cold War years to new state possessors of small nuclear arsenals who were seen as raising the risks of a catalytic nuclear war between the superpowers started by third parties. These risks were considered in the late 1950s and early 1960s as concerns grew about nuclear proliferation, the so-called n+1 problem. It may require a considerable amount of imagination to depict an especially plausible situation where an act of nuclear terrorism could lead to such a massive inter-state nuclear war. For example, in the event of a terrorist nuclear attack on the United States, it might well be wondered just how Russia and/or China could plausibly be brought into the picture, not least because they seem unlikely to be fingered as the most obvious state sponsors or encouragers of terrorist groups. They would seem far too responsible to be involved in supporting that sort of terrorist behavior that could just as easily threaten them as well. Some possibilities, however remote, do suggest themselves. For example, how might the United States react if it was thought or discovered that the fissile material used in the act of nuclear terrorism had come from Russian stocks,40 and if for some reason Moscow denied any responsibility for nuclear laxity? The correct attribution of that nuclear material to a particular country might not be a case of science fiction given the observation by Michael May et al. that while the debris resulting from a nuclear explosion would be “spread over a wide area in tiny fragments, its radioactivity makes it detectable, identifiable and collectable, and a wealth of information can be obtained from its analysis: the efficiency of the explosion, the materials used and, most important … some indication of where the nuclear material came from.”41 Alternatively, if the act of nuclear terrorism came as a complete surprise, and American officials refused to believe that a terrorist group was fully responsible (or responsible at all) suspicion would shift immediately to state possessors. Ruling out Western ally countries like the United Kingdom and France, and probably Israel and India as well, authorities in Washington would be left with a very short list consisting of North Korea, perhaps Iran if its program continues, and possibly Pakistan. But at what stage would Russia and China be definitely ruled out in this high stakes game of nuclear Cluedo? In particular, if the act of nuclear terrorism occurred against a backdrop of existing tension in Washington’s relations with Russia and/or China, and at a time when threats had already been traded between these major powers, would officials and political leaders not be tempted to assume the worst? Of course, the chances of this occurring would only seem to increase if the United States was already involved in some sort of limited armed conflict with Russia and/or China, or if they were confronting each other from a distance in a proxy war, as unlikely as these developments may seem at the present time. The reverse might well apply too: should a nuclear terrorist attack occur in Russia or China during a period of heightened tension or even limited conflict with the United States, could Moscow and Beijing resist the pressures that might rise domestically to consider the United States as a possible perpetrator or encourager of the attack?

#### And – Nuclear terrorism causes full-scale escalation – draws in Russia and China

Ayson, 2010 (Robert, Professor of Strategic Studies and directs the Centre for Strategic Studies: New Zealand at Victoria University, “After a Terrorist Nuclear Attack:Envisaging Catalytic Effects” Published in the Studies for Conflict and Terrorism, [http://www.tandfonline.com/doi/pdf/10.1080/1057610X.2010.483756 p. 583-585](http://www.tandfonline.com/doi/pdf/10.1080/1057610X.2010.483756%20p.%20583-585))

A terrorist nuclear attack, and even the use of nuclear weapons in response by the country attacked in the first place, would not necessarily represent the worst of the nuclear worlds imaginable. Indeed, there are reasons to wonder whether nuclear terrorism should ever be regarded as belonging in the category of truly existential threats. A contrast can be drawn here with the global catastrophe that would come from a massive nuclear exchange between two or more of the sovereign states that possess these weapons in significant numbers. Even the worst terrorism that the twenty-first century might bring would fade into insignificance alongside considerations of what a general nuclear war would have wrought in the Cold War period. And it must be admitted that as long as the major nuclear weapons states have hundreds and even thousands of nuclear weapons at their disposal, there is always the possibility of a truly awful nuclear exchange taking place precipitated entirely by state possessors themselves. But these two nuclear worlds—a non-state actor nuclear attack and a catastrophic interstate nuclear exchange—are not necessarily separable. It is just possible that some sort of terrorist attack, and especially an act of nuclear terrorism, could precipitate a chain of events leading to a massive exchange of nuclear weapons between two or more of the states that possess them. In this context, today’s and tomorrow’s terrorist groups might assume the place allotted during the early Cold War years to new state possessors of small nuclear arsenals who were seen as raising the risks of a catalytic nuclear war between the superpowers started by third parties. These risks were considered in the late 1950s and early 1960s as concerns grew about nuclear proliferation, the so-called n+1 problem. It may require a considerable amount of imagination to depict an especially plausible situation where an act of nuclear terrorism could lead to such a massive inter-state nuclear war. For example, in the event of a terrorist nuclear attack on the United States, it might well be wondered just how Russia and/or China could plausibly be brought into the picture, not least because they seem unlikely to be fingered as the most obvious state sponsors or encouragers of terrorist groups. They would seem far too responsible to be involved in supporting that sort of terrorist behavior that could just as easily threaten them as well. Some possibilities, however remote, do suggest themselves. For example, how might the United States react if it was thought or discovered that the fissile material used in the act of nuclear terrorism had come from Russian stocks, and if for some reason Moscow denied any responsibility for nuclear laxity? The correct attribution of that nuclear material to a particular country might not be a case of science fiction given the observation by Michael May et al. that while the debris resulting from a nuclear explosion would be “spread over a wide area in tiny fragments, its radioactivity makes it detectable, identifiable and collectable, and a wealth of information can be obtained from its analysis: the efficiency of the explosion, the materials used and, most important … some indication of where the nuclear material came from.”41 Alternatively, if the act of nuclear terrorism came as a complete surprise, and American officials refused to believe that a terrorist group was fully responsible (or responsible at all) suspicion would shift immediately to state possessors. Ruling out Western ally countries like the United Kingdom and France, and probably Israel and India as well, authorities in Washington would be left with a very short list consisting of North Korea, perhaps Iran if its program continues, and possibly Pakistan. But at what stage would Russia and China be definitely ruled out in this high stakes game of nuclear Cluedo? In particular, if the act of nuclear terrorism occurred against a backdrop of existing tension in Washington’s relations with Russia and/or China, and at a time when threats had already been traded between these major powers, would officials and political leaders not be tempted to assume the worst? Of course, the chances of this occurring would only seem to increase if the United States was already involved in some sort of limited armed conflict with Russia and/or China, or if they were confronting each other from a distance in a proxy war, as unlikely as these developments may seem at the present time. The reverse might well apply too: should a nuclear terrorist attack occur in Russia or China during a period of heightened tension or even limited conflict with the United States, could Moscow and Beijing resist the pressures that might rise domestically to consider the United States as a possible perpetrator or encourager of the attack? Washington’s early response to a terrorist nuclear attack on its own soil might also raise the possibility of an unwanted (and nuclear aided) confrontation with Russia and/or China. For example, in the noise and confusion during the immediate aftermath of the terrorist nuclear attack, the U.S. president might be expected to place the country’s armed forces, including its nuclear arsenal, on a higher stage of alert. In such a tense environment, when careful planning runs up against the friction of reality, it is just possible that Moscow and/or China might mistakenly read this as a sign of U.S. intentions to use force (and possibly nuclear force) against them. In that situation, the temptations to preempt such actions might grow, although it must be admitted that any preemption would probably still meet with a devastating response. As part of its initial response to the act of nuclear terrorism (as discussed earlier) Washington might decide to order a significant conventional (or nuclear) retaliatory or disarming attack against the leadership of the terrorist group and/or states seen to support that group. Depending on the identity and especially the location of these targets, Russia and/or China might interpret such action as being far too close for their comfort, and potentially as an infringement on their spheres of influence and even on their sovereignty. One far-fetched but perhaps not impossible scenario might stem from a judgment in Washington that some of the main aiders and abetters of the terrorist action resided somewhere such as Chechnya, perhaps in connection with what Allison claims is the “Chechen insurgents’ … long-standing interest in all things nuclear.”42 American pressure on that part of the world would almost certainly raise alarms in Moscow that might require a degree of advanced consultation from Washington that the latter found itself unable or unwilling to provide. There is also the question of how other nuclear-armed states respond to the act of nuclear terrorism on another member of that special club. It could reasonably be expected that following a nuclear terrorist attack on the United States, both Russia and China would extend immediate sympathy and support to Washington and would work alongside the United States in the Security Council. But there is just a chance, albeit a slim one, where the support of Russia and/or China is less automatic in some cases than in others. For example, what would happen if the United States wished to discuss its right to retaliate against groups based in their territory? If, for some reason, Washington found the responses of Russia and China deeply underwhelming, (neither “for us or against us”) might it also suspect that they secretly were in cahoots with the group, increasing (again perhaps ever so slightly) the chances of a major exchange. If the terrorist group had some connections to groups in Russia and China, or existed in areas of the world over which Russia and China held sway, and if Washington felt that Moscow or Beijing were placing a curiously modest level of pressure on them, what conclusions might it then draw about their culpability? If Washington decided to use, or decided to threaten the use of, nuclear weapons, the responses of Russia and China would be crucial to the chances of avoiding a more serious nuclear exchange. They might surmise, for example, that while the act of nuclear terrorism was especially heinous and demanded a strong response, the response simply had to remain below the nuclear threshold. It would be one thing for a non-state actor to have broken the nuclear use taboo, but an entirely different thing for a state actor, and indeed the leading state in the international system, to do so. If Russia and China felt sufficiently strongly about that prospect, there is then the question of what options would lie open to them to dissuade the United States from such action: and as has been seen over the last several decades, the central dissuader of the use of nuclear weapons by states has been the threat of nuclear retaliation. If some readers find this simply too fanciful, and perhaps even offensive to contemplate, it may be informative to reverse the tables. Russia, which possesses an arsenal of thousands of nuclear warheads and that has been one of the two most important trustees of the non-use taboo, is subjected to an attack of nuclear terrorism. In response, Moscow places its nuclear forces very visibly on a higher state of alert and declares that it is considering the use of nuclear retaliation against the group and any of its state supporters. How would Washington view such a possibility? Would it really be keen to support Russia’s use of nuclear weapons, including outside Russia’s traditional sphere of influence? And if not, which seems quite plausible, what options would Washington have to communicate that displeasure? If China had been the victim of the nuclear terrorism and seemed likely to retaliate in kind, would the United States and Russia be happy to sit back and let this occur? In the charged atmosphere immediately after a nuclear terrorist attack, how would the attacked country respond to pressure from other major nuclear powers not to respond in kind? The phrase “how dare they tell us what to do” immediately springs to mind. Some might even go so far as to interpret this concern as a tacit form of sympathy or support for the terrorists. This might not help the chances of nuclear restraint.

### 1AC – Plan Text

#### PLAN –

#### The United States federal government should provide substantially more funding to the Port Security Grant Program.

### 1AC – Solvency

#### SOLVENCY

#### The Port Security Grant Program is severely underfunded – the plan is key to fill critical infrastructure gaps and ensure effective port security

Kimery, 2012 (Anthony, Staff Writer for the Homeland Security Today website, “Security, Port Authorities Associations Urge DHS To Reconsider Port Allocations” published 3/9/2012, http://www.hstoday.us/briefings/grants-funding/single-article/security-port-authorities-associations-urge-dhs-to-reconsider-port-allocations/8e5771ad69aa40aed3ae590bf914477d.html)

This week the Security Industry Association (SIA), along with the American Association of Port Authorities (AAPA), sent a letter to Department of Homeland Security (DHS) Secretary Janet Napolitano urging her to reconsider grant allocations assigned to the Fiscal Year 2012 Port Security Grant Program, or to offer waivers on cost share agreements of previously awarded grants**.** The letter was sent in response to DHS grant guidance issued on February 17, 2012 in which DHS slashed the Port Security Grant Program by 59 percent.   “Even though Congress reduced the budget for preparedness grants by 40 percent, we are concerned with the allocation decisions made by the department,” SIA and AAPA said in their letter to Napolitano. “The recently announced cuts result in a 59 percent reduction in funding for the Port Security Grant Program and are 75 percent less than authorized by Congress in the SAFE Port Act.”   Continuing, the two organizations stated that “this allocation will not come close to meeting local needs. It will result in continued struggles to bring port security into the 21st century and hamper meeting government mandates, such as the Transportation Worker Identity Card.”The two groups said that, “while we understand that Congress initiated this cut because of what it saw as a backlog of unspent funds, we believe such a drastic reduction of funds will have negative consequences on port security. In addition, we believe that one of the best ways to utilize existing funding is to categorically waive all cost-share requirements for grants that have already been awarded. Requiring short, individual waivers diverts the efforts of those involved from the goal of getting these projects done quickly. Grantees often put projects on hold until they receive a waiver.”   “We are certain there are other options available, and we would encourage your office to think through those options to help us as we help secure our ports**,” the groups’ joint letter to Napolitano concluded.   “Every agency has to do more with less; we understand that,” said Marcus Dunn, Director of Government Relations at SIA. “However, what is difficult to understand is the allocation made by DHS.”** Many ports have applied for - and have been granted - funding for critical security components. Unfortunately, those grants have been tied to matching grants, the two organizations noted in a statement. They added that “given the state of the economy, some ports are unable to meet the matching amount, leaving those dollars unclaimed and leaving critical security projects unfinished.”   “If the matching amounts were waived, we would really be looking at a budget-neutral situation,” Dunn said in a statement. “Many of these projects are scalable and ready to be implemented now.”

#### And – Bolstering security infrastructure at ports via the PSGP is key to solve

Holmes, 2012 (John M., Deputy Executive Director of Operations Port of Los Angeles, Testimony Before The United States House of Representatives, Appropriations Committee, Subcommittee on Homeland Security, “Budget Hearing - Federal Emergency Management Agency –Director and State & Local Witnesses” <http://appropriations.house.gov/uploadedfiles/hhrg-112-ap15-jholmes-20120307.pdf>)

Since 9/11, port security has become a top priority for U.S. ports, including the Port of Los ¶ Angeles. Safe and secure seaport facilities are fundamental to protecting our borders and ¶ moving goods. Protecting the people and freight that move through seaports and ¶ surrounding communities is essential to keeping seaports safe and open for business. ¶ With 99.6 percent (by volume) of overseas trade flowing through U.S. ports, a terrorist ¶ incident at a port could have a drastic impact on the U.S. economy. In the decade since 9/11, a key component of our nation’s effort to harden the security of ¶ seaports has been the Port Security Grant Program, currently managed by FEMA. The ¶ Port of Los Angeles alone has spent more than $250 million to upgrade its security, over ¶ $100 million of which was provided through grant funding. These upgrades would not ¶ have been possible if it were not for the Port Security Grant Program.¶ As is the case in Los Angeles, Port Security Grant funds have helped port facilities and ¶ port areas to strengthen facility security and work in partnership with other agencies to ¶ enhance the security of the region. In the Port of Los Angeles, Port Security Grant funding ¶ has been used to procure equipment such as vessels and vehicles, install detection ¶ systems such as cameras and sensors, and provide equipment maintenance for the ¶ systems recently installed. Port Security Grant funds have also been used to harden port ¶ IT infrastructure, and most recently this funding has been used to fill a serious training gap ¶ -- Maritime Security Training for State and Local police officers.¶ Under the SAFE Port Act, the Port Security Grant program is authorized at $400 million. ¶ Unfortunately, in the last few years, the funding for this program has decreased, currently ¶ standing at a dangerously low level. The current level of $97.5 million is 75 percent less ¶ than the authorized level, and it is currently at one of the lowest funding levels ever for this ¶ program. As costs of systems, maintenance and equipment continue to rise, this level of ¶ funding will bring into question the sustainability of the protection levels we have worked so ¶ hard to build over the last decade.¶ As you know, for FY 2012, this Committee decided to bundle all FEMA State and Local ¶ grant programs, cut the combined programs by 40 percent, and give DHS the authority to ¶ determine funding levels for individual programs. AAPA has long been wary of efforts to ¶ bundle programs, fearing that traditional homeland security grants would be given a higher ¶ priority. DHS was given the authority to make the funding decisions, and last month, our ¶ fears became reality. The FY 2012 funding level represents a 59 percent cut from the prior ¶ year and 75 percent less than the authorized level. This will harm our ability to expand ¶ protection of our maritime assets, carry out Port-Wide Risk Management Plans and fund ¶ federal mandates such as installation of TWIC readers.¶ In a constantly changing threat environment, this level of funding will make it difficult to ¶ maintain our current capabilities at the Port of Los Angeles, much less meet new and ¶ emerging concerns in such areas as infrastructure protection, continuity of services such ¶ as power and water, protection of our information technology capabilities and response to ¶ the ever-growing cyber threat. At the Port of Los Angeles, Port Security Grant funding has ¶ been a critical component in our efforts to build a resilient port, and we would hate to see a ¶ degradation of these efforts as a result of grant funding reductions.

#### And – Only the plans FEDERAL investment solves

Wainio, 2012 (Richard, Port Director and CEO, Tampa Port Authority, “House Committee on Homeland Security’s Subcommittee on Emergency Preparedness, Response and Communications Hearing “Ensuring the Efficiency, Effectiveness and Transparency of Homeland Security Grants (Part II): Stakeholder Perspectives”, April, <http://aapa.files.cms-plus.com/TPADOCS-.pdf>)

**The plan to consolidate the Port Security Grant Program into one National** ¶ **Preparedness Grant Program ultimately administered by each individual state is** ¶ **extremely counterproductive.** History has proven that interaction and oversight by the ¶ local U.S. Coast Guard Captain of the Port assured that funds were being distributed in ¶ a manner that best benefitted each geographic area. **The U.S. Coast Guard has the**¶ **training, expertise and systems in place to assess risk, threat and vulnerability; and** ¶ **apply this information to grant submissions.** Through no fault of their own, **most states** ¶ **do not possess this capability**. Further, as state homeland grant funding diminishes, ¶ **states might be tempted to stretch the intent of the port security grants to meet needs** ¶ **that may not be the most productive use of funds targeting the safety and security of the** ¶ **maritime transportation system.**¶ While we understand that DHS has developed some improvements to their original ¶ grants model for the National Preparedness Grant program, we believe **Congress** ¶ **should determine the funding level for the Port Security Grant program**, rather than ¶ DHS. This year, Congress allowed DHS to allocate the funds and the Port Security ¶ Grant program was decreased by 59 percent to one of the lowest funding levels on ¶ record ($97.5 million). **These international maritime borders need to be a high priority.** ¶ We are also concerned that Secretary Napolitano will only fund the highest risk ports. ¶ We must provide protection for all ports in order to avoid a soft underbelly of underprotected ports that terrorists could target. We are also concerned that Secretary Napolitano will only fund the highest risk ports. ¶ We must provide protection for all ports in order to avoid a soft underbelly of underprotected ports that terrorists could target.¶ In Florida we are fortunate to have a robust and well-organized regional structure to ¶ address terrorism and other issues know as the Regional Domestic Security Task Force ¶ (RDSTF). I am privileged to represent Florida ports as a member of the Domestic ¶ Security Oversight Council (DSOC), which provides guidance, and facilitates ¶ coordination, to the RDSTF program. The DSOC also forwards funding ¶ recommendations to the Governor and Legislature regarding the use of State Homeland ¶ Security grants. In this capacity, I am aware of the diverse variety of disciplines and organizations that make these funding decisions, resulting in local and statewide ¶ impact. Because we currently have a separate funding source, the Florida ports are ¶ able to allow other well-deserving entities an opportunity for funding that is not related to ¶ maritime transportation, thus further defining the most important projects for ¶ consideration. Unless port security grant funds are segregated by law, I fear that we will ¶ simply create a large “pot of money” at the state level, being divided among a much ¶ larger group of disciplines, which will only serve to create a less efficient and less ¶ focused approach to funding necessary projects.

# The Advantages

## Inherency/Uniqueness

### PSGP Funding Cut Now

**PSGP cuts now**

AAPA 3/7/12, [American Association of Port Authorities], (“Maritime Security”, http://aapa.files.cms-plus.com/Maritime%20Security%202012.pdf)

AAPA urges Congress to continue to authorize and appropriate $400 million for the ¶ program. AAPA is concerned that last year’s drastic ¶ cuts to state homeland security grants, including the ¶ port security grant program, will threaten the ability of ¶ our nation to maintain our current capacity or expand it.¶ For FY 2012, Congress combined all grants, cut them ¶ by 40 percent and gave DHS the authority to determine ¶ the final funding level. DHS subsequently cut the Port ¶ Security Grants further by decreasing the level of ¶ funding by 59 percent from last year’s funding level. It¶ is currently at a level that is less than 75 percent of the ¶ authorized amount.¶ DHS is also considering a move to merge all grant ¶ programs into one program to fund all critical ¶ infrastructure segments and transfer distribution to the ¶ states, a move which AAPA strongly opposes. Port ¶ Security is a federal responsibility and it should remain ¶ at the federal level.

#### The Port Security Grant Program is underfunded

Monteverde 07 (Susan Monteverde, Vice President of Government Relations for the American Association of Port Authorities, February 7th 2007, Testimony of Susan J. Monteverde before the House Appropriations Committee, <http://aapa.files.cms-plus.com/PDFs/dhsappr_testimony2-13-07.pdf>]

While America’s ports must be able to accommodate today’s newer, larger ships so we can remain competitive as a trading nation, the ports must also remain safe and secure in the face of terrorist threats. One of the key things impacting the ability of ports to keep up with their growing trade volumes is the high cost of hardening their facilities against terrorism. When the nation’s ports have to divert their limited resources to pay for security measures, it can impact their ability to make the necessary investments to handle the rising volume of trade. Port security is a shared responsibility, with the federal government taking the lead. Much progress has been made since September 11 in protecting our seaport facilities, and we must continue our focus in this area. The federal government has implemented a number of cargo security programs, but only the Port Security Grant program, administered through the Department of Homeland Security, is focused on port facility security. This program was set up in 2002 to help protect marine facilities from terrorist attacks. From its inception, the Port Security Grant program has been dramatically under-funded. Only 20% of the requests for security enhancements at our nation’s ports have received funding. This under-funding has left ports with the difficult choice of either delaying security improvements or paying the lopsided balance themselves, which, in some cases, requires shifting funds from other needed infrastructure improvement projects. Ports already spend millions of dollars on security in areas that are not paid for by grants. For example, additional security personnel and operation and maintenance of security systems have placed a large new financial burden on ports. They also now pay for 25%-50% of the cost of infrastructure received through the Port Security Grant program.

Only 23% of the current budget for the PSGP is being used in the squo

**Rausnitz 2011** [Zach, associate editor for the Government and Enterprise IT groups at FierceMarkets, “GAO highlights flaws in the Port Security Grant Program”, 12/21/11, http://www.fiercehomelandsecurity.com/story/gao-highlights-flaws-port-security-grant-program/2011-12-21, MR]

Additionally, **the report criticizes FEMA because grantees have only drawn down 23.6 percent of the $1.7 billion awarded between 2006 and 2010. On top of that, 24.3 percent of funds awarded in that time remain unavailable**. That's either because federal agencies must comply with postaward budgetary and environmental requirements or because money has been awarded to a port but not yet used for specific projects. **GAO attributes the unused funds largely to cost-share requirements**. Because applicants knew about delays in fund distribution, it was difficult to preserve their cost-share obligation in their budgets while they waited to receive grant funds. **Some hesitated to invest their own money in new security projects that were not mandatory. Others could not afford the cost-share requirement because of the recession.** As a result, a greater portion of money awarded in cost-share years remains unused compared to non-cost-share years--even though cost-share years preceded non-cost-share years. The requirement was waived for fiscal 2010 and 2011 under the Recovery Act. **Applicants can still request a waiver for the cost-share requirement** if money from previous grant cycles remains unused. **But getting one requires undergoing a process of 22 separate steps, and** the report says that's exacerbated the problem because **it is time-consuming and confusing.** **FEMA records show that cost-share waivers** reviewed since December 2009 **took DHS on average 126 days to approve.** **The report notes that** while FEMA may not consider the level of funds drawn down to be an accurate measure of progress made in port security improvement, **no other measure exists**.

## Attacks Advantage

### Uniqueness – Ports Will Be Targeted

#### Terrorists will attack ports.

Council on Foreign Relations-06 ( “Targets for Terrorism: Ports”; Council on Foreign Relations; January 2006, <http://www.cfr.org/port-security/targets-terrorism-ports/p10215>)

Could terrorists attack U.S. ports?¶ Yes. Experts warn that U.S. seaports could be tempting targets for terrorists bent on killing large numbers of people, grabbing media attention, and disrupting the U.S. economy. Port, ferry, and cruise-ship terminals are often located in highly congested areas where large numbers of people live and work. Liquefied natural gas terminals and refineries that produce highly volatile petrochemicals and convert crude oil into gasoline and heating oil are also often nearby. Given the importance of foreign trade to the U.S. economy, an attack that shut down a major American port for even a few days could devastate the regional economy served by that port.Are U.S. ports vulnerable to terrorist attacks?¶ Yes. CFR Senior Fellow Stephen Flynn says “maritime transportation is one of our nation’s most serious vulnerabilities.” At current staffing and funding levels, U.S. Coast Guard personnel and Customs agents can thoroughly inspect only about 5 percent of the 9 million shipping containers that arrive at U.S. ports every year. Though the Customs Service is using increasingly sophisticated risk-assessment technology to choose which shipments to inspect, many outside experts are unsure about the system’s effectiveness.

#### Port Attack by 2015

Parfomak and Frittelli- 07 (Paul W. Parfomak and John Frittelli¶ Resources, Science, and Industry Division of the Congressional Research Service; Maritime Security:¶ Potential Terrorist Attacks¶ and Protection Priorities; Congressional Research Service; January 9, 2007, http://www.au.af.mil/au/awc/awcgate/crs/rl33787.pdf)

Terrorist attacks on U.S. ports with radiological dispersion devices (“dirty”¶ bombs) is also considered among the gravest maritime terrorism scenarios.¶ 76¶ A 2003¶ simulation of a series of such attacks concluded that they “could cripple global trade¶ and have a devastating impact on the nation’s economy.”¶ 77¶ Many terrorism analysts¶ view such a dirty bomb attack as relatively likely. In a 2005 survey, for example,¶ nuclear non-proliferation experts expressed their beliefs (on average) that there was¶ a 25% chance of a dirty bomb attack in the United States by 2010 and a 40% chance of such an attack by 2015.¶ 78¶ Studies suggest that the materials required to make a¶ dirty bomb may be widely available and poorly controlled internationally.¶ 79¶ According to some press reports, U.S. and British intelligence agencies have¶ reportedly concluded that Al Qaeda has succeeded in making such a bomb.¶ 80¶ Port¶ operators have testified before Congress that they believe “it is just a question of¶ time” before terrorists with dirty bombs successfully attack a U.S. port

#### A terrorist attack on ports is likely—empirics

Charles Goslin 8 (international expert in security threat and risk assessment, “Maritime and Port Security” published by Duostech on 11/12/2008, pg. 4-5) RF

Global trade is dependent mainly on maritime transport. It is estimated that more than 46,000 vessels and 4,000 ports make up the world’s maritime transportation system. The United Nations Conference on Trade and Development (UNCTAD)estimated in 2001 that 5.8 billion tons of goods were traded by sea in 2001; more than 80 percent of the world’s trade4. This fact alone makes maritime networks an attractive target of terrorists. Although it has been some time since Usama bin Laden has been seen, it is ominous that in one of his last video appearances in October 2004 he confirmed that his agenda remained primarily economic5. While terrorists have in the past targeted land or aviation assets, experts believe that this could soon change to include shipping, port, coastal facilities, and container/container yards are increasingly vulnerable because secondary emphasis has been placed on hardening these assets due to the urgent need to address threats to aviation facilities and transportation6. The following trends in terrorist threat reporting underscore increased concern for the maritime industry:  When captured in November 2002, Abd al-Rahim al-Nashiri, Al Qaida’s operations chief in the Persian Gulf had developed a four-pronged strategy to attack Western shipping targets: - Ramming vulnerable vessels at sea - Blowing up medium-sized vessels at ports - Attacking vulnerable, large cargo ships such as super tankers from the air by using explosive-laden small aircraft - Underwater attacks by divers or suicide demolition teams, using limpet mines Al-Nashiri was an explosives expert, specializing in naval demolition sabotage7.  Al Qaida operative Saud Hamid al-Utaibi who replaced al-Nashiri, took an active role in the operation that targeted the bombing of the USS Cole in 2000, and the French tanker Limburg in 2002. Following al-Utaibi’s appointment, the threat to maritime targets involving chemical agents was elevated8.  Operatives belonging to the Islamic Extremist group Jemaah Islamiah (JI), which is affiliated with Al Qaida, have been trained in sea-borne guerrilla tactics. A key element to their strategy is to gain unauthorized access to ships and port facilities in order to place explosives9.At least one Al Qaida operative is known to have been in the process of obtaining an international seaman’s license that would allow him into any port in the world without a visa10.  In 2003, 35 heavily armed terrorists boarded a chemical tanker off the coast of Sumatra. However, unlike pirates who operate in the region and routinely rob the crew and loot the vessel, these boarders simply demanded that the ship’s captain teach them how to “drive” the large ship. Like the 9/11 hijackers, who only wanted to learn to fly an airliner, these boarders were not interested in learning how to dock the vessel. 11  Intelligence officials have identified cargo freighters they believe are controlled by Al Qaida, which could be used by the terrorist network or its affiliates to ferry operatives, explosive components, cash or commodities on the high seas.12 One example is a well-dressed middle-eastern man discovered by Italian police who had hidden himself in a cargo container destined for the U.S. He was equipped with a bed, toilet, water supply, satellite phone, laptop computer, cameras and maps. He also had security passes to various airports in the U.S.13

### Uniqueness – Ports Vulnerable Now

#### Lax port security makes terrorists attracted to ports

Peter Chalk 8 (senior political scientist at the RAND Corporation, “The Maritime Dimension of International Security Terrorism, Piracy, and Challenges for the United States” [www.rand.org/pubs/monographs/2008/RAND\_MG697.pdf](http://www.rand.org/pubs/monographs/2008/RAND_MG697.pdf) pg. 21) RF

Five main factors seem salient in rationalizing the presumed shift in extremist focus to water-based environments. First, many of the vulnerabilities that have encouraged a higher rate of pirate attacks also apply to terrorism, including inadequate coastal surveillance, lax port security, a profusion of targets, the overwhelming dependence of maritime trade on passage through congested chokepoints (where vessels are exposed to attacks), and an increased tendency to staff vessels with skeleton crews. Because these gaps and weaknesses persist at a time when littoral states are devoting more resources to land-basedsecurity structures (as discussed above), they are amplifying—in relative terms—the attractive qualities of what is already a highly opaque operational setting. In other words, these gaps and weaknesses provide extremists with an opportunity to move, hide, and strike in a manner that is not possible in a terrestrial theater.7

#### US ports are vulnerable to terrorist attack by mines or explosive boats

Jay Carafano 6 (James Jay, Professor and Senior Research Fellow at The Heritage Foundation, “Port Security and Foreign-Owned Maritime Infrastructure” 3/9/2006 <http://www.heritage.org/research/testimony/port-security-and-foreign-owned-maritime-infrastructure>) RF

A special report prepared by the Maritime Security Working Group (chaired by The Heritage Foundation) was asked to address the long-term security threats to the United States in the maritime domain.[[8]](http://www.heritage.org/research/testimony/port-security-and-foreign-owned-maritime-infrastructure#_ftn8) The group-consisting of experts from academia, research centers, the private sector, and government-concluded the major trends that will affect U.S. maritime security are: Internal Threats from Rogue Actors. The greatest vulnerability to maritime infrastructure may be internal threats, i.e., employees who have an intimate knowledge of operations and facilities and access to transportation and port assets. The Growth of Maritime Criminal Activity. Piracy, human trafficking, and drug smuggling will continue. Terrorists could mimic or partner with criminal enterprises. The Lack of Visibility in Non-Commercial Maritime Activity. Currently the United States lacks sufficient means to monitor maritime activity. Terrorists could capitalize on this failing in many ways, including mines and other underwater attacks, smuggling by private craft with small payloads delivered outside ports, or attacks by small craft. The Maritime Domain as a Target and Facilitator of Threats against the Environment. Opportunities for infectious diseases and other environmental threats carried by seaborne traffic will increase with greater maritime commerce. Anti-Access Strategies a Real Possibility. An enemy might attack vulnerable targets on U.S. territory as a means to coerce, deter, or defeat the United States. Stand-Off Attacks from the Sea. State and non-state groups will be capable of mounting short-range ballistic missiles and cruise missile attacks-possibly employing weapons of mass destruction-from U.S. waters.

#### Ports are vulnerable to small vessel attack—more funding is key to solve

Barry Neild 11 (Staff Writer for the Global Post, “The small vessel threat” Published February 9th, 2011, <http://www.globalpost.com/dispatch/america/110207/US-ports-terrorism>) RF

It’s a scenario straight from the pages of a Tom Clancy thriller: a gimlet-eyed fanatic pilots a small boat up the Potomac River toward Washington, D.C. The vessel’s hold is packed with enough explosives and radioactive material to create a dirty bomb that will contaminate huge tracts of the U.S. capital, bringing the country’s political infrastructure to its knees. So-called “dark vessels” are not just plot devices to further the fictional career of Clancy’s CIA operative Jack Ryan. For those tasked with protecting the United States from coastal attack, they are all too real. And, given that terrorists might not pick such an obvious target as Washington, all too difficult to prevent. “The United States has thousands of miles of shoreline and there’s a massive potential for threat,” said Kenneth Christopher, a criminal justice expert at Park University and former Port of Miami security chief. It’s seems hard to conceive that in a post-9/11 world, any part of the United States would remain so vulnerable to attack. Indeed, since 2001 the country has locked down security at most major ports, selectively scanning inbound shipping containers before they even embark on their journey. But while large cargo vessels fall under routine scrutiny, millions of smaller sea craft operating in U.S. waters come and go largely unmonitored. Official figures from 2007 estimate the country has 13 million registered and 4 million unregistered recreational vessels. Add to those a 110,000-strong fleet of commercial fishing boats and thousands of tugboats and you have an immense flotilla of crafts, any one of which, in the wrong hands and with the wrong cargo, could become a brutally effective weapon. According to Michael Bunn, a Harvard expert on global nuclear weapon controls, the wrong cargo is certainly available. There are currently at least six tons of plutonium unaccounted for in the United States (the Nagasaki bomb used six kilograms), plus whatever went missing during the break-up of the Soviet Union. “We know some 18 to 20 cases of real theft of highly enriched uranium or plutonium,” he said. “The cases we know about we know about because the material was seized and recovered, but the obvious question is how many other cases are there out there, of what iceberg are we seeing the tip? “Unfortunately the accounting for the nuclear material in the big programs in the United States and Russia was not the first priority during the Cold War. The first priority was to keep up with the other guy, and the accounting ended up being sufficiently poor and we may never know how much material has gone missing.” The practicality of small vessels for use in terrorist attacks has been proven. In October 2000, 17 U.S sailors were killed when an Al Qaeda suicide squad was able to ram its explosives-laden boat into the side of Navy destroyer USS Cole while it was harbored in the Yemeni port of Aden. In November 2008, militants used speedboats to bypass security in the Indian port of Mumbai where they carried out audacious attacks on landmark buildings, killing more than 160 people. Security forces in the United States are, of course, only too aware of the potential danger posed by unregistered craft bearing weapons of mass destruction. In April 2008, the Department of Homeland Security produced a strategy document outlining official fears. “Many sites of [critical infrastructure and key resources] in the maritime domain are vulnerable to small vessel attacks,” the report said. “Additionally, small vessels routinely operate within close proximity of high-profile targets such as passenger craft, large commercial or cargo vessels, military warships, major bridges, critical waterfront industries and other maritime infrastructure.” Noting that a 2006 study valued the economic damage of a radiological attack on Los Angeles at $34 billion, the report added: “One can imagine the multi-fold consequences of a mass terrorist attack using a weapon of mass destruction, including the mass casualties, devastation to infrastructure and environmental fallout.” The report concluded that the “complex” threat from small vessels required a “risk-based” solution. This, said Park University’s Christopher, means applying to boats the same kind of profiling used to identify potential terrorists elsewhere: monitoring behavior and patterns rather than attempting blanket surveillance. Additional techniques involve adopting technology such as unmanned drone aircraft — currently being tested by some Coast Guard units — and promoting waterway watch schemes among the small boating community. While the Homeland Security report admitted there was no “stand-alone” solution, those at the frontline of this potential attack route say they are largely happy with progress with clear signs that the government is giving greater urgency to the constantly evolving demands of littoral security. “We're starting to see an increased level of prioritization and attention towards that. It's certainly an issue that's in need of greater resources,” said Kurt Nagle, president of the American Association of Port Authorities. “One of the challenges for the Coast Guard has always been not having adequate resources, in terms of staff, money and vessels to be able to fully address waterside security at ports throughout the country. This increasing level of focus, and with that a concomitant increase in resources, will better enable the coastguard to manage those risks.” There can never be enough vigilance though, added Harvard’s Matthew Bunn, warning that — as with terrorist threats anywhere — there is no ultimate solution to eliminating the risk from small vessel attack. “If you're sailing a yacht up the Hudson or up the Potomac or into San Francisco Bay or into Los Angeles Harbor, no one expects you until you pull ashore. And that could prove to be too late.” Where’s Jack Ryan when we need him?

The Port of Corpus Christi, an invaluable military port, is extremely vulnerable to terrorist attacks

**FEMA 2012** [Federal Emergency Management Agency, “North Shoreline Channel Cameras Towers, Texas”, April 2012, http://www.fema.gov/library/viewRecord.do?id=5880, MR]

**Port of Corpus Christi, City of Corpus Christi, Texas has applied for Port Security Grant Program** funding under application number 2009-PU-T9-K049 IJ#7 (9133). The purpose of this program is to provide for activities, which help to enhance the security and safety of ports in the United States. **The Port of Corpus Christi is one of the top four U.S. strategic seaports for the Department of Defense for deploying combat forces overseas**. Port facilities are used to receive military equipment by truck and rail, stage temporarily in secure paved open storage areas, and then load onto military or chartered commercial ships. Since the beginning of Operation Iraqi Freedom in 2003, over 100 vessels have called at the port with over 45,000 pieces of equipment trans-loaded using over 10,000 railcars and 6,000 trucks. **Military deployments continue through the Port of Corpus Christi as forces are rotated in and out of Iraq**. The port’s Inner Harbor also serves as home port for Military Sealift Command’s (U.S. Navy) Large Medium Speed Ro-Ro ships. These modern 952-foot long vessels, which cost over $300 million each to construct, are layberthed in a reduced operating status at the port for most of the year when not needed for military deployment operations. **There are currently no intruder deterrence or detection devices in a remote area at the upper end of the inner harbor channel**. With the recent addition of a paved public roadway along the north side of the channel, this shoreline has become more accessible. **No fencing or lighting to deter intruders exists in the area.** **The Port of Corpus Christi needs to improve maritime domain awareness by providing continuous surveillance along 3.5 miles of unprotected shoreline. This is important because the shoreline is a potential direct route for terrorist attack on the oil and chemical dock facilities along the inner harbor channel**. II. Alternatives Two project alternatives are proposed in this SEA: 1) No Action and 2) Preferred Action Alternative- Construction of security cameras towers. **Under the No Action Alternative, the proposed security cameras towers would not be constructed. As a result of this alternative, Port of Corpus Christi would be potentially vulnerable to Improvised Explosive Devices or Weapons of Mass Destruction. The Port of Corpus Christi would also not be able to maintain security of the daily port operations**.

### Internal Link – Economy

**US Seaports constitute the most vulnerable sector of the economy**

**Lane, 2009** (Drefus, Colonel in the US Army, “U.S. Seaport Security: Critical Challenge for Department of Homeland Security”, 2/4/2009, US Army War College, http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA499287, MR)

U.S. Seaport Security Threats and Vulnerabilities Prior to 9/11. U**.S. Seaports are naturally at risk to terrorist attacks due to their huge landmasses**. It is common for seaports to have many avenues of access, by water and land. They are often located in metropolitan areas. They transport large quantities of valuable goods, and provide effective transportation links and nodes to many destinations within U.S. borders. The perceived pre- 9/11 **threats and vulnerabilities included internal conspiracies, stowaways and smuggling illegal aliens, illegal export, and drug smuggling. Defending against these vulnerabilities proved difficult due to the staggering numbers of U.S. ports and their structural designs.** The mission of defending our ports requires us to “uphold U.S. maritime sovereignty and enforce U.S. law, international conventions, and treaties against criminal activities.” 3 “The Federal government has the [overall jurisdiction] over harbors and interstate and foreign commerce, but state and local governments are the main port regulators.” 4 **The United States Coast Guard (USCG) is empowered to enforce all laws, conventions, and treaties in the maritime domain, crafted to suppress illegal migration, human trafficking, smuggling drugs and other contraband, and all other federal or international crime.** **This enforcement plays an integral role to secure air, land, and sea borders**. U.S. Seaport Security Threats and Vulnerabilities after 9/11. **US Seaports are vital assets to the US economy and national security strategy. “One of the most vulnerable sectors of the U.S. economy identified during [post 9/11] assessments was** the maritime transportation system (MTS), specifically **U.S. seaports’ [vulnerability]**. 5 The 9/11attacks tragically demonstrated the vulnerability of the United States to attacks. 6 The Al Qaeda network demonstrated to the world that **terrorist attacks have the potential to disrupt the global economy.** The U.S. federal government immediately started assessing its vulnerability to these threats across a wide-range of possibilities and designated numerous government and non-governmental facilities as critical infrastructure, to include U.S. seaports. This post-9/11sense of uncertainty has permeated the national security environment.

#### A port-based terrorist attack would shut down the global economy and launch a new depression

Stephen Flynn 8 (Stephen, President of the Center for National Policy and CISAC Consulting Professor at Stanford, “Overcoming the Flaws in the U.S. Government Efforts to Improve Container,

Cargo, and Supply Chain Security”, Written testimony before a hearing of the Homeland Security Appropriations Subcommittee on April 2nd, 2008, http://www.cfr.org/port-security/overcoming-flaws-us-government-efforts-improve-container-cargo-supply-chain-security/p15926) RF

On March 28, 2006, I outlined the following scenario at a hearing on container security before the Senate Permanent Subcommittee on Investigations: A container of athletic foot wear for a name brand company is loaded at a manufacturing plant in Surabaya, Indonesia. The container doors are shut and a mechanical seal is put into the door pad-eyes. These designer sneakers are destined for retail stores in malls across America. The container and seal numbers are recorded at the factory. A local truck driver, sympathetic to al Qaeda picks up the container. On the way to the port, he turns into an alleyway and backs up the truck at a nondescript warehouse where a small team of operatives pry loose one of the door hinges to open the container so that they can gain access to the shipment. Some of the sneakers are removed and in their place, the operatives load a dirty bomb wrapped in lead shielding, and they then refasten the door. The driver takes the container now loaded with a dirty bomb to the port of Surabaya where it is loaded on a coastal feeder ship carrying about 300 containers for the voyage to Jakarta. In Jakarta, the container is transferred to an Inter-Asia ship which typically carry 1200-1500 containers to the port of Singapore or the Port of Hong Kong. In this case, the ships goes to Hong Kong where it is loaded on a super-container ship that carriers 5000-8000 containers for the trans-Pacific voyage. The container is then off-loaded in Vancouver, British Columbia. Because it originates from a trusted-name brand company that has joined the Customs-Trade Partnership Against Terror, the shipment is never identified for inspection by the Container Security Initiative team of U.S. customs inspectors located in Vancouver. Consequently, the container is loaded directly from the ship to a Canadian Pacific railcar where it is shipped to a railyard in Chicago. Because the dirty bomb is shielded in lead, the radiation portals currently deployed along the U.S.- Canadian border do not detect it. When the container reaches a distribution center in the Chicago-area, a triggering device attached to the door sets the bomb off. There would be four immediate consequence associated with this attack. First, there would be the local deaths and injuries associate with the blast of the conventional explosives. Second, there would be the environmental damage done by the spread of industrial-grade radioactive material. Third, there would be no way to determine where the compromise to security took place so the entire supply chain and all the transportation nodes and providers must be presumed to present a risk of a potential follow-on attack. Fourth—and perhaps most importantly—all the current container and port security initiatives would be compromised by the incident. In this scenario, the container originated from a one of the 5,800 companies that now belong to the Customs-Trade Partnership Against Terrorism. It would have transited through multiple ports—Surabaya, Jakarta, Hong Kong, and Vancouver—that have been certified by their host nation as compliant with the post-9/11 International Ship and Port Facility Security (ISPS) Code that came into effect on 1 July 2004. Because it came from a trusted shipper, it would not have been identified for special screening by the Container Security Initiative team of inspectors in Hong Kong or Vancouver. Nor would it have 9 been identified by the radiation portal. As a consequence, governors, mayors, and the American people would have no faith in the entire risk-management regime erected by the administration since 9/11. There will be overwhelming political pressure to move from a 5 percent physical inspection rate to a 100 percent inspection rate, effectively shutting down the flow of commerce at and within our borders. Within two weeks, the reverberations would be global. As John Meredith, the Group Managing Director of Hutchison Port Holdings, warned in a Jan 20, 2004 letter to Robert Bonner, the former Commissioner of the U.S. Customs and Border Protection: “. . . I think the economic consequences could well spawn a global recession – or worse.”

#### A terrorist attack on a port would devastate the economy—port security investment is key

PJ Crowley 4 (former United States Assistant Secretary of State for Public Affairs, “Making Our Ports a Priority”, <http://www.americanprogress.org/issues/2004/07/b106593.html>) RF

Ultimately, port security – and homeland security – can't be outsourced. The consequences of failure are enormous. An attack on a liquefied natural gas storage facility at an urban port facility like the Port of New York and New Jersey risks mass casualties and chaos that could exceed what we experienced on September 11. Many of our major ports are near urban centers, military bases or other critical infrastructure. An attack involving a dirty bomb or weapon of mass destruction smuggled through a port in a shipping container might force the president to order a temporary closure of U.S. ports, analogous to what was done with the grounding of commercial aircraft on September 11. Since our economy depends heavily on global trade and open ports, an extended closure would break just in time supply chains, interrupt manufacturing operations and have other cascading effects across the United States. The attacks of September 11 created roughly $85 billion in economic losses, and they were directed only at symbols of our economic and military strength. A West Coast port strike two years ago generated a billion dollars a day in economic losses. A carefully coordinated terrorist attack involving multiple ports would cause damage orders of magnitude above that. Our national strategy should be to adequately invest in port security before the next attack, not pay the piper afterwards.

#### Ports are key to the US economy.

Greenberg-09 (Michael R. Greenberg¶ Technical Leader at Cisco Systems, Senior Software Engineer at iRobot Corporation¶ ”Risk analysis and port security: some contextual¶ observations and considerations”; Springer Science and Business Media; 9/19/09; <http://ehis.ebscohost.com.ezproxy.baylor.edu/ehost/pdfviewer/pdfviewer?sid=b5824083-0b7e-479d-b8cc-16bc496bbb3f%40sessionmgr114&vid=5&hid=3>)

3.1 Focusing on economic consequences¶ Because economic consequences vary by location, the author inherently distrusts back-of the-envelope economic consequence statements, such as 10 percent of the jobs are port related or that 29 percent of the goods pass through ports. A brief shutdown or damage¶ to port may cause the equivalent of a national “economic hiccup,” but an extended closure would threaten local and regional economies, and ultimately national and international¶ economies. Unfortunately, more often than not economic impact estimates are not made¶ with the best available data or simulation tools.¶ Port shutdowns have a history in the United States. In October 2002, for example, a¶ labor dispute shut down West Coast ports. Reports estimated that 70 percent of imported¶ consumer-destined technology came through these ports and that $22 billion in consumer¶ electronics sales were jeopardized if the shutdown had continued (Business Wire 2002). The¶ Anderson Economic Group (2002) estimated that a four week shutdown would reduce U.S.¶ personal income by $4.8 billion.¶ In the author’s experience, the major limitation of typical economic impact analyses¶ is that they underestimate the indirect and induced economic effects and the geographical scope of impacts. Speciﬁcally, the direct consequences include impacts on port-related¶ business. Indirect effects are changes in sales of businesses impacted by the event. Induced¶ effects include shifts in sales due to changes in residential income. That is, when people¶ lose their jobs, they begin to reduce their purchases. The local impact is the area directly impacted by the event. Regional impacts occur in surrounding areas that are effected by direct¶ losses. State, national and international impacts are felt as economic consequence ripples¶ across the landscape. Some of these impacts are felt immediately or within a month or two¶ of the event. Others are intermediate in length and measured in months and even a year or¶ two out from the events. If the event is large enough there will also be long-term impacts¶ that can be measured for many years.

#### Ports key to commerce.

RAND-08 (RAND, The RAND Corporation is a nonprofit research organization providing

objective analysis and effective solutions that address the challenges

facing the public and private sectors around the world.

“The Maritime ¶ Dimension of ¶ International Security¶ Terrorism, Piracy, and Challenges ¶ for the United States”; 2008; <http://www.rand.org/pubs/monographs/2008/RAND_MG697.pdf>)

As one of the globe’s principal maritime trading states, accounting for nearly 20 percent (measured in metric tons) of all international sea-borne freight in any given year, the United States has a ¶ direct, vested interest in securing the world’s oceanic environment. ¶ Commercial carriers transport more than 95 percent of the country’s ¶ non–Northern American trade by weight and 75 percent by value. ¶ Commodities shipped by sea currently constitute a full quarter of ¶ U.S. gross domestic product, more than double the ﬁgure recorded in ¶ 1970.¶ Besides economic considerations, the marine transportation ¶ system plays an important role in U.S. national security. The Departments of Defense and Transportation have jointly designated 17 ¶ American ports—13 of which also act as commercial trading hubs—as ¶ strategic because they are necessary to expedite major military deployments.¶ 1¶ In the view of the Government Accountability Oﬃce, if these ¶ terminals were decisively attacked, “not only could … civilian casualties be sustained, but DoD [Department of Defense] could also lose ¶ precious cargo and time and be forced to rely heavily on its [already] ¶ overburdened airlift capabilities.¶

Ports contribute over $1 trillion annually.

Lungren- 06 (REP. DAN LUNGREN¶ Chair, Economic Security, Infrastructure Protection and Cyber-security Subcommittee of the House Homeland Security Committee,” Safeguarding U.S. seaports”; 3/30/06; <http://www.lexisnexis.com.turing.library.northwestern.edu/hottopics/lnacademic/>)

We should always heed the common sense warning to refrain from spending all of our time fighting the last war. While it is important to drastically upgrade our aviation security program in the wake of 9/11, that is not enough. Our enemy is smart enough to look for other targets, and we must be smart enough to anticipate those targets - not merely respond. To defend against terrorist attacks and protect American lives, it is essential that we act now to harden our most vulnerable targets, which currently include America's 361 seaports.¶ More than 95 percent of U.S. foreign trade comes through these critical trade hubs, totaling more than $1 trillion annually. A study conducted by the Brookings Institution found that a terrorist attack at a major U.S. port would cause $60 billion in economic damages, and an attack involving the use of nuclear weapons could result in dramatic loss of life and more than $1 trillion in economic costs. It is easy to see how a major attack on a U.S. port would devastate our economy immediately - a publicly stated goal of al Qaeda.

### Internal Link – Trade

Attack on Ports would collapse trading networks

Schanzer and Eyerman- 10 (David H. Schanzer¶ Associate Professor of the Practice¶ Sanford School of Public Policy¶ Duke University, Joe Eyerman¶ Senior Research Methodologist¶ Director, Health Security Program¶ RTI International; “Strategic Risk Management ¶ in Government: A Look ¶ at Homeland Security” Homeland Security Council; 3/31/10; http://www.homelandcouncil.org/pdfs/digital\_library\_pdfs/ibmstrategicriskmanagementingovt.pdf)

Maritime commerce is essential to america’s economic vitality. Maritime commerce is the primary ¶ mode of transportation for trade goods and is essential to america’s economic vitality.¶ 5¶ every year ¶ approximately nine million cargo containers from ¶ all over the world —26,000 a day—arrive at u.s¶ ports.¶ 6¶ ships carry more than 95 percent of the nation’s non-north american trade by weight, 75 percent by value, and 100 percent of the oil imported by the united states.¶ 7¶ in 2003, waterborne ¶ trade contributed about 7.5 percent of the u.s. gross domestic product.¶ 8¶ given the importance of maritime trade to the u.s. economy, disruption of that trade would have immediate and significant economic consequences in the united states and also worldwide. 9this tremendous flow of goods creates many kinds of vulnerabilities. drugs and illegal aliens are routinely smuggled into this country, not only in small ¶ boats but also in otherwise legitimate cargoes on ¶ large commercial ships.¶ 10¶ More worrisome, terrorist ¶ organizations could exploit these same pathways to ¶ smuggle dangerous materials—nuclear weapons for instance—for use in an american city.¶ the variety and number of u.s. ports makes protecting them even more difficult. some are multi-billion ¶ dollar enterprises while others have very limited ¶ facilities and very little traffic. cargo operations are ¶ similarly varied, including containers, liquid bulk ¶ (such as petroleum), dry bulk (such as grain), and ¶ iron ore or steel.¶ However, there is one relatively consistent characteristic that makes ports an attractive target for terrorists: most seaports are located in or near major ¶ metropolitan areas, where attacks or incidents make more people vulnerable.

### Internal Link – Maritime Sector

#### **Port Security measures ensure investor, consumer and business confidence**

#### **Palac-McMiken 05** (Evanor Palac-McMiken, Director of the Economic Analytical Unit at the Department of Foreign Trade and Affairs, “Economic Costs and Benefits of Combating Terrorism in the Transport Sector”, Asian-Pacific Economic Literature, <http://onlinelibrary.wiley.com/store/10.1111/j.1467-8411.2005.00158.x/asset/j.1467-8411.2005.00158.x.pdf;jsessionid=04AE22510AFBB1EA4756D40DEA0CFA55.d03t03?v=1&t=h4ppdiht&s=3f469b88d024638a8733b4601e8cf7c32550c4c9>]

Standardising and introducing compatible electronic manifests systems at all ports will save time and reduce costs through quicker processing of cargo, faster vessel turnaround, a more consistent approach to cargo and vessel data reporting, increased confidence in the reporting system and more timely responses for importers and exporters. All these benefits may lower freight and handling costs, reduce final prices of traded goods and increase demand. With international trade expanding rapidly and increasingly relying on just-in-time delivery, efficient global logistics systems are essential. Expenditure on new logistics systems represents an investment that will deliver considerable efficiency returns. Enhanced security, by bringing greater certainty and stability to the global economy, should encourage investor, business and consumer confidence. Using the above framework, the potential medium to long-term economic costs and benefits of counter-terrorism measures can be illustrated through a variety of general equilibrium model simulations. 1 In modelling, it is always difficult to estimate precisely the extent and duration of shocks arising from an event, such as the decline in productivity growth caused by terrorism. Thus, modelling simulation results should be interpreted with caution. It should also be remembered that modelling of a particular scenario is simply for the purpose of illustration.

#### **Port security key to investor confidence- the impact is global trade**

Committee on Managing Globalization 06 (Committee on Managing Globalization of the United Nations Economic and Social Council, August 17th 2006, “TRADE FACILITATION AND THE NEW SECURITY ENVIRONMENT: ISSUES FOR DEVELOPING AND LEAST DEVELOPED COUNTRIES IN THE ASIAN AND PACIFIC REGION”, http://www.unescap.org/cmg/2006/CMG3-I/English/CMG3-I\_3E.pdf]

There is a very close link between trade security and trade facilitation and they can in fact be mutually reinforcing as better trade facilitation can actually enhance trade security and vice versa. 15 If trade security is intended to provide a safe, legal and efficient exchange of goods and services and flow of factors of production, trade facilitation is intended to provide a simple, transparent and effective channel for global trade through the simplification and harmonization of processes, procedures and information flows. Trade facilitation centers on general principles that underpin an open trading system and include transparency, predictability, due process, nondiscrimination, and simplification and avoidance of unnecessary restrictions to trade. Indeed, only by combining security and trade facilitation can safer world trade be achieved. Measures for security of trade can add certainty and stability to the global economy, raise investor confidence, and thus can facilitate trade. “Secure trade is now as important as free trade – and the two need not be mutually exclusive”. 16 The complementary functions of trade security and facilitation has been recognized by the APEC Trade Ministers when they “…emphasized that efforts to increase the security of transportation, including greater cooperation between enforcement officials and the private sector and more use of information technology, could also facilitate trade”. 17

### Impact – General

#### Ports are vulnerable to terrorist attacks—multiple reasons—the impact is nuclear and biological terrorism and collapse of global trade

**Frittelli 05** (John Frittelli, Specialist in Transportation Resources, Science, and Industry Division, Congressional Research Service, May 27th 2005, “Port and Maritime Security: Background and Issues for Congress”, Congressional Research Service, <http://www.fas.org/sgp/crs/homesec/RL31733.pdf>]

Security experts are concerned about a variety of terrorist threat scenarios at U.S. ports. Among other things, they are concerned that terrorists could: use commercial cargo containers to smuggle terrorists, nuclear, chemical, or biological weapons, components thereof, or other dangerous materials into the United States; seize control of a large commercial cargo ship and use it as a collision weapon for destroying a bridge or refinery located on the waterfront; sink a large commercial cargo ship in a major shipping channel, thereby blocking all traffic to and from the port; attack a large ship carrying a volatile fuel (such as liquefied natural gas) and detonate the fuel so as to cause a massive in-port explosion; attack an oil tanker in a port or at an offshore discharge facility 19 so as to disrupt the world oil trade and cause large-scale environmental damage; seize control of a ferry (which can carry hundreds of passengers) or a cruise ship (which can carry more than 3,000 passengers, of whom about 90% are usually U.S. citizens) and threaten the deaths of the passengers if a demand is not met; attack U.S. Navy ships in an attempt to kill U.S. military personnel, damage or destroy a valuable U.S. military asset, and (in the case of nuclear-powered ships) cause a radiological release. use land around a port to stage attacks on bridges, refineries located on the waterfront, or other port facilities. Some of these scenarios (or similar ones) have already come to pass elsewhere. For example, in October 2002, the French oil tanker Limberg appears to have been attacked by a bomb-laden boat off the coast of Yemen, killing one crewman aboard the tanker, damaging the ship, and causing an oil spill. 20 In October 2001, Italian authorities arrested on terrorism charges an Egyptian-born Canadian citizen found with high-tech equipment (including a satellite phone and a computer) and other personal possessions in a cargo container in an Italian port. 21 In October 2000, the U.S. Navy destroyer Cole was attacked by a bomb-laden boat during a refueling stop in the harbor of Aden, Yemen, killing 17 sailors, injuring 39 others, and causing damage to the ship that cost about $250 million to repair. 22 In 1985, terrorists seized the cruise ship Achille Lauro in the Mediterranean and held its passengers hostage, killing one of them. Much concern has focused on the threat that a sea container could be used to smuggle a nuclear weapon into the United States. Experts are concerned that if a nuclear weapon in a container aboard a ship in port is detonated, it could not only kill tens of thousands of people and cause massive destruction, but could also paralyze the movement of cargo containers globally, thereby shutting down world trade. Port and Ship Vulnerabilities to Terrorist Attack Port Facilities. Port areas and ships in ports have many vulnerabilities to potential terrorist attack. Port areas have very large landside perimeters to secure, giving terrorists many potential landside points of entry. Some ports are located immediately adjacent to built-up urban areas, giving terrorists places to hide while approaching or escaping from port areas. Large numbers of trucks move in and out of ports, making it possible for terrorists to use a truck to bring themselves and their weapons into a port. Many ports harbor fishing and recreational boats that terrorists could use to mask their approach to a target ship. Ships. Commercial cargo ships at pier or at anchorage in harbor are stationary, and those moving through port do so at slow speeds, making them easy to intercept by a fast-moving boat. Commercial cargo ships are generally unarmed and have very small crews, making them vulnerable to seizure by a small group of armed people, as proven by modern-day pirates. In the 1990s, the number of reported attacks on cargo ships by pirates tripled. 24 Most pirate attacks occur while the ship is in port. Although most attacks occur in Southeast Asian waters on foreign-flag freighters, U.S. shippers are likely to be among the owners of cargo onboard. It can also be noted that some experts believe there is a link between piracy and terrorism — that the goal of some acts of piracy may be to raise money to finance terrorist operations. The Financial Times has reported an incident where a chemical tanker in the south Pacific was boarded by pirates who practiced steering the vessel at varying speeds for several hours. 25 The lack of transparency in ship registration has been a longstanding concern. An Organization for Economic Cooperation and Development (OECD) study on the ownership and control of ships reports that: Not only does perfect transparency not exist, but in fact anonymity seems to be the rule rather than the exception, and not only is it permitted, but in many cases positively encouraged. This enables terrorists and would be terrorists to remain intimately involved in the operation of their vessels, while maintaining totally hidden, through the use of relatively simple mechanisms that are readily available and legally tolerated in almost all jurisdictions. 26 Unscrupulous ship owners are known to mask their identity by re-registering their vessels under fictitious corporate names and renaming and repainting their ships. Shipowners can register their vessels in “flag of convenience” countries which may have lax regulations and require little information from the applicants. According to press reports, U.S. intelligence officials believe they have identified 15 cargo ships that have links to al Qaeda. 27 Container Shipments. The complexity of the process for completing containerized shipments makes it more difficult to ensure the integrity of this type of cargo. 28 Unlike other cargo ships whose loading process occurs at the port and whose cargo is often owned by a single company, container ships carry cargo from hundreds of companies and the containers are loaded away from the port at individual company warehouses. A typical single container shipment may involve a multitude of parties and generate 30 to 40 documents. A single container could also carry cargo for several customers, thus multiplying the number of parties and documents involved. The parties involved in a shipment usually include the exporter, the importer, a freight forwarder, a customs broker, a customs inspector, inland transportation provider(s) (which may include more than one trucker or railroad), the port operators, possibly a feeder ship, and the ocean carrier. Each transfer of the container from one party to the next is a point of vulnerability in the supply chain. The security of each transfer facility and the trustworthiness of each company is therefore critical in the overall security of the shipment. It is also important to keep in mind that not all U.S.bound containers arrive at U.S. ports. Half of the containers discharged at the Port of Montreal, for instance, move by truck or rail for cities in the northeastern or midwestern United States. 29 Also, many containers that enter U.S. waters are bound for other nations. Maritime Crimes. Security experts warn that terrorists attempting to use a container to smuggle a weapon of mass destruction or components thereof into the United States could purchase a known exporter with a long and trustworthy shipping record. Drug smugglers have been known to employ this strategy to disguise their contraband in otherwise legitimate cargo. While both the Coast Guard and CBP are experienced in the marine environment with the “war on drugs,” they recognize that terrorism is a different kind of threat. Among other things, drug smugglers are often interested in finding a smuggling method that can be used over and over to make multiple shipments. This permits the Coast Guard and CBP to look for certain patterns of operation among drug smugglers. Terrorists, on the other hand, are more likely to be interested in using a particular method of attack only once, to carry out a particular terrorist operation. This makes the tactic of looking for patterns of operation potentially much less useful. Another difference concerns the potential consequences of failure to detect and intercept. Given the tremendous amount of cargo arriving at seaports, the mission of interdicting illegal drugs or a weapon of mass destruction is often described as searching for the needle in the haystack. In the case of the weapon of mass destruction, however, the potential consequence of not finding the so-called needle is much greater.

#### Direct attacks on seaports would be disastrous.

Schanzer and Eyerman- 10 (David H. Schanzer¶ Associate Professor of the Practice¶ Sanford School of Public Policy¶ Duke University, Joe Eyerman¶ Senior Research Methodologist¶ Director, Health Security Program¶ RTI International; “Strategic Risk Management ¶ in Government: A Look ¶ at Homeland Security” Homeland Security Council; 3/31/10; http://www.homelandcouncil.org/pdfs/digital\_library\_pdfs/ibmstrategicriskmanagementingovt.pdf)

Scenario Three: Direct Attack on a U.S. ¶ Seaport¶ finally, terrorists could also attack u.s. seaports ¶ directly. such an attack would result in loss of lives, ¶ property, and business; affect the operations of harbors and the transportation infrastructure (bridges, ¶ railroads, and highways) within and beyond the port ¶ limits; and disrupt the free flow of trade. ¶ for instance, imagine the consequences of a successful attack on twin ports of los angeles and long ¶ Beach. these two ports handle 43 percent of the ¶ total container traffic flowing in and out of the ¶ united states.¶ 39¶ if a terrorist attack shut down that ¶ traffic, it would have an immediate spillover effect, ¶ causing gridlock in Hong Kong, singapore, ¶ rotterdam, and every other major trading port reliant on the world’s biggest economy. Key u.s. ¶ imports, starting with oil, would become scarce ¶ almost immediately. factories would become idle ¶ for lack of raw materials or spare parts. places like ¶ Hawaii, which depend on shipping for almost every ¶ consumer need, would quickly run out of food. ¶ of course, attacks on megaports like los angeles ¶ and long Beach would have disproportionately ¶ larger consequences than attacks on smaller ports. ¶ according to data from the american association of ¶ port authorities, the total trade disruption cost of a ¶ daily shutdown of the twin california ports would ¶ be $600 million.¶ 40¶ the daily cost of the total shutdown of the megaport of new York/new Jersey ¶ would be $277 million, ¶ 41¶ but the daily cost of the ¶ total shutdown of a small port like richmond, ¶ virginia, would be $3 million.¶ 42¶ the final cost to the ¶ country would be much larger because neither of ¶ these numbers ($600 million and $277 million) ¶ takes into consideration the cost to the economy as ¶ a whole that such attacks would have. the megaport ¶ of new orleans, for instance, yields roughly 20 percent of the annual u.s. gdp. its devastation and shutdown following Hurricane Katrina at the end of ¶ august 2005 produced a large loss for our economy.

#### A terrorist attack on ports would be disastrous- kills civilians and hurts trade.

Medalia- 05 (Jonathan Medalia¶ Specialist in National Defense¶ Foreign Affairs, Defense, and Trade Division, “Terrorist Nuclear Attacks on Seaports: ¶ Threat and Response;CRS Report for Congress;1/24/05;http://www.fas.org/irp/crs/RS21293.pdf)

Terrorists have tried to obtain weapons of mass destruction (WMD) — chemical,¶ biological, radiological, and nuclear weapons. While it would probably be more difficult¶ for terrorists to obtain or fabricate a nuclear weapon than other WMD, an attack using a¶ nuclear weapon merits consideration because it would have much higher consequence.¶ U.S. seaports could be targets for terrorist attack. A terrorist Hiroshima-sized nuclear¶ bomb (15 kilotons, the equivalent of 15,000 tons of TNT) detonated in a port would¶ destroy buildings out to a mile or two; start fires, especially in a port that handled¶ petroleum and chemicals; spread fallout over many square miles; disrupt commerce; and¶ kill many people. Many ports are in major cities. By one estimate, a 10- to 20-kiloton¶ weapon detonated in a major seaport would kill 50,000 to 1 million people and would¶ result in direct property damage of $50 to $500 billion, losses due to trade disruption of¶ $100 billion to $200 billion, and indirect costs of $300 billion to $1.2 trillion.¶ 1¶ Terrorists might try to smuggle a bomb into a U.S. port in many ways, but containers¶ may offer an attractive route. A container is a metal box, typically 8 ft wide by 8½ ft high¶ by 20 ft or 40 ft long, that can be used on and moved between a tractor-trailer, a rail car,¶ or a ship. Much global cargo moves by container. Nearly 9 million containers a year enter¶ the United States by ship.¶ 2¶ Customs and Border Protection (CBP) screens data for all¶ containers, and reportedly inspects about 6 percent of them.¶ 3¶ Containers could easily hold¶ a nuclear weapon. Many believe that ports and containers are vulnerable. An FBI official¶ stated, “The intelligence that we have certainly points to the ports as a key vulnerability¶ of the United States and of a key interest to certain terrorist groups....”¶ 4¶ CBP¶ Commissioner Robert Bonner believes an attack using a nuclear bomb in a container¶ would halt container shipments, leading to “devastating” consequences for the global¶ economy. ...”¶ 5¶ People can, however, find ways to minimize economic problems.

## Trafficking Advantage

### Uniqueness – Nuclear Attack Now

#### Al-Qaeda will attack the US within one year with a WMD

Forbes 11 (Rahim Kanani, founder and editor-in-chief of World Affairs Commentary, “New al-Qaeda Chief Zawahiri Has Strong Nuclear Intent”, published 6/29/11, <http://www.forbes.com/sites/rahimkanani/2011/06/29/new-al-qaeda-chief-zawahiri-has-strong-nuclear-intent/>) RF

Rigid, arrogant, unpopular and lacking the necessary charisma to reenergize a battered global terrorist organization, Dr. Ayman al-Zawahri has been continually regarded by U.S. officials and veteran terrorism analysts as incapable of following in the footsteps of Osama bin Laden. Perhaps, but underestimating his ability to orchestrate widespread terror is a dangerous consequence of marginalizing his learned skillset, for we must not discount his former position as al-Qaeda’s deputy chief and operational commander for years. We should be especially worried about the threat of nuclear terrorism under Zawahiri’s leadership. In a recent report titled “Islam and the Bomb: Religious Justification For and Against Nuclear Weapons”, which I researched for and contributed to, lead author Rolf Mowatt-Larssen, former director of intelligence and counterintelligence at the U.S. Department of Energy, argues that al-Qaeda’s WMD ambitions are stronger than ever. And that “this intent no longer feels theoretical, but operational.” “I believe al-Qaeda is laying the groundwork for a large scale attack on the United States, possibly in the next year or two,” continues Mowatt-Larssen in the opening of the report issued earlier this year by the Belfer Center for Science and International Affairs at Harvard Kennedy School. “The attack may or may not involve the use of WMD, but there are signs that al-Qaeda is working on an event on a larger scale than the 9/11 attack.” Most will readily dismiss such claims as implausible and unlikely, and we hope they are right, but after spending months with Mowatt-Larssen, who also served as the former head of the Central Intelligence Agency’s WMD and terrorism efforts, scrutinizing and cross-referencing Zawahiri’s 268-page treatise published in 2008 titled “Exoneration”, the analytics steered us towards something far more remarkable than expected. “As I read the text closely, in the broader context of al-Qaeda’s past, my concerns grew that Zawahiri has written this treatise to play a part in the ritualistic process of preparing for an impending attack,” states Mowatt-Larssen. “As Osama bin Laden’s fatwa in 1998 foreshadowed the 9/11 attack, Ayman Zawahiri’s fatwa in 2008 may have started the clock ticking for al-Qaeda’s next large scale strike on America. If the pattern of al-Qaeda’s modus operandi holds true, we are in the middle of an attack cycle.” Among several important findings, Zawahiri sophisticatedly weaves identical passages, sources and religious justifications for a nuclear terrorist attack against the United States previously penned by radical Saudi cleric Nasir al Fahd. Indeed, the language used, research cited, and arguments put forth are nothing short of detailed and deliberate. Reading as both a religious duty to kill millions of Americans and a lengthy suicide note together, this piece of literature is something we must take seriously with Zawahiri now at the helm of al-Qaeda. The time may have come for al-Qaeda’s new CEO to leave a legacy of his own. Concluding the author’s note, Mowatt-Larssen states, “Even if this theory proves to be wrong, it is better to overestimate the enemy than to under­estimate him. Conventional wisdom holds that al-Qaeda is spent—that they are incapable of carrying out another 9/11. Leaving aside whether this view is correct, for which I harbor grave doubts, we will surely miss the signs of the next attack if we continue to overestimate our own successes, and dismiss what terrorists remain capable of accomplishing when they put their minds to it.” We must remember that Zawahiri’s arrogance and rigidness are not substitutes for determination and will.

#### A biological or nuclear terror attack is likely by 2013

Fox News 8 (No author given, “Nuclear or Bioterror Attack on U.S. Likely by 2013, Panel Warns”, published 12/2/2008, [http://www.foxnews.com/story/0,2933,459927,00.html](http://www.foxnews.com/story/0%2C2933%2C459927%2C00.html)) RF

Terrorists are likely to attack the United States using nuclear or biological weapons before 2013, according to a report released by a bipartisan commission. Vice President-elect Joe Biden was briefed on the panel's study on Tuesday. Among other things, the report suggests that the incoming Obama administration shore up its counterterrorism efforts to fight against germ warfare. "Our margin of safety is shrinking, not growing," states the report, a copy of which was obtained by FOX News. It is scheduled to be publicly released Wednesday. The commission is also encouraging the new White House to appoint one official on the National Security Council to exclusively coordinate U.S. intelligence and foreign policy on combatting the spread of nuclear and biological weapons. The report of the Commission on the Prevention of WMD Proliferation and Terrorism, led by former Sens. Bob Graham of Florida and Jim Talent of Missouri, acknowledges that terrorist groups still lack the needed scientific and technical ability to make weapons out of pathogens or nuclear bombs. But it warns that gap can be easily overcome, if terrorists find scientists willing to share or sell their know-how. "The United States should be less concerned that terrorists will become biologists and far more concerned that biologists will become terrorists," the report states. The commission believes biological weapons are more likely to be obtained and used before nuclear or radioactive weapons because nuclear facilities are more carefully guarded. Civilian laboratories with potentially dangerous pathogens abound, however, and could easily be compromised. "The biological threat is greater than the nuclear; the acquisition of deadly pathogens, and their weaponization and dissemination in aerosol form, would entail fewer technical hurdles than the theft or production of weapons-grade uranium or plutonium and its assembly into an improvised nuclear device," states the report It notes that the U.S. government's counterproliferation activities have been geared toward preventing nuclear terrorism. The commission recommends the prevention of biological terrorism be made a higher priority. President Bush will meet with the commission on Wednesday, a White House spokesman told FOX News. Democratic Rep. Edward J. Markey of Massachusetts, a senior member of the House Energy and Commerce Committee and co-chair of the House Bipartisan Task Force on Nonproliferation, called the report "an urgent call to action." The report "should trigger strong, coordinated steps to improve our country's ability to prevent proliferation and thwart terrorist attacks using nuclear and biological weapons," Markey said in a written statement. Study chairman Graham said anthrax remains the most likely biological weapon. However, he told the AP that contagious diseases — like the flu strain that killed 40 million at the beginning of the 20th century — are looming threats. That virus has been recreated in scientific labs, and there remains no inoculation to protect against it if is stolen and released. Graham said the threat of a terrorist attack using nuclear or biological weapons is growing "not because we have not done positive things but because adversaries are moving at an even faster pace to increase their access" to those materials. He noted last week's rampage by a small group of gunmen in Mumbai. "If those people had had access to a biological or nuclear weapon they would have multiplied by orders of magnitude the deaths they could have inflicted," he said. Al Qaeda remains the only terrorist group judged to be actively intent on conducting a nuclear attack against the United States, the report notes. It is not yet capable of building such a weapon and has yet to obtain one. But that could change if a nuclear weapons engineer or scientist were recruited to Al Qaeda's cause, the report warns. The report says the potential nexus of terrorism, nuclear and biological weapons is especially acute in Pakistan. "Were one to map terrorism and weapons of mass destruction today, all roads would intersect in Pakistan," the report states. In fact, commission members were forced to cancel their trip to Pakistan this fall. The Islamabad Marriott Hotel that commission members were to stay in was blown up by terrorist bombs just hours before they were to check in. "We think time is not our ally. The (United States) needs to move with a sense of urgency," Graham said.

#### 70 percent chance of a terrorist nuclear attack by 2015

Veronique de Rugy 5 (senior research fellow at the Mercatus Center at George Mason University, “Is Port Security Spending Making Us Safer?” Published by the American Enterprise Institute for Public Policy Research, September 2005, Pg. 7-10)

The second type of terrorist threat related to ports is the transport of dangerous material through ports for use elsewhere in the country or in the ports themselves. If those materials are used to build weapons of mass destruction, either nuclear or radiological, the damage is likely to be orders of magnitude more severe than from a direct attack on a port. Unfortunately, this serious threat is not as unlikely as one would like it to be. National security experts have estimated that the risk of a WMD attack in the next decade to be as high as 70 percent.13 WMD attacks figured in two-thirds of the 15 disaster scenarios the U.S. Homeland Security Department identified last year and uses to measure our level of preparedness. To be sure, the technical expertise to make and use a nuclear weapon is considerable. However, according to Charles D. Ferguson, a science and technology fellow at the Council on Foreign Relations, and William C. Potter, the director of the Monterey Institute's Center for Nonproliferation Studies, (2004), the real nuclear threat comes from terrorists obtaining the key ingredient of a nuclear bomb and then producing a less-than-perfect, but usable, nuclear device delivered by something as common as an ocean freighter.14 That, they think, could be achieved just a few years down the road. In the short term, the most likely threat arises from radiological materials packed with conventional explosives to create a so-called dirty bomb. In addition to the damage created by a regular bomb, a dirty bomb spreads radioactive materials in the air. According to the Central Intelligence Agency (CIA), the Al Qaeda terror network is fully capable of building a radioactive “dirty bomb” targeting the United States and other Western nations and “has crude procedures” for producing chemical weapons.15 More troublesome are allegations of Al Qaeda’s interest in acquiring fully developed nuclear capabilities.16 The probability of a terrorist attack with an actual nuclear weapon cannot be reliably estimated, and it is surely lower than the probability of virtually any other type of terrorist attack. But the devastation from such an attack would be so overwhelming that, based on expected damages—the probability multiplied by the consequences—this threat must be considered one of the greatest dangers America faces. According to the Council of Foreign Relations (CFR), the blast from a one-kiloton nuclear weapon—such as a crude improvised weapon or a stolen battlefield weapon—in midtown Manhattan during the day would kill more than 200,000 people and injure at least 200,000 more. It would also produce radioactive fallout that could kill half the exposed population as far as three miles away within a few weeks. And it would destroy most buildings and other structures over 11 city blocks as well as seriously disrupt Manhattan’s transportation, communications, utilities, and other infrastructure.17 Based on the CFR’s assumptions, Table 1 shows an imperfect estimate of the direct cost of a successful terrorist attack using a one-kiloton nuclear weapon in selected U.S. cities: lower Manhattan, downtown Chicago, downtown Washington DC and downtown Los Angeles. To put this blast yield in perspective, a one-kiloton device has less then 10 percent the yield of the 1945 era “little man” weapon used in the bombing of Hiroshima. Using 2000 population density numbers, we can deduce that if such a device were to kill 200,000 people and destroy 11 city blocks in Manhattan, 38,160 people would be killed in Chicago, 27,880 in Washington D.C., and 23,570 in Los Angeles.18 According to Aldy and Viscusi (2003), the value of statistical life for 30 to 40-year olds is at least $5 million in 1996 dollars.19 This number is consistent with Viscusi’s review of the literature (1993), which finds that most studies estimate the value of life to be between $3 million and $7 million in 1990 dollars.20 Using the estimate of $5 million in 1996 dollars, the value of life is $5.766 million in 2004 dollars. We therefore estimate the cost of 200,000 lives lost to be $1.1 trillion, the cost of 38,160 to be $217 billion, the cost of 27,880 to be $158 billion, and the cost of 23,570 to be $134 billion.

### Internal Link – Nuclear Smuggling

#### And – Current detection fails – Ports are the most likely scenario for nuclear terrorism

Konkel, 2005 (Todd, Edmund A. Walsh School of Foreign Service, Georgetown University, 05, “Container Security: Preventing a Nuclear Catastrophe”, irps.ucsd.edu/assets/004/5372.pdf)

A fundamental factor contributing to the threat of a container-based terrorist attack is the disturbing availability of nuclear materials, which include unsecured nuclear weapons, fissile nuclear material and other sources of radioactivity. As previously stated, given a choice, a terrorist would opt for a nuclear device over a dirty bomb in order to maximize casualties and damage to physical infrastructure. The first obstacle a potential nuclear terrorist faces is the acquisition of a functional nuclear weapon. There are more than two hundred locations worldwide where a would-be terrorist could acquire a nuclear weapon or the fissile material to make one.14 The area of greatest concern is Russia, which may still possess as many as twelve thousand low-yield tactical nuclear weapons that are often kept in less secure conditions than the weapons in the nation’s strategic arsenal.15 Fortunately, a nuclear bomb in a terrorist’s hands has thus far been only the subject of spy thrillers and Hollywood productions rather than a live CNN newscast. If the theft of a complete nuclear weapon proved too difficult, terrorists could attempt to steal or purchase the necessary fissile material and construct a bomb on their own. The minimum amount of weapons-grade fissile material required for a nuclear detonation varies with bomb design but can be as little as twelve kilograms of uranium- 235 or four kilograms of plutonium-239. Terrorists seeking this path might look to one of the 130 research reactors in more than 40 countries worldwide that use highly enriched uranium (HEU) as fuel.16 Attempted thefts of materials from such facilities occur with disturbing frequency. In the first three years after the fall of the Soviet Union in 1991, for example, the German government reported more than seven hundred incidents of attempted nuclear sales, including sixty cases that involved seizure of nuclear materials.17 Furthermore, the Database on Nuclear Smuggling, Theft and Orphan Radiation Sources (DSTO), compiled by researchers at Stanford University’s Center for International Security and Cooperation, has documented twenty-five “highly-credible” incidents involving the trafficking of weapons-grade plutonium or HEU since 1992.18 Fortunately, in all but one of these cases, the stolen nuclear material was recovered by law enforcement officials. Although open-source literature may offer little evidence of successful thefts involving significant amounts of weapons-usable nuclear material, the potential existence of unreported or as yet undiscovered thefts is sufficient cause for concern. Whereas obtaining enough fissile material for a working nuclear bomb could prove logistically challenging, there is no shortage of radioactive material that a terrorist could use to construct a dirty bomb. Sources of radioisotopes can be found in a diverse array of medical and industrial technologies. For example, cesium-137 and cobalt-60 are commonly used in nuclear medicine, and americium-241 can be found in certain oil exploration equipment. According to a 2003 study by the Center for Non-Proliferation Studies, between October 1996 and September 2001, an average of three hundred commercial radioactive sources were lost or unaccounted for (or “orphaned”) each year. Of these orphaned sources, 56 percent were not recovered.19 Figures published by the U.S. Environmental Protection Agency in 1998 are even more pessimistic, estimating that there were as many as thirty thousand orphaned radioactive sources in the U.S. at that time.20 Given the availability and relative insecurity of nuclear materials, policymakers must address the very real risk that sophisticated terrorists might succeed in obtaining such materials. The story of David Hahn, a nuclear-savvy Michigan teenager, should serve as ample warning. Over the course of three years beginning in 1991, Hahn collected and purified enough radioactive material in his mother’s potting shed to put forty thousand nearby residents at risk due to the dangers posed by the release of radioactive dust and radiation.21 A terrorist organization with sufficient determination and financial resources would no doubt pose a much greater threat. IV. Vulnerability of Containerized Cargo Once nuclear materials have been obtained, a terrorist’s next challenge is avoiding detection while bringing that material into the United States. As government officials and independent security experts repeatedly point out, the easiest way for a terrorist to accomplish this is by exploiting the vulnerability of the global cargo transportation system. The efficiency of this system relies on the versatility of intermodal containers – standardized containers (usually 40 x 8 x 8 feet in size) that can travel by ship, train or truck without being repackaged or reconfigured. Every day, 30,000 trucks, 6,500 rail cars and 140 ships deliver more than 50,000 such containers to destinations within the United States.22 Although some of these containers initially make their way into the U.S. via highway and rail, the vast majority of containers enter through one of the country’s 361 public ports, which handle over 95 percent of U.S. overseas trade.23 As the global economy continues to expand, the total volume of goods imported and exported through U.S. ports is expected to more than double over the next twenty years, dramatically increasing the burden on inspectors tasked with securing the nation’s ports.24 Although shipping containers enter American ports at a rate of roughly twenty thousand per day, fewer than 5 percent are opened for inspection.25 In the findings outlined in the Maritime Transportation Security Act (MTSA) of 2002, the U.S. Congress acknowledged this problem: “Current inspection levels of containerized cargo are insufficient to counter potential security risks. Technology is currently not adequately deployed to allow for the nonintrusive inspection of containerized cargo . . . Security- related and detection-related equipment, such as small boats, cameras, large-scale x-ray machines, and vessel tracking devices, are lacking at many ports.”26 This has created a situation where terrorists seeking to smuggle a nuclear weapon into the U.S. via a cargo container face highly favorable odds of escaping detection. According to one study, in fact, the probability that inspectors will detect a shielded nuclear weapon in a shipping container using the current screening system is only about 10 percent.27 In order to decrease the likelihood of a nuclear weapon entering the U.S. in a container, the odds of detection must be significantly improved. Otherwise, terrorists will eventually attempt to exploit this system, given the relatively low risk that a nuclear weapon or dirty bomb would be detected. Although the U.S. government made significant investments in national security during the first term of the Bush Administration, there is evidence to suggest that the dollars have not been allocated in proportion to the threat. According to Stephen Flynn, a Senior Fellow in National Security Studies at the Council on Foreign Relations, the CIA has concluded that the most likely way that a WMD would enter the U.S. is by sea.28 Despite this assessment, as of September 2004, the U.S. government was spending more every three days to finance the war in Iraq than it had provided over the previous three years to improve security at all 361 U.S. seaports.29

#### Ports are the most likely scenario for a WMD to enter the country—port security is drastically underfunded

Stephen Flynn 4 (Stephen, President of the Center for National Policy and CISAC Consulting Professor at Stanford, “The Neglected Home Front”, Published in the September/October 2004 Issue of Foreign Affairs) RF

The degree to which the Bush administration is willing to invest in conventional national security spending relative to basic domestic security measures is considerable. Although the CIA has concluded that the most likely way weapons of mass destruction (WMD) would enter the United States is by sea, the federal government is spending more every three days to finance the war in Iraq than it has provided over the past three years to prop up the security of all 361 U.S. commercial seaports. This myopic focus on conventional military forces at the expense of domestic security even extends to making the physical security at U.S. military bases a higher budget priority than protecting the nation's most critical infrastructure. In fiscal year 2005, Congress will give the Pentagon $7.6 billion to improve security at military bases. Meanwhile, the Department of Homeland Security will receive just $2.6 billion to protect all the vital systems throughout the country that sustain a modern society.

Ports at risk for terrorism and nuclear smuggling

**Frittelli 05** (John Frittelli, Specialist in Transportation Resources, Science, and Industry Division, Congressional Research Service, May 27th 2005, “Port and Maritime Security: Background and Issues for Congress”, Congressional Research Service, <http://www.fas.org/sgp/crs/homesec/RL31733.pdf>]

Government leaders and security experts are worried that the maritime transportation system could be used by terrorists to smuggle personnel, weapons of mass destruction, or other dangerous materials into the United States. They are also concerned that ships in U.S. ports, particularly large commercial cargo ships or cruise ships, could be attacked by terrorists. Experts are concerned that a large-scale terrorist attack at a U.S. port could not only cause local death and damage, but also paralyze global maritime commerce. The 9/11 Commission reported that, “While commercial aviation remains a possible target, terrorists may turn their attention to other modes. Opportunities to do harm are as great, or greater, in maritime and surface transportation. Initiatives to secure shipping containers have just begun.”

### Internal Link – Weapons Smuggling

#### Current port security procedures leave ports open for weapons smuggling

Peter Chalk 8 (senior political scientist at the RAND Corporation, “The Maritime Dimension of International Security Terrorism, Piracy, and Challenges for the United States” [www.rand.org/pubs/monographs/2008/RAND\_MG697.pdf](http://www.rand.org/pubs/monographs/2008/RAND_MG697.pdf) pg. 26) RF

Finally, the expansive global container-shipping complex offers terrorists a logistical channel that favors the covert movement of weapons and personnel. Most commentators generally agree that terrorist contingencies involving this class of vessel are more likely to involve exploitation of the cargo supply chain than attacks directed against carriers themselves. Merchant craft are not only large, they also have a high waterline, which means that a considerable quantity of explosives would be needed to cause a critical breach. Even if sufficient quantities could be smuggled aboard hidden in a container, there would be no way of ensuring that the targeted crate would be loaded and placed in a position that could allow a bomb to be detonated with maximum effect.24 By contrast, leveraging container carriers for logistical purposes is not only viable, but also relatively easy. This is largely because the international trading system is deliberately designed to be as open and accessible as possible (to keep costs low and turnover high), which necessarily means minimizing the disruptive impact of any security measures thereby instituted. Reflecting this, only two to five percent of containers shipped around the world are physically inspected at their port of arrival.25 Simply put, the statistical probability of successfully smuggling a weapon or bomb is much greater than the probability of intercepting one.26 Just as importantly, the highly complex nature of the containerized supply chain creates a plethora of openings for terrorist infiltration. Unlike other cargo vessels that typically handle payloads for a single customer loaded at port, container ships deal with commodities from hundreds of companies and individuals that, in most cases, are received and transported from inland warehouses.27 Each point of transfer along this spectrum of movement is a potential source of vulnerability for the overall integrity of the cargo and provides extremists with numerous opportunities to “stuff” or otherwise tamper with boxed crates.28 Compounding the situation is the highly rudimentary nature of the locks that are used to seal containers, the bulk of which consist of little more than plastic ties or bolts that can be quickly cut and then reattached using a combination of superglue and heat.29

#### America’s ports are the Achilles’ Heel of national security

Loy and Ross 2002 [James M. Loy – Commandant of the US Coast Guard, and Robert G. Ross - Chief of the Office of Strategic Analysis at Coast Guard Headquarters, “Global Trade: America’s Achilles’ Heel”, Defense Horizons February 2002 Edition, <https://www.hsdl.org/?abstract&did=470&advanced=advanced>, MR]

America is connected to the global economy not by aviation and the Internet but by maritime commerce. More than 95 percent by volume of our non-North American foreign trade (and 100 percent of certain commodities, such as foreign oil on which we are heavily dependent) arrives by ship.4 Approximately 8,000 ships carrying multinational crews and cargoes from around the globe make more than 51,000 U.S. port calls each year. More than 7.5 million containers enter the country annually.5¶ This tremendous traffic creates a real vulnerability. Drugs and illegal aliens are routinely smuggled into this country, not only in small boats but also hidden among otherwise legitimate cargoes on large commercial ships. These same pathways are available for exploitation by a terrorist organization or any nation wishing to attack us surreptitiously. As immigration controls at the legitimate entry points are tightened, illegal entrants move into the illegal migrant flows to escape detection. In mid-October 2001, for instance, Italian inspectors found a suspected Al Qaeda member hiding in a shipping container equipped with a bed, a makeshift bathroom, and other amenities. The container was bound for Toronto, and its occupant, an Egyptian, had with him a Canadian passport, a satellite phone, two computers, a number of airport maps, security passes for airports in three countries, and papers identifying him as an aircraft mechanic.6 Authorities do not know if this potential “terrorist in a box” was a singular event, but we do know that smuggling of illegal migrants in containers is increasing.¶ According to documents and court testimony, Osama bin Laden, through associates using flags of convenience, controls a number of cargo ships. One of these vessels was reportedly used to deliver explosives to a Kenyan port in 1998. Al Qaeda used these same explosives several weeks later to destroy U.S. embassies in Kenya and Tanzania.7 However, ship registry practices in a number of countries facilitate hiding true ownership interests and the identities of interested parties. Moreover, hidden ownership is not just a problem on the security front. For example, in the 1999 Tankship ERIKA oil spill in France, inability to quickly identify the ship’s true owners hampered spill-response activities.¶ Means of delivery is a significant consideration in addressing the potential for attacks using weapons of mass destruction (WMD). Although a rogue state might threaten or attack the United States using an intercontinental ballistic missile (ICBM) armed with a nuclear or other WMD warhead, other delivery means are available, some of which offer important tactical advantages over the ICBM. Among these are cruise missiles and smuggling, either via legitimate trade or clandestinely. Many types of cruise missiles could be launched, with relatively little risk of detection, from hundreds of miles at sea by small freight vessels or possibly from larger fishing vessels. Some 70,000 cruise missiles are reportedly in arsenals around the world, and, unlike ICBMs, the technology is both afford- able and widely available. As to smuggling, millions of sealed containers enter this country each year, only a small percentage of which are ever inspected.¶ Technological and economic entry barriers to warhead delivery by commercial shipping are even lower than with cruise missiles, and the potential for identifying the perpetrator is practically nil. Because attribution risks and entry costs are small, some analysts have concluded that these non-ICBM delivery avenues represent significantly greater risks than do ICBMs, whether the potential perpe- trator is a rogue state or a nonstate actor. In fact, Albert Einstein, in a letter to President Franklin Roosevelt in the early 1940s, noted that “a single [nuclear] bomb . . . carried by boat and exploded in a port, might very well destroy the whole port together with some of the sur- rounding territory.”8 The most significant difference between then and now might be the ease with which even a less developed nation is able to acquire nuclear devices. The number of opportunities for surreptitious entry into this country has increased at the same time that WMD have proliferated.

### Impact – Nuclear Terrorism Kills Economy

A nuclear terrorist attack in the US would kill the economy

Schanzer and Eyerman- 10 (David H. Schanzer¶ Associate Professor of the Practice¶ Sanford School of Public Policy¶ Duke University, Joe Eyerman¶ Senior Research Methodologist¶ Director, Health Security Program¶ RTI International; “Strategic Risk Management ¶ in Government: A Look ¶ at Homeland Security” Homeland Security Council; 3/31/10; http://www.homelandcouncil.org/pdfs/digital\_library\_pdfs/ibmstrategicriskmanagementingovt.pdf)

Scenario One: Nuclear Attack¶ if terrorists successfully introduced a weapon of ¶ mass destruction into the country through one of ¶ our ports they could cause damage and disruption ¶ costing a minimum of $1 trillion. according to the ¶ council of foreign relations (cfr), the blast from a ¶ one-kiloton nuclear weapon—such as a crude ¶ improvised weapon or a stolen battlefield weapon—¶ in midtown Manhattan during the day would kill ¶ more than 200,000 people and injure at least ¶ 200,000 more. it would also produce radioactive ¶ fallout that could kill half the exposed population as ¶ far as three miles away within a few weeks. and it ¶ would destroy most buildings and other structures ¶ over 11 city blocks as well as seriously disrupt ¶ Manhattan’s transportation, communications, utilities, and other infrastructure.¶ 27terrorist attack using a one-kiloton nuclear weapon ¶ in selected u.s. cities: lower Manhattan, downtown ¶ chicago, downtown washington, dc, and downtown los angeles. to put this blast yield in perspective, a one-kiloton device has less then 10 percent ¶ the yield of the 1945 era “little Man” weapon used ¶ in the bombing of Hiroshima. Based on population ¶ density numbers from 2000, such a device would ¶ destroy 11 city blocks and kill 200,000 people in ¶ Manhattan, 38,160 in chicago, 27,880 in ¶ washington d.c., and 23,570 in los angeles.¶ 28¶ according to aldy and viscusi (2003), the value of ¶ statistical life for 30- to 40-year olds is at least $5 ¶ million in 1996 dollars.¶ 29¶ using this estimate, the ¶ value of life is $5.766 million in 2004 dollars. i¶ therefore estimate the cost of 200,000 lives lost to ¶ be $1.1 trillion, the cost of 38,160 to be $217 billion, the cost of 27,880 to be $158 billion, and the ¶ cost of 23,570 to be $134 billion.¶ estimating the cost associated with the destruction ¶ of 11 city blocks in each of the selected cities is also ¶ possible. assuming that the length of 11 blocks ¶ equals 1 mile, then an 11 block area is about 0.1 ¶ square mile. Most of the buildings destroyed downtown in big cities would likely be office buildings. ¶ after september 11, most experts used the new York ¶ city comptroller’s construction costs estimate to ¶ measure the cost of a terrorist attack leading to ¶ building destruction. this construction cost is ¶ roughly $500 per square feet,¶ 30¶ which means that ¶ the construction cost for 11 city blocks would be ¶ $765 million in new York, $26.1 million in ¶ chicago, $91.6 million in washington, dc, and ¶ $18.1 million in los angeles. thus, a crude estimate of the direct cost of immediate deaths and destruction of 11 city blocks due to ¶ the use of a one-kiloton nuclear weapon would be ¶ $1.1 trillion in new York city, $217 billion in ¶ chicago, $158 billion in washington, dc, and $134 ¶ billion in los angeles. ¶ of course, though the order of magnitude is correct, ¶ this number is a gross underestimate of the total cost ¶ as it does not consider indirect costs from cleanup, ¶ economic disruption, and injuries after the explosion or treatment for the serious diseases that the ¶ people exposed to radiation during the attack would ¶ develop eventually.¶ 31¶ these costs would be huge. ¶ Moreover, according to nuclear threat initiative ¶ experts, the costs related to the disruption of economic activities, such as the loss of economic output in the city attacked, would likely total several ¶ times the direct cost amount.¶ 32¶ the new York city ¶ comptroller estimated that the weekly output of ¶ lower Manhattan was $2.1 billion per week and that ¶ of the rest of the city was $6.3 billion per week.¶ 33¶ in ¶ the wake of the envisioned blast, a conservative estimate claims that the output of lower Manhattan ¶ would be reduced to zero for two weeks and permanently reduced by one third.¶ 34¶ that means a loss ¶ of over $50 billion per year. ¶ to these figures must be added the immense cost of ¶ cleaning up the contamination from the radioactive ¶ fallout, which would run into the tens of billions of ¶ dollars. in short, in order to encompass the total ¶ costs of such an attack, several hundred billion dollars would have to be added to the direct costs ¶ given in table 4.

#### Terrorist attack causes insurance premiums to skyrocket tanking business confidence

Barnes 04 (Paul Barnes, Deputy-Director and Coordinator of Risk & Crisis Management Research in the Information Security Institute at the Queensland University of Technology, a Senior Lecturer in the School of Management, 2004, “Security Risk Management Issues in Maritime Trade: An Analysis.”, 2004 Academy of International Business (AIB) Southeast Asia Regional

Conference, <http://eprints.qut.edu.au/1162/1/4_Barnes.pdf>]

**A sea-borne terrorist incident** whether using conventional or improvised explosive devices or involving chemical, biological or nuclear materials **would impact heavily on the availability and cost of marine insurance. Premiums were tripled for ships calling at ports in Yemen after the 2002 terrorist attack on French oil tanker Limburg off the Yemeni coast.** This forced many vessels to cut Yemen from their schedules or divert to ports in neighbouring states. **In addition to increased insurance and re-insurance costs a catastrophic sea-borne terrorist attack would cause delays in shipping or in a best case, increase transit times for commodity movements. Such disruptions of the supply chain would have repercussions around the world and profoundly affect business confidence (Richardson, 2004b)**

### Impact – AT: Attacks = Small-Scale (Non-Nuclear)

#### Even a small-scale non-nuclear attack would cause massive economic damage and trigger the link

Haveman and Shatz 6 (Jon D, founding principal of Beacon Economics, and Howard J, Senior Economist at the RAND Corporation, “Protecting the Nation’s Seaports: Balancing Security and Cost” Pg. 89) RF

This chapter has demonstrated that a relatively simple terrorist attack (simultaneously blowing up three bridges plus a related rail bridge accessing Terminal Island at the Los Angeles–Long Beach port complex) could inflict massive damage to both the Southern California and the national economy. The extent of such damage depends on the length of the interruption in shipping activity, which in turn would depend on policy decisions regarding the pace of rebuilding: quick fixes such as temporary bridges or permanent bridge reconstruction. A benchmark annual estimate is $45 billion of output losses and 280,000 person-years of employment. These estimates can be scaled up or down according to the best “guesstimate” of the length of interruption. Also, our estimates are upper-bounded, and we have mentioned several mitigating interventions that might lower these losses. Regardless of the extent of these interventions, one clear implication is the high payoff of protection and prevention strategies (for example, what would be the full economic costs of inspecting every vehicle accessing the bridges?). Our research also suggests a substantial benefit, in the event of a successful attack, of ex ante prepared strategies to accelerate restoration.

#### Al Qaeda will WMD attack by 2013—that’s why they haven’t done a small-scale attack

Washington Post 10 (“Al Qaeda intent on US attack, report warns”, <http://www.boston.com/news/nation/washington/articles/2010/01/26/al_qaeda_intent_on_us_attack_report_warns/>) RF

A report warns that Al Qaeda has not abandoned its goal of attacking the United States with a chemical, biological, or nuclear weapon. The report, by a former senior CIA official who led the agency’s hunt for terrorists’ weapons of mass destruction, was released yesterday by Harvard University’s Belfer Center for Science and International Affairs. It portrays Al Qaeda’s leaders as determined and patient, willing to wait for years to acquire the kinds of weapons that could inflict widespread casualties. Rolf Mowatt-Larssen draws on his knowledge of classified case files to argue that Al Qaeda has been far more sophisticated in its pursuit of weapons of mass destruction than is commonly believed, pursuing parallel paths to acquire weapons and forge alliances with groups that can offer resources and expertise. “If Osama bin Laden and his lieutenants had been interested in . . . small-scale attacks, there is little doubt they could have done so now,’’ Mowatt-Larssen wrote. A congressional panel on weapons of mass destruction is preparing to release a new assessment of the federal government’s preparedness for an attack. The review is particularly critical of the Obama administration’s actions in hardening the country’s defenses against bioterrorism, according to two former government officials who have seen drafts. The commission’s initial report in December 2008 warned that a terrorist attack using weapons of mass destruction was likely by 2013. Mowatt-Larssen led the CIA’s internal task force on Al Qaeda and weapons of mass destruction after the Sept. 11, 2001, attacks.

### Impact – AT: Can’t Get Nuclear Weapons

#### Terrorists can make or obtain a WMD—black market

Kenneth C. Brill and Kenneth N. Luongo 12 (former U.S. ambassador to the I.A.E.A; and president of the Partnership for Global Security, “Nuclear Terrorism: A Clear Danger” published 3/15/12 in the New York Times <http://www.nytimes.com/2012/03/16/opinion/nuclear-terrorism-a-clear-danger.html>) RF

Terrorists exploit gaps in security. The current global regime for protecting the nuclear materials that terrorists desire for their ultimate weapon is far from seamless. It is based largely on unaccountable, voluntary arrangements that are inconsistent across borders. Its weak links make it dangerous and inadequate to prevent nuclear terrorism. Later this month in Seoul, the more than 50 world leaders who will gather for the second Nuclear Security Summit need to seize the opportunity to start developing an accountable regime to prevent nuclear terrorism. There is a consensus among international leaders that the threat of nuclear terrorism is real, not a Hollywood confection. President Obama, the leaders of 46 other nations, the heads of the International Atomic Energy Agency and the United Nations, and numerous experts have called nuclear terrorism one of the most serious threats to global security and stability. It is also preventable with more aggressive action. At least four terrorist groups, including Al Qaeda, have demonstrated interest in using a nuclear device. These groups operate in or near states with histories of questionable nuclear security practices. Terrorists do not need to steal a nuclear weapon. It is quite possible to make an improvised nuclear device from highly enriched uranium or plutonium being used for civilian purposes. And there is a black market in such material. There have been 18 confirmed thefts or loss of weapons-usable nuclear material. In 2011, the Moldovan police broke up part of a smuggling ring attempting to sell highly enriched uranium; one member is thought to remain at large with a kilogram of this material. A terrorist nuclear explosion could kill hundreds of thousands, create billions of dollars in damages and undermine the global economy. Former Secretary General Kofi Annan of the United Nations said that an act of nuclear terrorism “would thrust tens of millions of people into dire poverty” and create “a second death toll throughout the developing world.” Surely after such an event, global leaders would produce a strong global system to ensure nuclear security. There is no reason to wait for a catastrophe to build such a system. The conventional wisdom is that domestic regulations, U.N. Security Council resolutions, G-8 initiatives, I.A.E.A. activities and other voluntary efforts will prevent nuclear terrorism. But existing global arrangements for nuclear security lack uniformity and coherence. There are no globally agreed standards for effectively securing nuclear material. There is no obligation to follow the voluntary standards that do exist and no institution, not even the I.A.E.A., with a mandate to evaluate nuclear security performance. This patchwork approach provides the appearance of dealing with nuclear security; the reality is there are gaps through which a determined terrorist group could drive one or more nuclear devices. Obama’s initiative in launching the nuclear security summit process in Washington in 2010 helped focus high-level attention on nuclear security issues. Unfortunately, the actions produced by the 2010 Washington Summit and that are planned for the upcoming Seoul Summit are voluntary actions that are useful, but not sufficient to create an effective global nuclear security regime. The world cannot afford to wait for the patchwork of nuclear security arrangements to fail before they are strengthened. Instead, we need a system based on a global framework convention on nuclear security that would fill the gaps in existing voluntary arrangements. This framework convention would commit states to an effective standard of nuclear security practices, incorporate relevant existing international agreements, and give the I.A.E.A. the mandate to support nuclear security by evaluating whether states are meeting their nuclear security obligations and providing assistance to those states that need help in doing so. Nuclear terrorism is a real and present danger for all states, not just a few. Preventing it is an achievable goal. The current focus on nuclear security through voluntary actions, however, is not commensurate with either the risk or consequences of nuclear terrorism. This must be rectified. If the Seoul Nuclear Security Summit makes this a priority, there can be an effective global nuclear security regime in place before this decade ends.

#### Terrorists can easily steal nuclear material—thefts are common

Washington Post 7 (No author, information supplied from the Harvard Belfer Center for Science and International Affairs, “Nuclear Terrorism FAQ”, 9/27/2007, <http://belfercenter.ksg.harvard.edu/publication/17529/nuclear_terrorism_faq.html>) RF

\*\*\*Information is supplied from the Harvard Belfer Center for Science and International Affairs\*\*\*

 What materials could terrorists use to make a nuclear bomb? To make a nuclear bomb requires either highly enriched uranium (HEU) or plutonium. Neither of these materials occurs in nature, and producing either of them requires expensive facilities using complex technologies, almost certainly beyond the capability of terrorist groups. Hence, if all of the world's stockpiles of nuclear weapons, HEU and plutonium can be effectively protected and kept out of terrorist hands, nuclear terrorism can be prevented: no nuclear material, no bomb, no nuclear terrorism. How difficult would it be for terrorists to get the materials needed to make a nuclear bomb? Highly enriched uranium and plutonium are hard to make, but may not be so hard to steal. These raw materials of nuclear terrorism are housed in hundreds of facilities in dozens of countries — some with excellent security, and some secured by nothing more than an underpaid guard and a chain link fence. There are no binding global standards setting out how well nuclear weapons and the materials needed to make them should be secured. Theft of the essential ingredients of nuclear weapons is not just a hypothetical worry, it is an ongoing reality. The International Atomic Energy Agency (IAEA) has documented 15 cases of theft of HEU or plutonium confirmed by the countries concerned (and there are additional well-documented cases that the countries involved have not yet been willing to confirm). In many of these cases, the thieves and smugglers were attempting to sell the material to anyone who would buy it — and terrorist groups have been seeking to buy it. How much expertise is needed to make a nuclear bomb? Would a large operation be required? Unfortunately, government studies have concluded that once a terrorist organization had the needed nuclear material, a handful of skilled individuals might be able to make a crude nuclear bomb using commercially available tools and equipment, without any large fixed facilities that might draw attention, and without access to classified nuclear weapons information. Getting nuclear material and making a crude nuclear bomb would be the most complex operation terrorists have ever carried out, but the risk that a sophisticated group could pull it off is very real. Roughly 90 percent of the effort in the Manhattan Project was focused on making nuclear bomb material; getting stolen nuclear material would allow terrorists to skip the hardest part of making a nuclear bomb. The simplest type of nuclear bomb, known as a "gun-type" bomb, slams two pieces of nuclear material together at high speed. The bomb that destroyed Hiroshima, for example, was a cannon that fired a shell of HEU into rings of HEU. Plutonium cannot be used to make a gun-type bomb with a substantial explosive yield, because the neutrons that all plutonium emits cause the bomb to blow itself apart before the nuclear reactions proceeds very far. To make a bomb from plutonium would require a more complex "implosion-type" bomb, which would be more difficult for terrorists to build — but government studies have repeatedly concluded that this possibility also cannot be ruled out.

### Impact – Drug Trafficking Stuff

#### Ports are hubs for drug smuggling

Yarin Eski 11 (a Glasgow University PhD candidate, affiliated with the Scottish Centre for Crime and Justice Research, “'Port of call': Towards a criminology of port security”, pg. 4 <http://crj.sagepub.com/content/early/2011/07/16/1748895811414593.full.pdf>) RF

As mentioned previously, international drugs trafficking has been affiliated with the maritime realm for decades. The globalization of the economy, markets and trade have symbolically and literally created trans-ocean lanes for the drug trade to flourish (McNicholas, 2008). Nowadays, ‘transnational smuggling organizations that operate via commercial maritime cargo mold their smuggling operations and routes around the commercial cargo routes, for reasons of functionality and in an effort to “blend in”’ (McNicholas, 2008: 192). Ports are indeed hubs of the smuggling operations, as they are easy, thus attractive gateways for drug entrepreneurs to channel their ‘goods’ through (see Kostakos and Antonopoulos, 2010; McNicholas, 2008; Zaitch, 2002a). Columbian cocaine entrepreneurs, for example, see the Port of Rotterdam as a haven of possibilities. The larger a port is, the less likely traffickers run the risk of getting caught, as the drugs are easier to hide (Zaitch, 2002a). Resembling the argument about how ports are perfect hide-outs for dirty bombs, again, the size of large ports does matter; especially the amount of boxes handled attracts drug entrepreneurs to traffic their risky goods. Zaitch (2002a) explored the Columbian drug entrepreneurial realms and provided a detailed study of how traffickers perceive, in this case, Rotterdam’s port security. One of his informants explained that the Port of Rotterdam attracts Columbians particularly because ‘[t]hey do not want to control more; no, they say that they are investing in making things easier for those using the port’ (Zaitch, 2002b: 243). Other factors that influence the smooth dynamic operations by drug traffickers involve late modern conditions of everyday life: not stable but rather transient employed port personnel, the ad-hoc and flexible nature of drugs trafficking networks and the blurry line between legality and illegality. In extreme cases, it is not merely the street-level bureaucrats purchasing private benefit by breaking the law; also included are ‘high-ranking coast guard officers [who accept] bribes to “turn a blind eye” to the smuggling operations’ (Kostakos and Antonopoulos, 2010: 51). Illegal drug trafficking, however, is not the only smuggling enterprise that uses the port for the insecurity throughput.

#### Illegal drug smuggling is the biggest security challenge- kills over 50,000 Americans and costs over 400 billion annually.

Congressional Hearing-00 (“PORT SECURITY: PROTECTING FLORIDA’S PORTS¶ FROM THE THREAT OF DRUG TRAFFICKING”, HEARING¶ BEFORE THE¶ SUBCOMMITTEE ON CRIMINAL JUSTICE,¶ DRUG POLICY, AND HUMAN RESOURCES¶ OF THE¶ COMMITTEE ON¶ GOVERNMENT REFORM¶ HOUSE OF REPRESENTATIVES¶ ONE HUNDRED SIXTH CONGRESS¶ SECOND SESSION; 10/31/00; <http://www.gpo.gov/fdsys/pkg/CHRG-106hhrg75061/pdf/CHRG-106hhrg75061.pdf>)

Illegal drug smuggling is a topic that matters to everyday Americans. These days you’d be hard-pressed to find an individual or¶ family whose life has not been affected by illegal narcotics in some¶ way. Drug abuse kills directly—the last statics we had were¶ 16,926, exceeding for the first time in our records the number of¶ homicides. So drug-related deaths now exceed homicides nationally.¶ According to Barry McCaffrey, our national drug czar, and he took¶ into account all the direct and indirect, it now totals an astonishing¶ 52,000 Americans die per year, equal to any national security or¶ war threat we’ve ever faced. The scope of illegal drugs trade is almost incomprehensible, with an estimated $400 billion a year, an¶ equivalent of 8 percent of the world’s total international trade. And¶ the estimated cost to U.S. society—this statement they prepared¶ for me says $100 billion. And it can be as high as a quarter of a¶ trillion if we include everything. But not all is lost. We continue to make slow but steady progress¶ despite the current administration’s inattention, mismanagement,¶ and I believe at the beginning of this administration, a lack of focused policy. We now have 31 federally designated High Intensity¶ Drug Trafficking Areas [HIDTAs]. The HIDTA here in south Florida was, of course, one of the original High Intensity Drug Trafficking Area designations. These entities represent a Federal effort to¶ enhance cooperation, information, and information-sharing among¶ Federal, State, and local law enforcement officials. However, as¶ we’ll hear later today, more must be done with regard to HIDTA’s role in seaport security.

#### Drug Trafficking occurs at ports.

United Nations General Assembly- 09 ( United Nations General Assembly, “SUCCESSFUL FIGHT AGAINST DRUG TRAFFICKING, TRANSNATIONAL ORGANIZED CRIME REQUIRES”; Department of Public Information • News and Media Division • New York; 2009; http://www.un.org/News/Press/docs/2009/gashc3948.doc.htm)

She said major drug smugglers and other international criminal groups were using specialists to study commercial flows, local laws and administrative procedures to target commercial ports. That allowed them to exploit air, sea and land shipping channels to move drugs, arms and other contraband goods. That practice also robbed countries of much-needed revenue. Whatever other macroeconomic impacts that was having, it was likely to result in higher incidences of corruption among law enforcement agents. Moreover, many West African countries lacked the requisite criminal justice personnel and infrastructure to effectively deal with crime prevention and punishment. Sierra Leone had enacted several acts aimed at money-laundering, drug control and human trafficking. The Office of National Security also dealt with the illicit trade in small arms and precious minerals, and Sierra Leone had played a leading role in implementing the ECOWAS moratorium on small arms and light weapons.

#### Drug Trafficking has both social and economic implications.

Lanaud-02 (Monique Perrot-Lanaud , writer at UNESCO Bureau of Public Information; “The social and economic impact of drug trafficking”; UNESCO; 10/13/02; [http://portal.unesco.org/es/ev.php-URL\_ID=6906&URL\_DO=DO\_TOPIC&URL\_SECTION=201.html](http://portal.unesco.org/es/ev.php-URL_ID%3D6906%26URL_DO%3DDO_TOPIC%26URL_SECTION%3D201.html))

13-10-2002 10:00 pm Paris - The Mexican drug cartels, as major suppliers of the North American market, rake in annual profits of between 10 and 30 billion dollars. When Mexico was deep in financial crisis in 1995, the drug money laundered was equal to what the country earned from its oil exports. These two estimates illustrate the enormous industry that drug trafficking had become during the 1980s and 1990s. But this is only the tip of the iceberg. Little is known about the profound impact such trafficking has on economies and societies or its political implications. ¶ A lot of studies have been done of the drug phenomenon but governments have focused on the dangers it posed to health, or on stamping it out. In 1996, UNESCO's Management of Social Transformations Programme (MOST) launched a research project to study the economic and social transformations connected to international drug trafficking. It was started and supervised by the late anthropologist Christian Geffray (who died in 2001), China expert Guilhem Fabre and economist Michel Schiray, and carried out by a team of sociologists, ethnologists, anthropologists and economists, with support from the UN Office for Drug Control and Crime Prevention. ¶ The results of the project, which mainly involved four large countries with broad-based economies - Brazil, China, India and Mexico - have just been released on CD-Rom and on the MOST website under the title of Globalisation, Drugs and Criminalisation. The researchers, mostly natives of the regions studied, met and talked with drug dealers and consumers, judges and police, lawyers and government officials. They went through years of press articles and court decisions concerning drugs, studied the movement of capital and funds and the operation of tax havens. Completion of the project shows that social and economic research can be done even in the very closed world of economic crime. ¶ The project's main conclusion is that drug trafficking - and the money-laundering that goes with it - is directly tied to a whole range of other criminal activities and that the general growth of these activities over the past 20 years stems largely from the greater opportunities that financial deregulation and globalisation provide. Some of the studies are revealing about the use of offshore banks, which are termed "legal illegality." The important and harmful role of tax havens is clearly shown, especially the murky handling of the money of the very rich. ¶ The report says the impunity the drug lords enjoy is due to their skill in neutralising or undermining the work of the police through systematic corruption and, in some cases, by infiltrating government forces. For the authors "the form of corruption prevailing in a given country is strictly dependent upon the nature of the State and the balance of power […] between State institutions and drug trafficking networks […] In this regard, the case of Mexico, where the civil service remained for a long time under the de facto tutelage of a single party, may show greater similarity to the case of China than, for example, to that of Brazil or Colombia. " ¶ The study on the Brazilian state of Rondonia provides striking examples of drug lords elected as mayors, parliamentary deputies and senators. Mexico - with its corrido, popular songs that once celebrated revolutionary heroes like Pancho Villa and Emilio Zapata and now praise the deeds of drug lords -- illustrates the "social embellishment" of the image of some of these criminals, who have become heroes of their neighbourhoods and hometowns. ¶ The political influence of criminal networks, seen locally but also at regional and national level, obviously poses the question of the gap between the law on paper and its enforcement. Only the small-time traffickers seem to be targeted by the police who, along with the courts, seem unable to move against certain political and economic interests. This happens to such an extent that it sometimes threatens the whole legitimacy of such institutions. Situations where "the rule of law is perverted," with summary executions by police under cover of arrests that supposedly go wrong, do not augur well for the future of such societies. ¶ The report also says that "if the illegal traffic of drugs represents only a small percentage of economic activity in comparison to the formal legal economy, nevertheless the money laundering of the profits from the totality of the illegal activities controlled by the criminal networks can have an effect on financial crises. ¶ This theory was proved by the Mexican financial crises (1994-1995), and also in Thailand (1997) and Japan (since 1990)." What economists have called "the tequila effect" - the artificial prosperity that preceded the financial crisis in Mexico - probably had something to do with "the cocaine effect." According to the researchers, future studies will perhaps show this has happened in other countries, such as Turkey, Argentina and Nigeria, in 2000 and 2001. ¶ The report affirms the permeability between different economies, and focuses on the "grey economy" - the twilight zone between the legal economy and the "black" economy of smuggling and illegality. A striking example is provided by Operation Casablanca, the biggest ever investigation of money-laundering, done in 1998 by North American investigators, which resulted in the arrest of 25 top officials from 12 of Mexico's 19 biggest banks. ¶ Before it ends up in banks, drug money can travel different routes - through the coffee trade, for example, the film industry or trade in gold or precious stones - depending on the country. This link between criminal networks and national economies can no longer be ignored, either at national or international level, by the authorities in charge of working out how best to fight drug trafficking. And other studies like the present one are clearly needed.

#### Drug trafficking has implications for the US economy- costs over $88 billion annually.

Congressional Hearing-00 (“PORT SECURITY: PROTECTING FLORIDA’S PORTS¶ FROM THE THREAT OF DRUG TRAFFICKING”, HEARING¶ BEFORE THE¶ SUBCOMMITTEE ON CRIMINAL JUSTICE,¶ DRUG POLICY, AND HUMAN RESOURCES¶ OF THE¶ COMMITTEE ON¶ GOVERNMENT REFORM¶ HOUSE OF REPRESENTATIVES¶ ONE HUNDRED SIXTH CONGRESS¶ SECOND SESSION; 10/31/00; <http://www.gpo.gov/fdsys/pkg/CHRG-106hhrg75061/pdf/CHRG-106hhrg75061.pdf>)

The illicit trade of dmgs is an even bigger market, and a world-scale problem.¶ According to the Worid Dmg Report 2010 issued by the United Nations Office on¶ Dmgs and Crime (UNODC), "...the opiate market generates an annual tumover of up to US$65 billion, of which some US$55 billion for heroin alone. Moreover, the opiate market is interlinked with severe national and intemational security problems,¶ particularly in Afghanistan and Pakistan. In terms of health impact, cocaine comes¶ next, and represents as big a transnational organized crime threat as heroin. Esti-mates suggest that the global retail sales figure (some US$88 billion) is even higher than for opiates, and the impact of the cocaine trade on stability can also be severe¶ in some places."''\*¶ Dmgs, produced largely in Asia or South America, get transported mainly by¶ sea to other continents, and in very large quantities. For example, the US Coast¶ Guard in one raid seized 20 tons of cocaine (value over $600 million) hidden in containers, on the Panamanian ship "Gatun" off the coast of Panama in 2007, making it¶ the largest cocaine seizure in its history." Clearly, transport by sea plays an important role in the ever-growing industry of illicit traffic in the world today."

#### Drug Abuse hurts the US economy.

UNODC-98 (United Nations Office on Drugs and Crime; “ECONOMIC AND ¶ SOCIAL CONSEQUENCES ¶ OF DRUG ABUSE AND ¶ ILLICIT TRAFFICKING”; 1998; http://www.unodc.org/pdf/technical\_series\_1998-01-01\_1.pdf)

According to another set of calculations, the economic cost of drug abuse in the United¶ States, including emergency room visits and other medical costs, higher incidence of HIV/AIDS,¶ increased criminal activity and productivity lost through drug abuse was estimated at $76 billion¶ in 1991, i.e. 1.3 per cent of GDP or $300 per capita,¶ 47¶ up from $44 billion (less than 1.1 per cent¶ of GDP) in 1985. The economic costs of drug abuse in the United States were, on average, approximately $6,700 per year per drug abuser or $28,100 per year per heavy drug abuser¶ (consumers of heroin and cocaine at a frequency of once a week or more).¶ Another study carried out in the State of California found that alcohol and drug abusers, in the year prior to entering a treatment programme, cost the tax payer $3.1 billion per year, that is, on average, $22,800 per heavy drug abuser in 1991.¶ 48¶ (The figure is slightly lower than the one¶ of $28,100 for heroin and cocaine, cited above because of the lower average per capita costs of¶ alcohol abuse.) The figure of $22,800 can be broken down into the following cost components: 35 per cent for criminal justice system costs; 26 per cent for stolen property losses; 17 per cent for health and losses in productivity of the victims of drug-related crime; 14 per cent for costs of health-care for the drug abuser and 8 per cent for welfare and disability payments. If lost earnings¶ are included (drug abusers earned, on average, 60 per cent less than would be expected for their¶ age and gender), the losses to society amount to $4.4 billion, or $32,200 per drug and alcohol¶ abuser. Assuming that wages reflect net productivity, this means that almost half the losses to¶ society are due to the inability of the drug addict to earn a decent income.¶ 49¶ Although the healthcare costs, at $3,200 per person, are a rather small component of the overall costs to tax-paying¶ citizens or to society as a whole, it is worth noting that average annual health expenditures for¶ similar gender and age groups in the United States population average about $1,800. This¶ suggests that the health bill of drug abusers is almost 80 per cent higher than that of an average¶ citizen in the same age group.

#### Drug abuse lowers workforce productivity.

UNODC-98 (United Nations Office on Drugs and Crime; “ECONOMIC AND ¶ SOCIAL CONSEQUENCES ¶ OF DRUG ABUSE AND ¶ ILLICIT TRAFFICKING”; 1998; http://www.unodc.org/pdf/technical\_series\_1998-01-01\_1.pdf)

The links between low productivity, accidents and drug-taking behaviour are well

established. Drug abusers in the workforce impose significant extra costs on the business sector,

thus reducing its competitiveness. Irrespective of the current level of development, societies will

find it difficult to advance if they have to rely on a workforce that is impaired by large-scale drug

abuse. The effect of drugs on productivity is a function of the type and quantities of drugs

consumed, as well as of the performance requirements of the jobs in question. Tasks that require

higher-level judgement, constant attention, immediate memory and fine motor skills are obviously

more easily disrupted by drugs than physical labour. The more developed a society, and the more

skilled jobs it has, the more vulnerable it becomes to drug abuse and the higher the costs to

society. Based on previous studies, estimates by the United States Department of Labor in the

mid-1990s suggest that drug use in the workplace may cost American business and industry

between $75 billion and $100 billion annually (1 per cent to 1.4 per cent of GDP) in lost time,

accidents and higher health-care and workers’ compensation costs.

#### Dependence on cocaine contributes to thousands of deaths annually.

UNODC-10 (United Nations on Drug and Crime “ Transnational drug market analysis The global cocaine market”; World Drug Report 2010; 6/21/10; <http://www.unodc.org/documents/wdr/WDR_2010/1.3_The_globa_cocaine_market.pdf>)

The use of cocaine constitutes, first of all, a major health problem. Cocaine use results in tens of thousands of deaths each year worldwide. After the opiates, cocaine is the most problematic drug globally, and it is indisputably the main problem drug in the Americas. Out of the 5.3 million people who used cocaine at least once in the United States during 2008, 1.9 million also used cocaine in the previous month, of which almost 1 million were found to have been dependent on cocaine.10¶ In other words, out of the people who used cocaine in the previous year at least once, 18% were dependent on it. This ¶ is a higher proportion than for any other drug except ¶ heroin. Figures for the year 2007 showed that out of 1,000 people who used crack cocaine in the previous 12 months, 116 entered treatment for substance abuse, a ¶ slightly higher proportion than for methamphetamine ¶ (102) and a significantly higher proportion than for ¶ drug use in general (30) or for the use of alcohol (6

#### Illicit drug use causes thousands of deaths in the US annually.

Longmire- 7/17 (Sylvia Longmire,A retired Air Force captain and former special agent with the Air Force Office of Special Investigations, Homeland Security Today correspondent Sylvia Longmire worked as the Latin America desk officer analyzing issues in the US Southern Command area of responsibility that might affect the security of deployed Air Force personnel. From December 2005 through July 2009, she worked as an intelligence analyst for the California state fusion center and the California Emergency Management Agency's situational awareness unit, where she focused almost exclusively on Mexican drug trafficking organizations and Southwest border violence issues. Her book, "Cartel: The Coming Invasion of Mexico's Drug Wars," was published last September. “Key Points From The UNODCs 2012 World Drug Report”; HSTodayUS briefings; 7/17/12; <http://www.hstoday.us/briefings/correspondents-watch/single-article/key-points-from-the-unodcs-2012-world-drug-report/a5cb5bde5bb50153fa6b2a4685bab87b.html>)

Not surprisingly, illicit drug use in the United States is higher than the global average, with marijuana leading (used by 6.6 percent to 6.9 percent of the population), followed by opioids (2 percent to 2.3 percent), cocaine (1.1 percent to 1.2 percent), amphetamines (0.9 percent to 1.1 percent) and ecstasy (0.5 percent to 0.6 percent).¶ ¶ While the United States continues to be a major market for cocaine, its use declined by 0.3 percent from 2009 to 2010. But cocaine demand is tricky to track; it’s widely available across the country and the street price varies from city to city, sometimes without rhyme or reason.¶ ¶ Marijuana use among the general population (ages 15-64), however, increased by 0.4 percent to 14.1 percent from 2009 to 2010. What’s more disturbing, the combined annual prevalence of cannabis use among high school students was reported to be 25 percent in 2011.¶ ¶ Most people are stunned to hear that the death toll in Mexico as a result of the drug war has exceeded 53,000 people since President Felipe Calderón took office in December 2006. Yet, almost as many people in the United States and Canada died in 2010 from illicit drug use.¶ ¶ “North America reported an estimated 44,800 drug-related deaths, or (conservatively estimated) one in five of the global total,” the UNODC reported, while “the number of deaths attributed to the non-medical use of prescription painkillers … has risen steadily to a level that now exceeds the combined number of deaths due to heroin use (5,100) and cocaine use (3,000).”¶ ¶ According to US Centers for Disease Control and Prevention (CDC), “poisoning is the leading cause of death from injuries — higher than from motor vehicle traffic — with nearly 9 out of 10 poisoning deaths caused by drugs.”¶

Millions of dollars worth of cocaine enters US ports each year.

McGlone-07 (TIM McGLONE, writer at pilotonline, “Drug ring raises concerns about U.S. port security”; The Virginian-Pilot; 1/27/07; <http://hamptonroads.com/node/213521>)

NORFOLK - Federal authorities have been investigating a drug ring involving longshoremen and illegal immigrants who smuggled hundreds of pounds of cocaine into the country through the Hampton Roads and Charleston, S.C., ports.¶ Federal agents have discovered that a group of Panamanians has been sneaking cocaine onto cargo ships during stopovers at the Panama Canal and paying off longshoremen to help unload the drugs at the ports here and in Charleston, according to court records filed by federal prosecutors.¶ Three people have been charged in Norfolk federal court so far, and a number of others are in Charleston.¶ Federal officials said they expect to announce the results of their investigation in the coming days.¶ The case began locally in 1999 when U.S. Customs agents discovered a shipment of cocaine in a container at Norfolk International Terminals, but only in the past 18 months have authorities been able to crack deep into the ring.¶ Mike Netherland, resident agent in charge of the local bureau of Immigration and Customs Enforcement, declined to comment on the case until the announcement.¶ However, he said, "We are very concerned about the security of the commercial shipping industry and the integrity of the cargo as it enters the United States."¶ The investigation highlights the vulnerability of the nation's ports.¶ Considering that 2.2 million pounds of illegal narcotics were seized at the nation's ports last year, homeland security experts say it's only a matter of time before a radiological, biological or chemical bomb enters the country through a seaport.¶ "Although no port-related terrorist attacks have occurred in the United States, terrorists overseas have demonstrated their ability to access and destroy infrastructure, assets and lives in and around seaports," according to a report released this week by homeland security researchers with the Government Accountability Office, the investigative arm of Congress.¶ "A successful attack on a seaport could result in a dramatic slowdown in the supply system, with consequences in the billions of dollars," the report says.¶ On Aug. 23, 1999, Customs and Border Protection agents at Norfolk International Terminals discovered a gym bag inside a cargo container. When they opened the bag, they found a package wrapped in foil and smeared with motor oil. Unfolding the foil, they found 21 individual packets of cocaine weighing more than 50 pounds total.¶ A longshoreman spotted near the container was questioned and arrested by Norfolk police. He told authorities that he was to be paid $20,000 to $30,000 to help the Panamanians off-load the drugs, according to the court records. While the records say the longshoreman was arrested, there is no record of the case in Norfolk Circuit Court.¶ The investigation fell quiet for three years when, in April 2002, Customs agents in Charleston discovered about 7 pounds of cocaine stashed in a cargo container.¶ Two individuals, including a longshoreman, were arrested in that case and have since been convicted. With their cooperation, federal agents were led to Panamanian Martin Delgado.¶ "Delgado has been identified as the leader of a drug trafficking organization facilitating the smuggling of cocaine and heroin into the United States from Panama via the ports of Hampton Roads," states a criminal complaint filed last fall in U.S. District Court against a co-defendant.¶ In the summer of 2005, federal agents discovered three separate shipments of drugs inside cargo containers at NIT. One package of cocaine weighed about 99 pounds and another contained 3 pounds of heroin.¶ With each case, the high-security seals on the container doors had been breached. Authorities think the containers, which largely originated from Asia, were opened at the Panama Canal during transfers to other cargo ships, the drugs secreted and the doors resealed.¶ The seals, made of hard plastic, have numbers on them that are supposed to match numbers on cargo bills of lading. Customs agents discovered that some of the seals from the Panama shipments contained different numbers from those on the documents.¶ In March 2006, 9 kilograms of cocaine, or nearly 20 pounds, were found inside a container of plumbing supplies at a company in Ohio. Officials were able to trace that shipment from Panama through the Portsmouth Marine Terminal, and court records say the drugs were linked to Delgado.¶ By August, agents were wiretapping Delgado's cell phone in Virginia, listening in as he made plans to smuggle cocaine from Panama to Norfolk, according to records in his case.¶ On Oct. 22, Customs agents in an aircraft and immigration agents on the ground tailed Delgado and an accomplice, Omar Petter, as they shopped at The Gallery at Military Circle and visited various individuals. That evening, the pair was arrested by Virginia State Police during a traffic stop. Because they were in the country illegally, the two men were placed in jail pending deportation.¶ They were later indicted on federal drug distribution charges. They each have pleaded guilty in federal court and are awaiting sentencing. Petter's brother, Jorge Petter, has also been charged in the case.¶ In the past 18 months, federal agents said they have seized roughly 277 pounds of cocaine at the local ports plus 4-1/2 pounds of heroin.

#### Ports are cocaine trafficking hubs.

Rockwell- 12 (Mark Rockwell, Washington correspondent for Government Security News; “Cutter Vigilant intercepts $26 million cocaine shipment”; Government Security News;7/3/12; <http://www.gsnmagazine.com/node/26689>)

¶ The crew of the Coast Guard Cutter Vigilant offloaded 2,046 pounds of seized cocaine at Station Port Canaveral, on July 2, with an estimated wholesale value of more than $26 million.¶ ¶ The medium endurance cutter’s confiscated haul came from a boat about 90 miles south of Punta Beata, Dominican Republic on June 23, 2012, said the Coast Guard on July 2.¶ ¶ The huge seizure is the second in a few days for the Coast Guard. Cutter Valiant returned to her home port in Miami Beach on June 29 with 3,800 pounds of seized cocaine valued at $48 million.¶ ¶ The drugs were seized in three different actions off the coasts of Nicaragua and Colombia, as part of joint Operation Martillo, an effort that brought together U.S. agencies and Caribbean countries to intercept illegal drugs, weapons and money from Central America.¶ ¶ In Vigilant’s seizure, a boarding team used the cutter’s small boat to intercept a 35-foot suspected smuggling vessel that in a high-speed marine chase that ended with team finally stopping the vessel in international waters, according to the Coast Guard.¶ ¶ During the boarding, Vigilant’s personnel found bales of contraband on the vessel's deck, which tested positive for cocaine. The team also detained three suspected smugglers.¶ ¶ The Coast Guard said its cutters have interdicted more than 75,000 pounds of cocaine since Oct. 1, 2011, which is 25,000 lbs more than land-based, U.S. law enforcement personnel seized in all of 2010, showing seizures at sea are the most efficient and cost-effective way to block cocaine from the U.S.¶ ¶ Medium endurance cutters like the Vigilant, it said, are built for multi-month offshore patrols including operations requiring enhanced communications, and helicopter and pursuit boat operations, providing a key capability for homeland security operations at sea.

Illegal drug smuggling is the biggest security challenge- kills over 50,000 Americans and wrecks the economy.

Congressional Hearing-00 (“PORT SECURITY: PROTECTING FLORIDA’S PORTS¶ FROM THE THREAT OF DRUG TRAFFICKING”, HEARING¶ BEFORE THE¶ SUBCOMMITTEE ON CRIMINAL JUSTICE,¶ DRUG POLICY, AND HUMAN RESOURCES¶ OF THE¶ COMMITTEE ON¶ GOVERNMENT REFORM¶ HOUSE OF REPRESENTATIVES¶ ONE HUNDRED SIXTH CONGRESS¶ SECOND SESSION; 10/31/00; <http://www.gpo.gov/fdsys/pkg/CHRG-106hhrg75061/pdf/CHRG-106hhrg75061.pdf>)

Illegal drug smuggling is a topic that matters to everyday Americans. These days you’d be hard-pressed to find an individual or¶ family whose life has not been affected by illegal narcotics in some¶ way. Drug abuse kills directly—the last statics we had were¶ 16,926, exceeding for the first time in our records the number of¶ homicides. So drug-related deaths now exceed homicides nationally.¶ According to Barry McCaffrey, our national drug czar, and he took¶ into account all the direct and indirect, it now totals an astonishing¶ 52,000 Americans die per year, equal to any national security or¶ war threat we’ve ever faced. The scope of illegal drugs trade is almost incomprehensible, with an estimated $400 billion a year, an¶ equivalent of 8 percent of the world’s total international trade. And¶ the estimated cost to U.S. society—this statement they prepared¶ for me says $100 billion. And it can be as high as a quarter of a¶ trillion if we include everything. But not all is lost. We continue to make slow but steady progress¶ despite the current administration’s inattention, mismanagement,¶ and I believe at the beginning of this administration, a lack of focused policy. We now have 31 federally designated High Intensity¶ Drug Trafficking Areas [HIDTAs]. The HIDTA here in south Florida was, of course, one of the original High Intensity Drug Trafficking Area designations. These entities represent a Federal effort to¶ enhance cooperation, information, and information-sharing among¶ Federal, State, and local law enforcement officials. However, as¶ we’ll hear later today, more must be done with regard to HIDTA’s role in seaport security.

### Impact – Human Trafficking Stuff

#### Ports are also human trafficking hubs

Yarin Eski 11 (a Glasgow University PhD candidate, affiliated with the Scottish Centre for Crime and Justice Research, “'Port of call': Towards a criminology of port security”, pg. 4-5 <http://crj.sagepub.com/content/early/2011/07/16/1748895811414593.full.pdf>) RF

In June 2000, 58 Chinese illegal immigrants tragically died in the back of a shipping container transported by a Dutch owned truck; they hid behind tomato boxes that were shipped from the port in Zeebrugge, Belgium, to Dover. The immigrants ran out of oxygen, and despite their attempts to raise the alarm, they could not be saved in time. Even though a large network of traffickers directed the transportation, only the truck driver was found guilty of the tragedy (Independent, 2001). Clearly, human trafficking has severe damaging effects and grossly violates several fundamental human rights (Aronowitz, 2001; Hesseling et al., 2001). The Dover case is, regrettably, only one out of a vast number of lethal consequences of the growing human trafficking industry. In other cases, people have died of suffocation while illegally migrating via ships as stowaways, most of the time when hiding in containers. Although full reliability of human trafficking victims estimates are not available (Gould, 2010), statistics point towards thousands of deaths due to container suffocation since 1993, and because ‘the number of illegal immigrants increases … the world can expect more of these tragic incidents’ (Aronowitz, 2001: 164). Illegal immigrants, fleeing from unliveable circumstances and seeking hope in their attempt for a better living, will pay any price to invest in their children’s lives and their own. Those illegal immigrants, who have strong family ties in their country of expected refuge, do not necessarily depend on smuggling networks, but those without such ties do, and have to pay for a successful cross-over. Due to media and political rhetoric that interlinks immigration with feelings of insecurity and crime, immigration policies are heavily toughened by nations, making it harder to enter the western world, as is most clearly portrayed by ‘fortress Europe’ (Albrecht, 2002; Crawford, 2002). Intensifying borders consequently entails higher risk for traffickers, leading to higher costs for those illegally immigrating. Trafficking of illegal immigrants, therefore, has become a lucrative market: ‘a $ 10 billion a year business worldwide’ (McNicholas, 2008: 184). These processes of commodification take away the social responsibility of smugglers to take care of the immigrants (Staring, 2003). In the smugglers’ eyes, immigrants have turned into cargo, which makes it easier for smugglers to stock and transport humans in inhumane conditions, such as ship containers. Besides turning increasing flows of illegal immigration into economic interests and using the containerization of the global market to trade their ‘stock’, transnational criminal networks directing human trafficking have been advancing and specializing themselves over the years. These networks are well aware and skilled in establishing, solidifying and exploiting ‘weak points in transportation, border and customs systems’ and have systemized their ways of corrupting and compromising high-officials who should secure against these networks (Levitsky, 2003: 230). Human traffickers, as drugs traffickers, consider ports as weak points and they exploit them to the fullest extent. Especially in ports in third world countries, completely effective human trafficking infrastructures flourish, run by both criminal networks and officials, such as security guards and port police (McNicholas, 2008). Furthermore, stowaways, who cannot pay for the entire journey to their final destination, are forced to help in the illegal drug trafficking of some of the criminal networks stationed in ports. Ports form in this sense, once more, a focal point for illegal drug and human trafficking that intersect with and re-enforce each other (Albrecht, 2002: 166).

## Random

### Impact – Port Security Laundry List

#### Port security key solves smuggling, terrorism, piracy, and oil spills.

Sharda -11 (Sharda is a post graduation in journalism and mass communication; senior writer with Marine Insight; “Importance of Port Security”; marineinsight.com; 6/3/11; <http://www.marineinsight.com/misc/maritime-law/the-importance-of-port-security/>)

Port security is vital because marine transport is a very thriving and extensively used form of conveyance, especially for cargo transportation. Since the cargo containers could be used inappropriately, it becomes important that proper monitoring and inspection of the transferred cargo is carried out. The importance of maritime security can be further elaborated as follows:¶ Ports are busy areas and are spread over a very large area. This would mean that certain areas of the ports can be inaccessible all the time as far as patrolling is concerned and therefore could lead to stealing of cargo from the cargo containers. It could also involve the smuggling of weapons and arsenal into a country and issues of stowage and illegal immigration. Port security helps to solve these problems of inaccessibility and thereby reduces the cargo pilferage that takes place.¶ Since maritime security is also included in port security measures, it will help to safeguard the interests of ships in dangerous and conflicted waters. This factor is extremely important when ships enter into water areas where piracy abounds. Effective maritime security thus accounts for adequate counter piracy measures¶ Oil cargo is carried extensively in the oceanic areas. If attacks from pirates and terrorists cause oil spill or even worse, light up the entire oil tanker, it could cause a major disaster with respect to the environment, resources, and security of countries. Maritime security attempts to block any such activities that could be carried out.

### Environment – Potential Advantage

#### PSGP makes ports environmentally friendly

Nagle 11 **(**Kurt J. Nagle, President and CEO of the American Association of Port Authorities, August 31st 2011, American Association of Port Authorities, <http://aapa.files.cms-plus.com/PDFs/Secy%20Napolitano%2031AUG2011.pdf>]

Since 9/11, seaports and the federal government have partnered to harden our water borders against terrorism, protecting people, goods and equipment within this critical infrastructure. **AAPA is gravely concerned about the recent proposal to eliminate** direct **funding for the** FEMA **Port Security Grant program** and bundle it into other drastically cut FEMA grants. Additionally, **while seaports remain committed to enhancing coastal resources and reducing their environmental impact, the federal government is a critical partner in beneficial reuse of dredged material and reduction of air emissions from older diesel engines – programs that should continue.**

# Solvency

## Specific Mechanisms

### Port Security Grant Program

#### Port Security Grant Program solves

CFDA, No Date Given(Catalog of Federal Domestic Assistance, “Port Security Grant Program”, https://www.cfda.gov/?s=program&mode=form&tab=step1&id=6f8d5141a3f6455eb4236957a2d860b2)

The FY 2012 PSGP plays an important role in the implementation of Presidential Policy Directive 8 (PPD-8) by supporting the development and sustainment of core capabilities. Core capabilities are essential for the execution of each of the five mission areas outlined in the National Preparedness Goal (NPG). The development and sustainment of these core capabilities are not exclusive to any single level of government or organization, but rather require the combined effort of the whole community. The FY 2012 PSGP supports all core capabilities in the Prevention, Protection, Mitigation, Response, and Recovery mission areas based on allowable costs. Grantees under FY 2012 PSGP are encouraged to build and sustain core capabilities through activities such as: • Enhancing Maritime Domain Awareness (MDA) • Enhancing Improvised Explosive Device (IED) and Chemical, Biological, Radiological, Nuclear, Explosive (CBRNE) prevention, protection, response and supporting recovery capabilities • Port Resilience and Recovery Capabilities • Training and Exercises • Transportation Worker Identification Credential (TWIC) Implementation. Types of Assistance (060): Cooperative Agreements Uses and Use Restrictions (070): The Port Security Grant Program (PSGP) is one of the Department of Homeland Security’s (DHS) FY 2012 grant programs which directly support transportation infrastructure security activities. The PSGP is one tool in the comprehensive set of measures authorized by Congress and implemented by the Administration to strengthen the Nation’s critical infrastructure against risks associated with potential terrorist attacks. The vast majority of U.S. critical infrastructure is owned and/or operated by State, local, and private sector partners. The PSGP funds available to these entities are intended to support increased port-wide risk management; enhanced domain awareness; training and exercises; expansion of port recovery and resiliency capabilities; and further capabilities to prevent, detect, respond to, and recover from attacks involving improvised explosive devices (IEDs) and other non-conventional weapons; and competitively award grant funding to assist ports in obtaining the resources required to support the NPG’s associated mission areas and core capabilities. PSGP grant recipients and sub-recipients may only use PSGP grant funds for the purpose set forth in the grant, and must be consistent with the statutory authority for the award. Grant funds may not be used for matching funds for other Federal grants/cooperative agreements, lobbying, or intervention in Federal regulatory or adjudicatory proceedings. In addition, Federal funds may not be used to sue the Federal government or any other government entity. Pre-award costs are allowable only with the written consent of DHS and if they are included in the award agreement. Federal employees are prohibited from serving in any capacity (paid or unpaid) on any proposal submitted under this program. Federal employees may not receive funds under this award. In FY 2012, the total amount of funds distributed under this grant program will be $97,500,000. The FY 2012 PSGP funds will be allocated based on the funding priorities outlined in FY 2012 PSGP Funding Opportunity Announcement (FOA).

#### Funding for PSGP critical to solving port vulnerability against terror attacks

Government Accountability Office 2011 [GAO, “Risk Model, Grant Management, and Effectiveness Measures Could Be Strengthened,” 11/17/11, <http://www.gao.gov/products/GAO-12-47>, MR]

In 2010 and 2011, PSGP allocations were based largely on port risk and determined through a combination of a risk analysis model and DHS implementation decisions. **DHS uses a risk analysis model to allocate** PSGP funding to port areas that includes all three elements of risk--threat, vulnerability, and consequence--and DHS made modifications to enhance the model's vulnerability element for fiscal year 2011. For example, DHS modified the vulnerability equation to recognize that different ports can have different vulnerability levels. However, the vulnerability equation is not responsive to changes in port security--such as the implementation of PSGP-funded security projects. Additionally, the vulnerability equation does not utilize the most precise data available in all cases. DHS addressed prior GAO recommendations for strengthening the vulnerability element of grant risk models, but the PSGP model's vulnerability measure could be further strengthened by incorporating the results of past security investments and by refining other data inputs. FEMA has faced several challenges in distributing PSGP grant funds, and FEMA has implemented specific steps to overcome these challenges. Only about one-quarter of awarded grant funding has been drawn down by grantees, and an additional one-quarter remains unavailable (see table below). Funding is unavailable--meaning that grantees cannot begin using the funds to work on projects--for two main reasons: federal requirements have not been met (such as environmental reviews), or the port area has not yet identified projects to fund with the grant monies. Several challenges contributed to funds being unavailable. For example, DHS was slow to review cost-share waiver requests--requests from grantees to forego the cost-share requirement. Without a more expedited waiver review process, grant applicants that cannot afford the cost-share may not apply for important security projects. Other challenges included managing multiple open grant rounds, complying with program requirements, and using an antiquated grants management system. FEMA has taken steps to address these challenges. For example FEMA and DHS have, among other things, increased staffing levels, introduced project submission time frames, implemented new procedures for environmental reviews, and implemented phase one of a new grants management system. However, it is too soon to determine how successful these efforts will be in improving the distribution of grant funds. FEMA is developing performance measures to assess its administration of the PSGP but it has not implemented measures to assess PSGP grant effectiveness. Although FEMA has taken initial steps to develop measures to assess the effectiveness of its grant programs, it does not have a plan and related milestones for implementing measures specifically for the PSGP. Without such a plan, it may be difficult for FEMA to effectively manage the process of implementing measures to assess whether the PSGP is achieving its stated purpose of strengthening critical maritime infrastructure against risks associated with potential terrorist attacks. GAO recommends that DHS strengthen its methodology for measuring vulnerability in ports by accounting for how past security investments reduce vulnerability and by using the most precise data available. GAO also recommends that DHS evaluate the cost-share waiver review process and take steps to expedite the process where appropriate and develop a plan with milestones for implementing performance measures for the PSGP. DHS concurred with GAO's recommendations.

#### **Port Security Grant Program solves**

Farmer- 09 (Robert A. Farmer ¶,Acting Director, Office of Policy and Program Analysis , Federal Emergency Management Agency , “Port security Grants a Recovery Act”; 5/15/09; Department of Homeland Security;http://www.dhs.gov/xlibrary/assets/recovery/FEMA\_Port\_Security\_Grants\_Recovery\_Act\_Plan\_51509.pdf)

The Port Security Grant Program (PSGP) provides grant funding to port areas for the protection of critical port infrastructure from terrorism. PSGP funds are primarily intended to assist ports in enhancing maritime domain awareness, enhancing risk management capabilities to prevent, detect, respond to and recover from attacks involving improvised explosive devices (IEDs), weapons of mass destruction (WMDs) and other non-conventional weapons, as well as training and exercises and Transportation Worker Identification Credential (TWIC) implementation. In keeping with the guidelines of the existing PSGP program, FEMA and USCG will again target the monies at the highest-risk ports across the nation. Also, each of the four tiers will have a specific allocation, and ports will compete for the funds within their assigned tier. Due to the current state of the economy, Congress intends stimulus funding to be spent quickly with a principal objective of job creation. Additionally, in meeting its mission responsibilities, DHS must ensure that priority is given to cost-effective projects that can be executed expeditiously and have a significant and near-term impact on risk mitigation. Since the PSGP is an existing FEMA grant program, the program office within the Grant Programs Directorate will ensure compliance with existing performance measures, as well as monitoring and evaluation protocols.

#### PSGP solves port terrorism

Monteverde 07(Susan Monteverde, Vice President of Government Relations for the American Association of Port Authorities, February 7th 2007, Testimony of Susan J. Monteverde before the House Appropriations Committee, <http://aapa.files.cms-plus.com/PDFs/dhsappr_testimony2-13-07.pdf>]

While **America’s ports** must be able to accommodate today’s newer, larger ships so we can remain competitive as a trading nation, the ports **must also remain safe and secure in the face of terrorist threats. One of the key things impacting the ability of ports to keep up with their growing trade volumes is the high cost of hardening their facilities against terrorism. When the nation’s ports have to divert their limited resources to pay for security measures, it can impact their ability to make the necessary investments to handle the rising volume of trade.** Port security is a shared responsibility, with the federal government taking the lead. Much progress has been made since September 11 in protecting our seaport facilities, and we must continue our focus in this area. **The federal government has implemented a number of cargo security programs, but only the Port Security Grant program, administered through the Department of Homeland Security, is focused on port facility security.** This program was set up in 2002 to help protect marine facilities from terrorist attacks**. From its inception, the Port Security Grant program has been dramatically under-funded. Only 20% of the requests for security enhancements at our nation’s ports have received funding. This under-funding has left ports with the difficult choice of either delaying security improvements or paying the lopsided balance themselves, which, in some cases, requires shifting funds from other needed infrastructure improvement projects.** Ports already spend millions of dollars on security in areas that are not paid for by grants. For example, additional security personnel and operation and maintenance of security systems have placed a large new financial burden on ports. They also now pay for 25%-50% of the cost of infrastructure received through the Port Security Grant program.

**PSGP is critical to upgrading and sustaining our port security- current funding is insufficient**

MarEx-07 ( the marine executive magazine, the world’s most widely read marine newsletter; “US Ports Remain Underfunded to Provide Maritime Security” Marine Executive Magazine; 2007; http://media.maritimeexecutive.com/newsletter/archives/old/readmoref042.html?issue\_id=148&article\_id=1296&l=%3C)

US Ports Remain Underfunded to Provide Maritime Security¶ The political firestorm, which erupted over whether a United Arab Emirates company, Dubai Port World, should be permitted to manage six U.S. ports, has garnered huge headlines in the recent past. Slipping beneath the radar of the national press, however, is the relatively paltry sum, according to representatives of the nation's seaports, being given to provide port security and infrastructure maintenance. Although the Administration's 2007 federal budget includes $65.6 billion for transportation, with $258 million designated for the U.S. Maritime Administration (MARAD), the American Association of Port Authorities (AAPA) says that amount is nowhere near enough. With virtually 99% of U.S. overseas cargo passing through U.S. ports annually, security and deep-draft channel maintenance shortfalls could seriously hamper port operations. The ripple effect through the U.S. economy, in the event of a catastrophic terrorism event or operational casualty, would be significant. The AAPA notes that, "The federal share of the seaport facility security funding partnership needs to be increased, not reprogrammed and diluted." This refers to a proposal to eliminate the Port Security Grant program and to lump maritime security infrastructure needs together with trains, trucks, bus, and public transit under the Targeted Infrastructure Protection program. ¶ In the five rounds of funding since 2002, the Port Security Grant program has meted out to U.S. ports $708 million of much-needed funding, but this amounts to less than 25 percent of what the ports themselves said they needed for security. The U.S. Coast Guard has estimated that port facilities needed $5.4 billion over a 10-year period to comply with new regulations in accordance with the Maritime Transportation Security Act of 2002. Since September 11, 2001, the grant program has made only $708 million available out of almost $3.8 billion requested for port security expenses. The AAPA recommends annual funding at a $400 million level.

**An effective PSGP is critical to counterterrorism- cuts now**

Committee on Homeland Security 2/17/2012-- (“Thompson: Grant Guidance Shows Rash and Shortsighted Budget Cuts,” <http://chsdemocrats.house.gov/press/index.asp?ID=714&SubSection=5&Issue=9&DocumentType=0&PublishDate=2012&issue=9>)

February 17, 2012 (WASHINGTON) – Today, Rep. Bennie G. Thompson (D-MS), Ranking Member of the Committee on Homeland Security, released the following statement regarding the Federal Emergency Management Agency’s release of its Fiscal Year (FY) 2012 Preparedness Grant Guidance. Pursuant to the end-of-the-year spending law, a paltry $1.3 billion was appropriated for homeland security grant programs. The grant guidance sets forth how these funds have been allocated by the Secretary of Homeland Security, based on threat, vulnerability and consequence analysis. Under these guidelines, many targeted grant programs are eliminated entirely while the others are cut significantly. In comparison to FY2011, the following reductions are slated for FY 2012: • State Homeland Security Program (SHSP) by 44 percent • Urban Areas Security Initiative (UASI) by 26 percent • Port Security Grant Program (PSGP) by 59 percent • Transit Security Grant Program (TSGP) by 56 percent “Today’s homeland security announcement is the predictable result of the Republican Majority’s blind approach to cutting the budget, no matter the cost to our Nation’s security. Back in December, I protested these shortsighted and rash cuts. Today, we know their real world consequences. As the threat of terrorism diversifies and grows more complex, we cannot afford to abandon the preparedness and counterterrorism partnership we made with our country’s at-risk communities over a decade ago. The Port Security Grant Program supports improving a port's ability to prevent, detect, respond, and recover from a terrorist attack through training and safety improvements. The Port Security Grant Program will receive a 59 percent cut over FY 2011 levels. The Long Beach/Los Angeles ports received $24,538,191 in Port Security Grant Program funds in FY 2011.

**The Department of Homeland Security should increase annual funding for the Port Security Grant Program to $500 million per year and establish a port security trust fund**

Joseph Bouchard 6 (Executive Director of the Center for Homeland Security and Defense (CHSD) upon retiring as a United States Navy Captain in 2003 after twenty-seven years of active duty service gained wide recognition as an expert on port security while Commanding Officer of Naval Station Norfolk, “New Strategies to Protect America: Safer Ports for a More Secure Economy”, Published by the Center for American Progress, 2006, p. 23, <http://www.americanprogress.org/kf/port_security.pdf>) RF

 Although MTSA placed significant responsibility for homeland security on the shoulders of the port industry, the federal government has not provided funding commensurate with that responsibility. DHS should increase annual funding for the Port Security Grant Program to $500 million per year to ensure proper MTSA implementation. If an effective risk-based strategy is adopted, where low-risk maritime transportation facilities have security requirements that are more appropriate to the threat – and affordable – the cost of MTSA compliance probably could fall below the current Coast Guard estimate of $7.3 billion over ten years. Any long-term estimate must take into account the extent to which the program is broadened to cover additional requirements. The key point is to provide sufficient funding that matches the critical importance of maritime security to the people and economy of the United States. Finally, to ensure MTSA implementation and sustainability over the long term, adequate funding is essential. Port security is too important to remain hostage to annual budget submissions and competing demands. The federal government should establish a port security trust fund into which 3-5% of the $15.2 billion in customs revenues collected on goods moving through the nation’s ports each year would be placed. Allocation of those funds would be via a process incorporating the best features of the current Port Security Grant Program, particularly the review of funding requests by subject matter experts, and applying the enhanced risk-based approach to setting priorities described earlier. Such an approach is consistent with dedicated funding arrangements for other transportation priorities, such as the security fee added to all airline tickets.

PSGP solves

World Trade 100 11(World Trade 100, September 9th 2011, “10 Years After 9/11, Security Still a Top Priority of U.S. Ports”, <http://www.worldtradewt100.com/articles/87591-10-years-after-911-security-still-a-top-priority-of-us-ports>]

“For centuries, seaports have been a vital part of this nation’s transportation infrastructure, and safe, secure seaport facilities are critical to protecting our borders and moving goods,” said Kurt Nagle, American Association of Port Authorities’ president and CEO. “Regrettably, the more than 50 percent funding level cut recommended for FEMA’s State and Local Program grants, which includes the Port Security Grant Program, could impact the current security capabilities of many U.S. ports as well as hamper their ability to carry out their five-year port protection plans.”¶ He added, “With the death of Bin Laden, critical infrastructure facilities, such as ports, are being asked to be extra vigilant to protect against retaliatory terrorist attacks. In addition to making continued enhancements, the Port Security Grant Program helps pay for maintaining and replacing our current security assets at ports.”¶ Security Improvements Significant, But Costs High¶ The comprehensive Maritime Transportation Security Act (MTSA) of 2002, and the Security and Accountability For Every (SAFE) Port Act of 2006 changed the way ports handle cargo and passenger movements. To implement the security measures in this legislation, America’s ports and their terminal operators have invested billions of dollars into security personnel and training, enhancements to perimeter security, access control and credentialing systems, interoperable communications technology, and waterside security such as patrol boats, vessel tracking and underwater threat detection systems.¶ While federal Port Security Grant Program funds have helped pay for the sweeping security overhaul at U.S. ports, the grants oftentimes require ports to pay a 25 percent “cost-share,” pay 100 percent of their security program operations, management and policing personnel expenses (representing the highest ongoing cost for security at most ports), and limit infrastructure construction costs to 10 percent of the grant total. Furthermore, in addition to the huge funding cuts proposed for fiscal 2012 and beyond, the lumping of port grant funds with other State and Local Program grants—such as those for first responders, urban areas and transit systems—will likely result in even less funding for port security.¶ Although insufficient security grant funding is a chief concern among ports, there is also a significant concern about the time delay between when DHS announces grant awards and when it completes all reviews and gives grantees authority to begin their security improvements. Consequently, AAPA has urged DHS to streamline their processes and get funding out more quickly.¶ Port Security More than Guns, Gates and Guards¶ In representing the broad security needs of its members, AAPA’s Security Committee and a Port Security Task Force meet regularly to discuss port security and share best practices and lessons learned. The Security Committee conducts an annual Port Security Seminar and has developed a comprehensive port security manual.¶ The industry also maintains ongoing liaison with the federal government’s lead port and maritime security agencies. These dialogues address timely security issues such as the Transportation Worker Identification Credential (TWIC), which the TSA and Coast Guard implemented 2007 to ensure those seeking access to secure port areas can be positively identified, have authorization to enter the facility and do not pose a terrorist risk. ¶ In concert with public port authorities and terminal operators, the Coast Guard is charged with routinely inspecting and assessing the security of U.S. port facilities and the vessels that call those facilities, in accordance with the MTSA and the International Ship and Port Facility Security Code. Since 9/11, the Coast Guard has instituted innovative programs such as Maritime Safety and Security Teams, enforced security zones, increased its intelligence gathering and analysis capabilities, expanded its partnerships with the maritime industry, international organizations, federal, state and local agencies, and has joined with other agencies within DHS to strengthen U.S. borders and protect America’s ports and waterways. The Coast Guard also cross-checks crew lists against terror watch lists in advance of arriving ships.¶ Additionally since 9/11, CBP has initiated: the Container Security Initiative to examine high-risk, U.S.-bound containerized cargoes at foreign ports; the 24-Hour Rule, which requires cargo manifests be submitted a least a day ahead of ship arrivals; C-TPAT which provides expedited inspections for U.S. importers that voluntarily work with CPB to improve baseline security standards for supply chain and container security; and large-scale X-ray, gamma ray and radiation detection devices at U.S. ports to scan the contents of inbound cargo containers.¶ Progress Must Continue¶ Among the materials Navy SEALS found in Osama Bin Laden’s Pakistan hideout were plans showing the maritime industry is still a key Al-Qaida target. Given ongoing threats such as these, the seaport industry is asking Congress and the Administration make port security a top funding priority in current and future appropriations rather than considering it for funding cuts.¶ AAPA is strongly in favor of reauthorizing the SAFE Port Act to ensure that U.S. port facilities and cargoes remain secure. One such bill, S. 832, was introduced in April by Sens. Susan Collins (R-ME) and Patty Murray (D-WA), which would authorize $300 million a year for five years for the Port Security Grant Program and reauthorizes, among other aspects of the original bill, the Container Security Initiative, C-TPAT and the Automated Targeting System to identify high-risk cargo.¶ Since 9/11, the Port Security Grant Program has received about $2.6 billion in funding for 11 rounds of grant awards. AAPA commends Congress and the Administration for these allocations and will continue to recommend the federal government commit $400 million a year for a separate and dedicated program to help port facilities enhance their physical security. The association supports a risk-based evaluation process that allows all facilities that are required to meet MTSA regulations to apply.

#### PSGP funds port security.

FEMA- 6-2 (part of the Department of homeland security, “FY 2012 Port Security Grant Program (PSGP)”; department of homeland security; 6/2/12; http://www.fema.gov/government/grant/psgp/)

FY 2012 Port Security Grant Program (PSGP)¶ Total Funding Available in FY 2012: $97,500,000¶ Purpose: As appropriated by the Consolidated Appropriations Act, 2012, Division D (Public Law 112-74), the Port Security Grant Program (PSGP) is one of the Department of Homeland Security’s (DHS) FY 2012 grant programs which directly supports transportation infrastructure security activities. The PSGP is one tool in the comprehensive set of measures authorized by Congress and implemented by the Administration to strengthen the Nation’s critical infrastructure against risks associated with potential terrorist attacks. The FY 2012 PSGP provides funds for transportation infrastructure security activities to implement Area Maritime Security Plans and facility security plans among port authorities, facility operators, and state and local government agencies required to provide port security services. The FY 2012 PSGP plays an important role in the implementation of Presidential Policy Directive 8 (PPD-8) by supporting the development and sustainment of core capabilities to fulfill the National Preparedness Goal (NPG).¶ Eligible Applicants: Seven port areas were selected as Group I (highest risk), 48 port areas were selected as Group II, and 35 port areas were selected as Group III. Ports not identified in Group I, II, or III competed for the funding identified for the “All Other Port Areas” Group. Ports that qualified under the “All Other Port Areas” category that were located within Group I, II, or III port areas were eligible to receive grant funds from their geographically proximate higher group if the project had regional impact across the entire port area, but were not able to receive funding from both groups for the same project.¶ Program Awards: DHS apportioned a percentage of the total amount available to each of the port area groups. All port areas were assigned to groups based on relative risk rankings. The highest risk ports were designated as Group I, lower risk ports were assigned to Group II, and the lowest risk ports were assigned to Group III. Those ports that were not assigned to a specific group fell into the “All Other Port Areas” category. To ensure that the highest risk ports received the bulk of available funds, the majority of funding was allocated to those port areas in Group I. Port areas competed for the funds allocated to their respective groups.

Nagle 06 (Kurt J. Nagle, President and CEO of the American Association of Port Authorities, March 9th 2006, Testimony before the House Transportation and Infrastructure Committee

Subcommittee on Coast Guard and Maritime Transportation, [http://www.aapaports.org/Issues/content.cfmmnitemnumber=&tnitemnumber=&itemnumber=1066&unitemnumber=&pf=1&snitemnumber](http://www.aapaports.org/Issues/content.cfmmnitemnumber%3D%26tnitemnumber%3D%26itemnumber%3D1066%26unitemnumber%3D%26pf%3D1%26snitemnumber)=]

Soon after September 11, Congress established the Port Security Grant program to provide much-needed help to port facilities to harden security to protect these vital ports of entry from acts of terrorism. The program has been authorized in several bills – the MTSA and Coast Guard reauthorization bill of 2004 – but it is only in the next round of grants (FY’06) that the program will mirror the authorization bills. While there are a number of federal cargo security programs, this is the only program that is focused on providing federal financial assistance for port facility security. While the program has provided much-needed funding, it still had several problems: An inadequate amount of funding; Limits on eligibility; The Administration’s proposals to lump port security into a larger Transportation Infrastructure Protection (TIP Program); and Slow release of the funding by the Department of Homeland Security (DHS). Let me begin with the funding level. From its inception, the PSG program has been dramatically under-funded. While billions of homeland security dollars have been allocated to airports, first responders, and research and development, only a modest amount has been made available for port facility security improvements. For FY’06, DHS has stated that it is proposing $3.1 billion for port security, but last year’s funding level for the Port Security Grant program was only $175 million. To date, DHS has given out $700 million in port security grants, but this is less than 20% of the grant requests, which totaled $3.8 billion (see chart below). AAPA recommends an annual funding level of $400 million for this program. Since September 11, ports have spent millions of dollars of their own funds on port security. Ports have spent money on personnel and operations and maintenance of these expensive security systems, in addition to paying for security upgrades that the federal program did not pay for. However, more needs to be done. We have a good start and baseline, but we must continue our progress. Trade is growing exponentially and many port facilities are planning port expansion projects in response. Limited port security funds have placed large burdens on ports as security programs compete with funds required for general maintenance of facilities, channel dredging and port expansion projects. The biggest impact of funding limitations, however, is a delay in making security enhancements. Limited funds mean slower progress.

### Container Scanning Systems

Funding container scanning solves.

Nadler et al-12 (JERROLD L. NADLER, EDWARD J. MARKEY and BENNIE G. THOMPSON, “Cargo, the Terrorists’ Trojan Horse”; The International Herald Tribune; 6/28/12; http://www.lexisnexis.com.turing.library.northwestern.edu/hottopics/lnacademic/ )

Homeland Security says it would cost $16 billion or more to meet the mandate, but that projection assumes that the department would pay to acquire, maintain and operate scanning equipment and related operations, without any offsetting fees from companies in the global supply chain.¶ In contrast, Stephen E. Flynn, an expert in terrorism and port security at Stanford, has said a scanning system could be implemented in every major container port in the world at a cost of $1.5 billion, and that the costs could largely be absorbed by companies doing business at the ports.¶ Homeland Security says it uses a ''layered, risk-based approach'' to cargo scanning, which, instead of comprehensive scanning, targets specific cargo thought to be high-risk. But this approach is inadequate.¶ Recent advances in screening technologies have undermined Homeland Security's contention that the technology is not available to scan all cargo containers without disrupting commerce.¶ An effective high-volume container screening system was installed in the Port of Hong Kong in 2005. Trials of new, American-made technology have demonstrated that scanning all containers would be feasible at many ports. The world's largest marine terminal operators have offered to work with the department to put the law into effect.

#### Current port security tech is ineffective in detecting nukes—In-box sensor systems and active radiation detectors are the final components needed for true port security

Haveman and Shatz 6 (Jon D, founding principal of Beacon Economics, and Howard J, Senior Economist at the RAND Corporation, “Protecting the Nation’s Seaports: Balancing Security and Cost” Pg. 121-122) RF

The burden thus falls on technology—on the intelligent deployment of existing technologies and the rapid development of new and better technologies. Used in conjunction with one another, rather than as replacements for one another, they could provide an excellent, although regrettably still imperfect, security shield. There are several different kinds: • In-port radiography, or visualization machines: These machines peer into the box and see if the contents correspond with what the manifest states the box contains: Is there a cylindrical steel object where there should be toys and tools? Is there anything anomalous? This implies rapid checking against electronic manifests that list contents and provenance. These machines are being installed at major U.S. ports; they should also be installed at ports of embarkation; many have been. Obligatory, not voluntary, screening before sailing, backed by strong penalties—such as a red lane, green lane system—should be imposed. • In-port passive radiation detection devices: These devices detect radiation emitted by concealed radiation sources. They are now being deployed on a large scale. They are relatively cheap to purchase and operate; critically, they are fast and do not impose delays. But they are very far from satisfactory in their capabilities; they cannot detect well-shielded dirty bombs and yield false positives when tuned to a sensitivity that can discern some shielded nuclear devices. (There is more normal radiation out there than one might first expect.) They should be replaced by a new generation of active radiation detectors. These will be much more expensive to install and operate and slower, too. Unfortunately, they do not yet exist in tested, deployable models. Research and development programs are under way, with many laboratories and producers competing, and deployable models should (it is hoped) begin to appear in a year or so. • In-box sensors: These would operate all the time, in real time, and would be connected to receiving stations by radio frequency, to detect (passively) radioactivity, various chemicals, temperature, light, people, and, of course, tampering with the box and the sensor itself. They should be obligatory in all containers entering U.S. ports from abroad. Despite their vulnerabilities and shortcomings, if used in conjunction with the other layers of defense technology, they make penetration significantly more difficult.

### P3/Privatization

Government action combined with private partnership is key

Haveman and Shatz 6 (Jon D, founding principal of Beacon Economics, and Howard J, Senior Economist at the RAND Corporation, “Protecting the Nation’s Seaports: Balancing Security and Cost” pg. 235-236) RF

The strongest justification for government participation in finance or for government regulation, both a form of collective action, is the presence of a market failure. This is a situation in which private markets fail to provide an optimal amount of a desired good or service or the market participants do not capture all costs or benefits. We provide a discussion of market failures that may be present with respect to the provision of port security and discuss some well-known policy examples and their funding mechanisms to tease out lessons for the economically efficient financing of port security. The first market failure is found in the public goods aspect of port security: Because everybody in society benefits from port security, there is very little incentive for private industry to provide as much as is efficient. A second market failure is that of a negative externality: Engaging in waterborne international trade creates a mechanism for transporting terrorist materiel, endangering others in society. A final market failure is the weakness of private insurance markets for the ports. Ideally, insurers would spread the risk of an attack across all 361 seaports in the United States, in much the same way that they do with automobile and homeowners’ insurance.3 Although insurance coverage is currently available, it is not clear how many participants in the maritime transportation industry have taken it up, and it is not clear whether such insurance covers the likely terrorism threats. Our research leads us to conclude that there is an efficient sharing of the burden of paying for port security measures between the public and private sectors. Although we are unable to determine a precise division of the funding responsibility, our analysis suggests that both the public and private sectors should play a significant role in providing financing. With these public finance principles as a backdrop, we discuss a number of current proposals for port financing. In the end, we find that the current approach is likely appropriate, although the relative contributions of public and private sectors may require some adjustment. Compliance with costly regulation is an efficient way to elicit financial contributions from the private sector for port security. In the event that the private sector’s optimal contribution to port security should exceed that accounted for by current regulations, then new mechanisms should be used to draw additional money from business. In this case, taxes on port activity or on the goods movement industry may be necessary to offset government expenditures on port-related activities. The converse is also true: The optimal financing of port security may, in the end, require a transfer from general government revenues to the ports. We also find a role for government participation in terrorism insurance markets. In particular, with respect to insuring the ports, there is scope for government support of the private insurance market and for some subsidization of insurance premiums by the federal government.

## General Solvency

### Terrorism Solvency

#### Increasing port security will reduce the risk of a terrorist attack

John Medalia 6 Specialist in National Defense at the Congressional Research Service “Terrorist Nuclear "Attacks on Seaports: Threat and Response” published 2006 <http://www.fas.org/irp/crs/RS21293.pdf> ) RF

What Priority Should Port Security Have? The 9/11 Commission wrote, “Opportunities to do harm are as great, or greater, in maritime or surface transportation [compared to commercial aviation]. Initiatives to secure shipping containers have just begun.” Terrorists “may be deterred by a significant chance of failure.”20 Improving the ability to detect terrorist nuclear weapons in the maritime transportation system may make a terrorist attack on a port less likely to succeed, and thus less probable. The American Association of Port Authorities, a trade association, welcomed federal grants for port security upgrades to comply with the MTSA, but called for “substantially greater resources.”21 Others agree that more resources are needed to secure U.S. ports, such as to reduce overcrowding of cargo-handling facilities and to hire more workers.22 A similar case could be made for gas pipelines, electric power plants, rail yards, or bridges. At issue for Congress is how to allocate security funds among ports and other potential targets.

### Trafficking Solvency

Port security measures solve smuggling through ports

Wade-05 (Jared Wade, senior editor of Risk Management; “Marine Security”; Risk Management Magazine; 12/12/05;<http://www.rmmagazine.com/MGTemplate.cfm?Section=MagArchive&NavMenuID=304&template=/Magazine/DisplayMagazines.cfm&Archive=1&IssueID=253&AID=2967&Volume=52&ShowArticle=1>)

Most foreign trade in the united states is transported by way of maritime shipping, making this industry a keystone of the U.S. economy. In an age of severe terrorism risk, securing the nation’s maritime shipping is a major concern, one that has been noted repeatedly by the media, political figures and business leaders. And while U.S. maritime security has indeed made noteworthy forward progress over the last four years, much work is yet to be done.¶ When viewed in the broadest sense, maritime security in the United States can be considered strong. On the micro level, however, many large cargo ships still experience a fair amount of “shrinkage”—the term used to define missing, lost or stolen goods—at seaports around the country. The trafficking of illegal cargo is also a continual problem that is most often associated with drugs, but it can also include illegal aliens, weapons and any number of other more innocuous commodities.¶ In reality, such activity has always had a negative economic and operational effect on the maritime shipping industry, but by-and-large, these issues have been marginalized, and there are few who would honestly expect to see such illegal actions removed from the industry entirely. Most everyone finds such behavior reprehensible, of course, but they would also agree that this is a relatively unavoidable consequence in an industry that handles seven million containers per year in the United States alone.¶ But the goal at each seaport is always zero tolerance when it comes to all illegal activity, and preventing this type of crime is what was traditionally meant when referring to port security and cargo protection.¶ Then came September 11.¶ “Until 9/11, maritime security meant preventing smuggling, theft, illegal aliens and drug trafficking,” said former CIA Director James Woolsey at this year’s annual Maritime Security Expo in New York’s Jacob Javits Center. “But now that we have seen our own infrastructure used against us, the stakes have changed and seaport security has become a whole new world.”

### Funding/Investment Key

Investment key to solve illicit trade occurring in maritime trade

Radionov- 10 (NIKOLETA RADIONOV, Ph.D, “PRESUMPTION OF SHIPMASTER'S CRIMINAL¶ RESPONSIBILITY FOR NARCOTIC DRUGS IN SHIP'S CARGO -¶ MARITIME REALITY CHECK”; Comparative Marine Law, 1/10/2010; http://ehis.ebscohost.com.ezproxy.baylor.edu/ehost/pdfviewer/pdfviewer?sid=e5f70757-83ee-46a1-9931-df43e8a65b5e%40sessionmgr12&vid=4&hid=6)

2.4. Crimes and transport by sea¶ Ships are perfect mules. There is no doubt that a large percentage of the world's¶ illicit trade in dmgs, arms and people is being physically performed by ships. Transport by sea is traditionally the cheapest way of long distance transport. It is also the¶ easiest, when it comes to transporting larger amounts of illicit cargo hidden within¶ the cargo, given the reality of the modem shipping, as described infra under 3.3. Finally, it is the most logical and geographically possible way for the goods originating¶ from one continent to reach the other, where their market is. The proof of that can be¶ found in the practice of the police anti-dmg squads operating in major commercial¶ ports, where dmgs, and other illicit cargo, are frequently being detected, after a complex preliminary work and joint action of (usually) police forces in several countries.¶ There are different ways to stash the illicit cargo within the declared one. When it¶ comes to the containerized cargo, there are two major ways of hiding trafficked¶ goods: within the cargo inside the container or in the construction of the container¶ itself.-^ Detecting the illicit cargo hidden within containers is a complex task, which¶ involves specialized police forces of several countries, and sophisticated instmments¶ and procedures (mobile x-rays, sniffing dogs, highly trained and experienced police¶ officers etc.). It is impossible for masters of the ships involved in commercial shipping today to take over the police work, or to cooperate more with the police in the¶ port of shipment, in making sure that cargo loaded onto the ships contains no illicit¶ cargo. There are many reasons for this, but let us mention only two at this point.¶ Firstly, the security measures in shipping today are very strict and in many ways¶ legally and physically restrict the actions of the master of the ship with respect to the¶ cargo loaded (more on this infra under 2.4.). Secondly, shipping companies' major¶ investment in the security equipment, crew training and time for check-ups of the¶ cargo upon loading onto the ship would necessarily increase the price of transport,¶ which would in tum increase the price of the final product for the end consumer. Prolonging time a ship spends in a port means loss of money for the shipping company.¶ Faced with the harsh economic situation and volatile shipping market, the scenario¶ where shipping companies take over the role that the state police is unable to play.is simply not feasible. In the meantime, the master of the ship on which illicit cargo¶ is found remains exposed to the authorities of the port state where the drugs are¶ discovered. There are other sensitive issues, such as empty containers. The exported¶ goods get shipped in full containers from one continent (mainly Asia) to another,¶ where containers upon unloading of the goods lie empty and unsealed for some time¶ within the premi.ses of the ports. Then, they can either be returned empty by the order¶ of their owner (large shippers and/or carriers), or they are loaded with new goods for¶ another joumey. After they are carried for loading to the shipper's premises, they can¶ also lie there for some time, more or less unattended. Those are all periods when no¶ control over either the container itself, or its contents, can be exercised by the side of¶ the ship that will eventually carry that container over several continents, touching the¶ ports of many countries, with different legal orders, routines and basic knowledge¶ of the shipping and transport routine. Because of this unenviable position, and after¶ the Laptalo case in Greece, an initiative to seal (also) the empty containers before¶ they are loaded into the ship was started by large sea carriers and their commanding¶ seafarers. Since containers should be checked in ports by port operations facilities¶ prior to sealing, port operations insisted on two things: first, the representative of the¶ carrier had to be present while the inside of the containers were being checked, and¶ second, they had to be paid for this extra service. Again, more time and money to be spent - in the middle of a very harsh economic situation for shipping- resulted in failure of this initiative.

#### Funding key to sustain US ports.

AAPA-11 (American Association of Port Authorities, “10 Years After 9/11, Security Still a Top Priority of U.S. Ports” PR Newswire; 10/1/11;http://www.prnewswire.com/news-releases/10-years-after-911-security-still-a-top-priority-of-us-ports-128888213.html)

"Clearly, America's ports have become much more secure since 9/11. In addition to guarding against cargo theft, drug smuggling, human trafficking and stowaways, ports and their law enforcement partners have added the protection of people and facilities from terrorism to their security plate," remarked Mr. Nagle. "There's no question that more investments in security equipment, infrastructure, technology, personnel and training will be needed. All parties—the ports, terminal operators, the various government agencies, and the Administration and Congress—must do their part in undertaking and funding these enhancements. Only by continuing to make port security a top priority will America's seaports be able to continue serving their vital functions as trade gateways, catalysts for job creation and economic prosperity, and important partners in our national defense."The American Association of Port Authorities was founded in 1912 and today represents about 150 of the leading public port authorities in the United States, Canada, Latin America and the Caribbean. In addition, the Association represents some 250 sustaining and associate members, firms and individuals with an interest in the seaports of the Western Hemisphere. AAPA port members are public entities mandated by law to serve public purposes. Port authorities facilitate waterborne commerce and contribute to local, regional and national economic growth.

#### Investment key to solve illicit trade occurring in maritime trade.

Radionov- 10 (NIKOLETA RADIONOV, Ph.D, “PRESUMPTION OF SHIPMASTER'S CRIMINAL¶ RESPONSIBILITY FOR NARCOTIC DRUGS IN SHIP'S CARGO -¶ MARITIME REALITY CHECK”; Comparative Marine Law, 1/10/2010; http://ehis.ebscohost.com.ezproxy.baylor.edu/ehost/pdfviewer/pdfviewer?sid=e5f70757-83ee-46a1-9931-df43e8a65b5e%40sessionmgr12&vid=4&hid=6)

2.4. Crimes and transport by sea¶ Ships are perfect mules. There is no doubt that a large percentage of the world's¶ illicit trade in dmgs, arms and people is being physically performed by ships. Transport by sea is traditionally the cheapest way of long distance transport. It is also the¶ easiest, when it comes to transporting larger amounts of illicit cargo hidden within¶ the cargo, given the reality of the modem shipping, as described infra under 3.3. Finally, it is the most logical and geographically possible way for the goods originating¶ from one continent to reach the other, where their market is. The proof of that can be¶ found in the practice of the police anti-dmg squads operating in major commercial¶ ports, where dmgs, and other illicit cargo, are frequently being detected, after a complex preliminary work and joint action of (usually) police forces in several countries.¶ There are different ways to stash the illicit cargo within the declared one. When it¶ comes to the containerized cargo, there are two major ways of hiding trafficked¶ goods: within the cargo inside the container or in the construction of the container¶ itself.-^ Detecting the illicit cargo hidden within containers is a complex task, which¶ involves specialized police forces of several countries, and sophisticated instmments¶ and procedures (mobile x-rays, sniffing dogs, highly trained and experienced police¶ officers etc.). It is impossible for masters of the ships involved in commercial shipping today to take over the police work, or to cooperate more with the police in the¶ port of shipment, in making sure that cargo loaded onto the ships contains no illicit¶ cargo. There are many reasons for this, but let us mention only two at this point.¶ Firstly, the security measures in shipping today are very strict and in many ways¶ legally and physically restrict the actions of the master of the ship with respect to the¶ cargo loaded (more on this infra under 2.4.). Secondly, shipping companies' major¶ investment in the security equipment, crew training and time for check-ups of the¶ cargo upon loading onto the ship would necessarily increase the price of transport,¶ which would in tum increase the price of the final product for the end consumer. Prolonging time a ship spends in a port means loss of money for the shipping company.¶ Faced with the harsh economic situation and volatile shipping market, the scenario¶ where shipping companies take over the role that the state police is unable to play.is simply not feasible. In the meantime, the master of the ship on which illicit cargo¶ is found remains exposed to the authorities of the port state where the drugs are¶ discovered. There are other sensitive issues, such as empty containers. The exported¶ goods get shipped in full containers from one continent (mainly Asia) to another,¶ where containers upon unloading of the goods lie empty and unsealed for some time¶ within the premi.ses of the ports. Then, they can either be returned empty by the order¶ of their owner (large shippers and/or carriers), or they are loaded with new goods for¶ another joumey. After they are carried for loading to the shipper's premises, they can¶ also lie there for some time, more or less unattended. Those are all periods when no¶ control over either the container itself, or its contents, can be exercised by the side of¶ the ship that will eventually carry that container over several continents, touching the¶ ports of many countries, with different legal orders, routines and basic knowledge¶ of the shipping and transport routine. Because of this unenviable position, and after¶ the Laptalo case in Greece, an initiative to seal (also) the empty containers before¶ they are loaded into the ship was started by large sea carriers and their commanding¶ seafarers. Since containers should be checked in ports by port operations facilities¶ prior to sealing, port operations insisted on two things: first, the representative of the¶ carrier had to be present while the inside of the containers were being checked, and¶ second, they had to be paid for this extra service. Again, more time and money to be spent - in the middle of a very harsh economic situation for shipping- resulted in failure of this initiative.

### Federal Investment => Private Investment

#### **Federal government investment results in larger private sector investment**

Stowsky 06 (Jay Stowsky, Executive director of the UC Berkeley Project on Information Technology and Homeland Security, co-director of research at the Berkeley Roundtable on the International Economy at UC Berkeley, lecturer at the Goldman School of Public Policy and in the Department of Political Science, 2006, “Protecting the Nation’s Seaports: Balancing Security and Cost”, Public Policy Institute of California]

Policy efforts to induce the private sector to improve the security of cargo container shipping will benefit from careful consideration of how such improvements can also enhance the economic efficiency of the typical shipping supply chain. Impolitic as it may be to observe, the fact is that a major terrorist attack on a U.S. port (perhaps from a shipping container) may never come. If it does, it may turn out to be a fairly isolated, albeit economically and psychologically devastating, event. In either case, a massive security investment not offset by a concurrent achievement of the largest possible social or economic benefit would represent a colossal missed opportunity—a waste of economic resources that could have been artfully invested to create technologies that were by nature dual-use, that is, valuable for both homeland security and commercial purposes. This chapter characterizes the private sector’s early response to the increased awareness of potential security threats to cargo container shipping that dawned in the wake of the terrorist attacks of September 11, 2001. It is motivated by the conviction that profit-seeking investments by private sector shippers, carriers, and port operators to enhance the efficiency of the global containerized supply chain may do more to prevent terrorist groups from using container shipping as a conveyer of weapons of mass destruction (WMD) than will investments targeted at the outset specifically to the security threat. It is motivated, as well, by a belief that lack of due attention to the opportunities for dual-use technology development may impede the growth of the civilian economy and the competitive fortunes of American industry in international competition and do little to improve homeland security. Such a failure of attention would replicate one of the costliest aspects of America’s involvement in the 40-year Cold War, when military-led technology development sometimes benefited the civilian economy but sometimes also distorted the country’s economic and technological development with only negligible effects on the nation’s security. 1 The best opportunities for dual-use investment are in the area of improving the transparency of the global container supply chain. Technologies that make container tracking easier while making tampering or breaching the container harder are the most lucrative from a purely private sector perspective and thus have already attracted the lion’s share of private investment. For both security and supply chain efficiency, the ideal system is one that enables interested parties (those with no malicious intent) to track the containers as they move from link to link in the system. Available Global Positioning System (GPS) and radio frequency identification (RFID) technology can already record snapshots of a container’s journey, enabling human interrogators to check at key points along the way for evidence of tampering or even WMD. Both shippers and security officials have an interest in developing the capability to track containers continuously and in real time, but it would be imprudent to put off investments in existing technology that can already improve both efficiency and security to a significant extent. 2 Such investments were already under way before the September 11 attacks for purely commercial reasons, although they were not being made as quickly or comprehensively as security officials would prefer. Through a judicious balance of standard setting and procurement, the federal government could encourage this trend without dampening market signals and without distorting the trajectory of technological development with too many security-specific performance requirements. History suggests that the wisest approach is for the government to let private sector solutions emerge in response to private sector problems and then to provide inducements for private suppliers to “spin on” commercial technology to security applications, rather than funding those applications directly with the hope (often more hype than hope) that commercial spinoffs will rapidly emerge in the opposite direction. Investments that would enable the supply chain to operate through a terrorist attack, or to quickly recover from one, promise less immediate commercial benefit and so have attracted much less private investment. Yet this is an area where the potential for dual use is also great, even if the scope of the potential returns becomes clear only in retrospect. This is also an area of technological development where the federal government should be willing to invest more heavily, in partnership with private investors who will be able to appropriate some of the returns to such investments in supply chain resilience as a purely commercial matter and so should be willing to put a significant portion of their own funds at risk. The largest share of public-led investment should target research and technological development in the area of remote sensing of chemical, biological, radiological, and nuclear agents—an area fraught with technological and practical barriers, both of which have impeded and will continue to impede private sector investment. But it is also an area where a breakthrough could produce exceptionally dramatic returns, both commercially and in terms of homeland security. Since the late 1970s, a security-centered approach to developing dual-use technology has not prevented superior, commercially derived versions of security technologies from reaching open global markets, where they quickly become accessible to allies and adversaries alike. Most homeland defense technology, especially information technology (IT), now has commercial roots, and these roots extend around the globe. It is impractical, if not impossible, to prevent these technologies from ever diffusing to potential enemies. Homeland security cannot depend, therefore, on how well a system of export and publication controls maintains exclusive access to any particular technology over time. Moreover, homeland security research and development projects that are isolated from the demands of potential users in mainstream commercial markets are apt to produce dual-use technology that is inferior in quality and price to that which will be available commercially. This is the lesson of significant numbers of dual-use technologies developed during the Cold War—numerically controlled machine tools, very high-speed integrated circuits, artificial intelligence software, flat panel displays, intelligent transportation systems, and encryption. In each case, the United States sponsored military-specific versions of the underlying technology, which were eventually overtaken by less costly commercial applications of equivalent or superior quality and functionality. 3 In contrast, the involvement of military, intelligence, and homeland security agencies in an open and collaborative development process can actually enhance prospects for commercialization of dual-use technology. This is the lesson of several other technologies developed by the United States during the Cold War—solid-state transistors and integrated circuits, Very Large Scale Integrated (VLSI) circuits, and computer-aided design tools, semiconductor production equipment, and the Internet.

#### Government investment spurs private investment

Haveman and Shatz 6(Jon D, founding principal of Beacon Economics, and Howard J, Senior Economist at the RAND Corporation, “Protecting the Nation’s Seaports: Balancing Security and Cost” pg. 235-236)

The strongest justification for government participation **in finance** or for government regulation, both a form of collective action**,** is the presence of a market failure. This is a situation in which private markets fail to provide an optimal amount of a desired good or serviceor the market participants do not capture all costs or benefits. **We provide a discussion of market failures that may be present with respect to the provision of port security** and discuss some well-known policy examples and their funding mechanisms **to tease out lessons for the economically efficient financing of port security.** The first market failure is found in the public goods aspect of port security**:** Because everybody in society benefits from port security, there is very little incentive for private industry to provide as much as is efficient**.** A second market failure is that of a negative externality: Engaging in waterborne international trade creates a mechanism for transporting terrorist materiel, endangering others in society.A final market failure is the weakness of private insurance markets for the ports**.** Ideally, insurers would spread the risk of an attack across all 361 seaports in the United States, in much the same way that they do with automobile and homeowners’ insurance**.3** Although insurance coverage is currently available, it is not clear how many participants in the maritime transportation industry have taken it up, and it is not clear whether such insurance covers the likely terrorism threats**.** Our research leads us to conclude that there is an efficient sharing of the burden of paying for port security measures between the public and private sectors. Although we are unable to determine a precise division of the funding responsibility, our analysis suggests thatboth the public and private sectors should play a significant role in providing financing**.** With these public finance principles as a backdrop, we discuss a number of current proposals for port financing. In the end, we find that the current approach is likely appropriate, although the relative contributions of public and private sectors may require some adjustment.Compliance with costly regulation is an efficient way to elicit financial contributions from the private sector for port security**.** In the event that the private sector’s optimal contribution to port security should exceed that accounted for by current regulations, then new mechanisms should be used to draw additional money from business. In this case, taxes on port activity or on the goods movement industry may be necessary to offset government expenditures on port-related activities. The converse is also true: The optimal financing of port security may, in the end, require a transfer from general government revenues to the ports. We also find a role for government participation in terrorism insurance markets. In particular, with respect to insuring the ports, there is scope for government support of the private insurance market and for some subsidization of insurance premiums by the federal government.

# 2AC Blocks

## Topicality

### 2AC – Transportation Infrastructure

#### Port Security Grant Program directly invests in Transportation Infrastructure

CFDA, No Date Given(Catalog of Federal Domestic Assistance, “Port Security Grant Program”, https://www.cfda.gov/?s=program&mode=form&tab=step1&id=6f8d5141a3f6455eb4236957a2d860b2)

The FY 2012 PSGP plays an important role in the implementation of Presidential Policy Directive 8 (PPD-8) by supporting the development and sustainment of core capabilities. Core capabilities are essential for the execution of each of the five mission areas outlined in the National Preparedness Goal (NPG). The development and sustainment of these core capabilities are not exclusive to any single level of government or organization, but rather require the combined effort of the whole community. The FY 2012 PSGP supports all core capabilities in the Prevention, Protection, Mitigation, Response, and Recovery mission areas based on allowable costs. Grantees under FY 2012 PSGP are encouraged to build and sustain core capabilities through activities such as: • Enhancing Maritime Domain Awareness (MDA) • Enhancing Improvised Explosive Device (IED) and Chemical, Biological, Radiological, Nuclear, Explosive (CBRNE) prevention, protection, response and supporting recovery capabilities • Port Resilience and Recovery Capabilities • Training and Exercises • Transportation Worker Identification Credential (TWIC) Implementation. Types of Assistance (060): Cooperative Agreements Uses and Use Restrictions (070): The Port Security Grant Program (PSGP) is one of the Department of Homeland Security’s (DHS) FY 2012 grant programs which directly support transportation infrastructure security activities. The PSGP is one tool in the comprehensive set of measures authorized by Congress and implemented by the Administration to strengthen the Nation’s critical infrastructure against risks associated with potential terrorist attacks. The vast majority of U.S. critical infrastructure is owned and/or operated by State, local, and private sector partners. The PSGP funds available to these entities are intended to support increased port-wide risk management; enhanced domain awareness; training and exercises; expansion of port recovery and resiliency capabilities; and further capabilities to prevent, detect, respond to, and recover from attacks involving improvised explosive devices (IEDs) and other non-conventional weapons; and competitively award grant funding to assist ports in obtaining the resources required to support the NPG’s associated mission areas and core capabilities. PSGP grant recipients and sub-recipients may only use PSGP grant funds for the purpose set forth in the grant, and must be consistent with the statutory authority for the award. Grant funds may not be used for matching funds for other Federal grants/cooperative agreements, lobbying, or intervention in Federal regulatory or adjudicatory proceedings. In addition, Federal funds may not be used to sue the Federal government or any other government entity. Pre-award costs are allowable only with the written consent of DHS and if they are included in the award agreement. Federal employees are prohibited from serving in any capacity (paid or unpaid) on any proposal submitted under this program. Federal employees may not receive funds under this award. In FY 2012, the total amount of funds distributed under this grant program will be $97,500,000. The FY 2012 PSGP funds will be allocated based on the funding priorities outlined in FY 2012 PSGP Funding Opportunity Announcement (FOA).

PSGP invests in transportation infrastructure

**Catalog of Federal Domestic Assistance 2012** [CFDA, a government-wide compendium of Federal programs, projects, services, and activities that provide assistance or benefits to the American public. It contains financial and nonfinancial assistance programs administered by departments and establishments of the Federal government, “Port Security Grant Program”, no date is given however, it is in the context of/descriptive of fiscal year 2012, https://www.cfda.gov/?s=program&mode=form&tab=step1&id=6f8d5141a3f6455eb4236957a2d860b2, MR]

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#### The plan falls under transportation infrastructure

FEMA 7/2 (*Federal Emergency Management Agency* (*FEMA*) is an agency of the United States Department of Homeland Security; FY 2012 Port Security Grant Program (PSGP)**;** 7-2-2012**;** http://www.fema.gov/government/grant/psgp/)

As appropriated by the Consolidated Appropriations Act, 2012, Division D (Public Law 112-74), the Port Security Grant Program (PSGP) is one of the Department of Homeland Security’s (DHS) FY 2012 grant programs which directly supports transportation infrastructure security activities.

#### Ports are part of maritime transportation and predictably important

Lagoudis 2k (Dr. Ioannis N. Lagoudis holds a first degree in Economics (1998) from the National and Capodistriac University of Athens. He obtained both his MSc (1999) and Ph.D. (2003) from Cardiff Business School at Cardiff University, Wales, specializing in Transport Logistics and Supply Chain Management. He has published a number of papers in conferences and academic journals such Transportation Journal, European Business Review, International Journal of Transport Management and Maritime Policy and Management. He is an appointed lecturer at the Department of Shipping Trade and Transport at the University of the Aegean and at the School of Social Sciences at the Hellenic Open University. “[THE ROLE OF PORTS IN MODERN SUPPLY CHAIN STRATEGIES](http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCcQFjAA&url=http%3A%2F%2Fwww.porteconomics.gr%2Findex.php%3Foption%3Dcom_docman%26task%3Ddoc_download%26gid%3D161%26Itemid%3D61&ei=QfwGUPbHAsenrQGLy6iyCA&usg=AFQjCNGFmD-XZoFvCU8d2D84icAJDkieHA&sig2=tmk-wzBpWsLonoKSKasRBg);” ELNAVI July 2000 http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCcQFjAA&url=http%3A%2F%2Fwww.porteconomics.gr%2Findex.php%3Foption%3Dcom\_docman%26task%3Ddoc\_download%26gid%3D161%26Itemid%3D61&ei=QfwGUPbHAsenrQGLy6iyCA&usg=AFQjCNGFmD-XZoFvCU8d2D84icAJDkieHA&sig2=tmk-wzBpWsLonoKSKasRBg)

Ports’ role in the distribution of goods and commodities is increasing constantly as the significance of the maritime transport industry in global transportation increases at a constant pace. The demand for sea transportation is estimated to increase in the future as globalisation forces companies to adopt global strategies in order to expand their business. Sea transport is the adequate way of transportation as it is the cheapest and most effective and efficient mode. Therefor the role of sea port terminals will increase, as they will need to adapt to these oncoming changes in order to be able to stay in business.

#### Maritime transportation is under the jurisdiction of the Transportation and Infrastructure Committee

Mica (no date given) (John L. Mica is the Chairman of the House Transportation and Infrastructure Committee; The Transportation and Infrastructure Committee

http://transportation.house.gov/singlepages.aspx/764)

The Transportation and Infrastructure Committee currently has jurisdiction over all modes of transportation: aviation, maritime and waterborne transportation, roads, bridges, mass transit, and railroads. But the Committee has jurisdiction over other aspects of our national infrastructure, such as clean water and waste water management, the transport of resources by pipeline, flood damage reduction, the economic development of depressed rural and urban areas, disaster preparedness and response, activities of the Army Corps of Engineers and the various missions of the Coast Guard. ¶ When combined, these areas of jurisdiction provide a comprehensive view of how communities across the United States are connected to one another, how infrastructure affects the growth and flow of commerce at home and abroad, and how an effective government can improve the lives of its citizens.¶ The Transportation and Infrastructure Committee, with 59 Members, is one of the largest committee in Congress. Its six subcommittees are:¶ Aviation¶ Coast Guard and Maritime Transportation¶ Economic Development, Public Buildings and Emergency Management¶ Highways and Transit¶ Railroads, Pipelines and Hazardous Materials¶ Water Resources and Environment¶

### 2AC – Investment

Grants are investments

The Chattanoogan 2 (The Chattanoogan is a source for local news in Tennessee; “Chamber Facilitates Infrastructure Grants For UnumProvident Expansion;” June 22, 2002; http://www.chattanoogan.com/2002/6/22/23276/Chamber-Facilitates-Infrastructure.aspx)

Steve Hiatt of the Chamber¹s Economic Development department acted as liaison between UnumProvident and the Tennessee Department of Economic and Community Development (ECD) to coordinate the application for the Tennessee Industrial Infrastructure Program (TIIP) grants for infrastructure and employee training. Hiatt briefed ECD Commissioner Tony Grande on UnumProvident¹s need for infrastructure and training assistance, showing how the expansion project met state guidelines for incentive grants and arranged for a meeting between Grande and UnumProvident CEO Harold Chandler to discuss the state assistance. "The state¹s training and infrastructure grants are investments in present and future economic and community development that will ensure our state maintains a bright business climate where companies can succeed," said Grande. "We are excited about UnumProvident¹s expansion plans, and are pleased to provide this assistance to both the county and the company."

### 2AC – Ports = Central to Topic

**Ports are key to basic advantage ground**

**Corbett and Winebrake 8** (James J. Corbett and James Winebrake are Energy and¶ Environmental Research Associates; “The Impacts of Globalisation¶ on International Maritime¶ Transport Activity” http://www.oecd.org/dataoecd/10/61/41380820.pdf)

In this chapter, we will first discuss the symbiotic relationship between globalization and maritime shipping, whereby globalization has increased the demands for maritime shipping, while maritime shipping (as an integrated component in a larger goods movement system) has more fully enabled globalization. Next, we will discuss the energy use and environmental consequences that maritime shipping has had on global, regional, and local ecosystems. Finally, we will present some ideas on how maritime shipping may proceed to contribute to globalized markets in a manner that limits adverse environmental impacts. We expect that over the coming decades, the maritime industry is likely to transform again in response to a globalized understanding of environmental and energy issues. ¶ **2. Maritime Shipping and Goods Movement** ¶ 4. Global goods movement is a critical element in the global freight transportation system that includes ocean and coastal routes, inland waterways, railways, roads, and air freight. In some cases, the freight transportation network connects locations by multiple modal routes, functioning as modal substitutes (see Figure 1a). A primary example is containerized shortsea shipping, where the shipper or logistics provider has some degree of choice how to move freight between locations. However, international maritime transportation is more commonly a complement to other modes of transportation (see Figure 1b). This is particularly true for intercontinental containerized cargoes and for liquid and dry bulk cargoes, such as oil and grain. Here, international shipping connects roads, railways, and inland waterways through ocean and coastal routes.

#### Maritime transportation is a vital component of the topic

**Corbett and Winebrake 8** (James J. Corbett and James Winebrake are Energy and¶ Environmental Research Associates; “The Impacts of Globalisation¶ on International Maritime¶ Transport Activity” http://www.oecd.org/dataoecd/10/61/41380820.pdf)

Marine transportation is an integral, if sometimes less publicly visible, part of the global economy. The marine transportation system is a network of specialized vessels, the ports they visit, and transportation infrastructure from factories to terminals to distribution centers to markets. Maritime transportation is a necessary complement to and occasional substitute for other modes of freight transportation. For many commodities and trade routes, there is no direct substitute for waterborne commerce. (Air transportation has replaced most ocean liner passenger transportation and transports significant cargo value, but carries only a small volume fraction of the highest value and lightest cargoes; while a significant mode in trade value, aircraft move much less global freight by volume, and at significant energy per unit shipped.) On other routes, such as some coastwise or shortsea shipping or within inland river systems, marine transportation may provide a substitute for roads and rail, depending upon cost, time, and infrastructure constraints. Other important marine transportation activities include passenger transportation (ferries and cruise ships), national defense (Naval vessels), fishing and resource extraction, and navigational service (vessel-assist tugs, harbor maintenance vessels, etc.).

## Disadvantages

### 2AC – Obama Good

#### Nobody in congress opposes spending for maritime security

**Brown 1** – Cathy, associated press writer (New Session, Old Resolution, 2/18/01, <http://peninsulaclarion.com/stories/021801/new_021801news0020001.shtml>

They've asked the governor to declare November as Avalanche Awareness Month. And the Senate on Friday urged Congress to fully fund the operational readiness and recapitalization requirements of the U.S. Coast Guard. Sen. Kim Elton, D-Juneau, calls the measures ''political puffery.'' ''We could be doing an awful lot more on issues that are important if we kind of pushed to the side political statements on issues that we have no control over,'' Elton said. ''You show resolve when you don't have anything else to show, anything substantive to show,'' said House Minority Leader Ethan Berkowitz, D-Anchorage. But Rep. Peggy Wilson, R-Wrangell, said she thinks resolutions do matter in Washington, D.C., where many of them are directed. ''They hear a lot, they get lots of individual concerns, but if a state can pull together as a whole and the state Legislature sends something, that tells them much more than if just one person tells them something,'' Wilson said. She's on five committees, three subcommittees and three caucuses and said she wouldn't have spent time sponsoring a resolution on the roadless policy if she didn't think it could make a difference. The policy banning road-building in the Tongass hurts the already suffering timber industry in Southeast Alaska, she said. ''Economically, my district is struggling,'' Wilson said. ''It's like somebody that is drowning and we're just crying out for help any way we can.'' Resolutions often take positions that are widely accepted by Alaskans and are approved with near unanimity. **No one in the Senate opposed the idea of funding the Coast Guard**. And Sobriety Awareness Month and African-American Citizen Recognition Month likely won't draw any no votes either. ''It trains the Democrats in the minority to vote yes,'' joked Senate Majority Leader Loren Leman, R-Anchorage. He's pushing five resolutions, ranging from expressing support for repealing the federal marriage tax penalty to asking the Air Force to deploy F-22 Raptor aircraft at Elmendorf Air Force Base. The congressional delegation at times has asked for the Legislature to indicate its support on issues, Leman said. U.S. Rep. Don Young, R-Alaska, sought the statement of support for the Coast Guard funding, he said.

#### Congress likes the plan they want more port security

John F. Frittelli, Specialist in Transportation, Resources, Science, and Industry Division, 5-27-05, “Port and Maritime Security: Background and Issues for Congress”, CRS Report for Congress, <http://opencrs.com/document/RL31733/>, ACC: 9.23.11, p. online

The challenge of port security raises several potential issues for Congress. Some Members of Congress, who have introduced their own versions of maritime security legislation, are concerned that MTSA does not go far enough in its requirements. In addition to considering further port security legislation, Congress is debating whether the federal government is providing enough funds to port authorities and border agencies for improving port security. Congress is also considering how to pay for port security.

#### Plan popular with congress and public

**Battle 09** – Chris, member and writer for afero group (August 11, 2009, <http://securitydebrief.com/2009/08/11/unregulated-small-boats-pose-greatest-vulnerability-to-us-maritime-security-says-coast-guard-commandant/>, Afero Group)

Admiral Thad Allen, commandant of the U.S. Coast Guard, has been on a mission for going on three years now: To raise awareness of the security vulnerabilities presented by small boats on America’s largely unregulated and unrestricted waterways. It’s a tougher mission than you might think. When the man responsible for protecting our waterways speaks about his number-one priority, people listen right? Well, that depends. As Allen notes, recreational boating is big business in the United States. And boaters bristle at the notion of new regulations. Some, Allen observed, even seem to think the right to go where you want in a boat is carved right into the Constitution, part of the Bill of Rights up there with gun-ownin’ and free speechifying. And just about every congressional district has its share of water – whether in the form of coastline, rivers, lakes, ports, gulfs, flooded streets or what have you. Which means the politics of regulating small boats ain’t, as they say, bean bag. After all, what member of Congress in his or her right mind would want to go back to an angry district and take a stand on a potentially explosive national reform issue. …Er, okay, let’s rephrase that … what member of Congress in his or her right mind wants to go and take another whuppin’ from voters and constituents on something like recreational boating after the scars they’ve gotten in the health care debate? So what’s the political answer? The usual … ignore the problem until you just can’t ignore it anymore. Toss in a red herring, if necessary. Congress has done both. Despite repeated testimony from the Commandant about the need to address small-boat vulnerabilities in the United States, Congress has failed to even establish a serious conversation on this issue. Instead, the entire maritime and port security focus of the political class has been an unhealthy obsession with cargo security. Not that cargo security itself is an unhealthy obsession – but the overly simplistic solution legislated out of Washington was to mandate the scanning of 100 percent of all cargo entering the United States. Yes, that’s right, every one of the 12 million or so containers entering the country’s ports every year. Unlike telling weekend boaters that they may need to register their watercraft, telling the private sector that it must find a way to scan every piece of cargo is a politically popular position that comes with no (direct) cost to the federal government. Never mind that it would likely cripple the supply chain and result in less security over the long run. As Allen has previously (and repeatedly) observed: Small boats pose a greater threat to port security than the “nuke in a box” scenario. “All of our threat and vulnerability assessments for the major ports around this country tell us that while containers are important, we may be thinking too container-centric since the events of 9/11, and the notion of a water-borne improvised explosive device needs to be dealt with,” Allen told an audience of the [Surface Navy Association](http://www.nationaldefensemagazine.org/archive/2007/March/Pages/SecurityBeat2709.aspx). While Congress is urging that untold resources be dedicated to examining the contents of millions of cargo containers (regardless of the likely threat level of individual containers and shipments), a terrorist could simply motor an explosive device via a small boat right up to a liquid gas facility. Or just about anything else. Because there is no – none, nada, zip – regulatory infrastructure in place to prevent it.

## Counterplans

### 2AC – States Counterplan

**Solvency deficit-states can’t prioritize risks and slow down the grant process\*\*\***

John M. Holmes 3/7/2012- Deputy Executive Director of Operations¶ Port of Los Angeles (Testimony Before¶ The United States House of Representatives¶ Appropriations Committee¶ Subcommittee on Homeland Security, ““Budget Hearing - Federal Emergency Management Agency –¶ Director and State & Local Witnesses” <http://appropriations.house.gov/uploadedfiles/hhrg-112-ap15-jholmes-20120307.pdf>)

Moving the funding to the states is also a big concern for AAPA. Port security is focused ¶ on protecting international borders. This is a federal responsibility, not a state ¶ responsibility. Many States don’t have the personnel or expertise to evaluate maritime ¶ risks or determine how ports should be prioritized against other homeland security ¶ priorities in the state. The risk evaluations for ports are made at the federal level by the ¶ U.S. Coast Guard and other federal agencies. We are also concerned that this would¶ increase the complexity in grant management and slow a process that is already ¶ recognized as cumbersome.¶ Not only does a second or potentially third pass-through layer (the State or municipal ¶ government, respectively) mandate its own sets of compliance requirements on top of ¶ Code of Federal Regulations and Office of Management and Budget Circulars, it also ¶ creates unnecessary cogs in the administration that slows down our ability to spend, ¶ execute, and deliver. Moving funds to the states would compromise program efficiency ¶ and effectiveness. If, however, a decision is made to consolidate the program and move it ¶ to the states, AAPA strongly urges your Committee to allocate a set amount of funding for ¶ the program to ensure that funding for port security is not diluted further.

**States can’t do the aff—lack of perspective and politics\*\*\***

Joseph Bouchard 6 (Executive Director of the Center for Homeland Security and Defense (CHSD) upon retiring as a United States Navy Captain in 2003 after twenty-seven years of active duty service gained wide recognition as an expert on port security while Commanding Officer of Naval Station Norfolk, “New Strategies to Protect America: Safer Ports for a More Secure Economy”, Published by the Center for American Progress, 2006, p. 21-22, <http://www.americanprogress.org/kf/port_security.pdf>)

pg. 21-22

Allocate grants directly to recipients. Responding to intense pressure from state governments,38 the Bush Administration has proposed that TIP funds be allocated to the states.39 State governments would then decide which TIP grant applications would be funded, simply shifting the competition for grant funds from the federal to the state level, where the competition will be much more politicized. There are a number of reasons to retain the current distribution method. The U.S. Coast Guard is responsible for MTSA implementation and also reviews, along with the Maritime Administration, Customs and Border Protection and others, all port security grant applications. It is in the best position to match available funding with port security priorities. No comparable national maritime perspective exists at the state level. States should be consulted as called for in the current port security grant guidance.40 However, given the unique national economic impact that ports have, and the on-going federal responsibility for implementation (and authority to sanction any port or facility not in compliance), it makes sense to maintain a centralized approach.

**Solvency deficit- places port security at a low funding priority and under bad regulations**

John M. Holmes 3/7/2012- Deputy Executive Director of Operations¶ Port of Los Angeles (Testimony Before¶ The United States House of Representatives¶ Appropriations Committee¶ Subcommittee on Homeland Security, ““Budget Hearing - Federal Emergency Management Agency –¶ Director and State & Local Witnesses” <http://appropriations.house.gov/uploadedfiles/hhrg-112-ap15-jholmes-20120307.pdf>)

In regards to the future of this program, in February, the FEMA Grants Directorate

released a vision document that outlined its plan to consolidate 16 separate grant

programs into one National Preparedness Grant program starting in FY 2013 that would¶ send the money to the states for distribution. AAPA believes this would make port security ¶ programs an even lower priority and urges your Committee to keep the program separate ¶ as you do for Firefighter Assistance grants. Port Security Grants are managed quite differently than other homeland security grants. ¶ Priorities are set locally, based on the risks and vulnerability of the local port area. Other ¶ homeland security grants have a list of core capabilities, which all grantees try to attain. ¶ This capabilities list is based more on movable and shared assets rather than set facilities. ¶ There is no such list of core capabilities for port security grants and the ones developed for ¶ other grant programs were not developed with ports in mind. Additionally, ports have ¶ certain federal mandates, such as TWIC readers, that they must comply with, and the cost ¶ of those requirements will not be fully felt until Coast Guard issues its final regulations.¶

**States don’t have the money to invest in port security**

Stephen Flynn 6 (President of the Center for National Policy and CISAC Consulting Professor at Stanford, “Port Security Is Still a House of Cards” 3/9/2006 <http://www.cfr.org/port-security/continued-vulnerability-global-maritime-transportation-system/p10074>)

In addition to a sustained and systematic effort to bolster the security of the global intermodal transportation system by advancing the use of NII equipment in overseas ports, the White House and Congress must simultaneously invest in securing America’s neglected waterfront. There are seven things that must be done right away. First, over the next 18 months, the Department of Defense must work closely with the U.S. Coast Guard, now part of the Department of Homeland Security, and with local authorities in organizing and participating in exercises that involve simulated attacks on the nation’s largest commercial seaports. The training should focus on identifying what is required to quickly restore the operations of the port in the aftermath of a successful attack. These exercises and planning efforts must be a joint DoD-DHS effort, and should also include international maritime industry observers who will be affected by a major U.S. port closure as well and will need to take the lead on making the appropriate near-term adjustments to reduce the risk of a system failure. Second, DoD needs to take the lead on funding and setting up joint operations centers in all major U.S. commercial ports: to outfit them with advanced information and communications technology that support surveillance and data sharing, and to provide the necessary training to the local, state, and federal agency participants. The resources and skill sets to accomplish this is concentrated within the national security community. It would be too costly and time consuming to try and develop these capabilities without the support of the military. This should be completed by 2007. Third, the U.S. Navy should reposition one of its two salvage ships in Norfolk, Virginia to the West Coast and take the lead in drawing up commercial salvage contracts to support domestic harbor clearance. Over the next five years, the Navy should double its salvage fleet from four vessels to eight, and base two of them on the West Coast, two on the Gulf Coast, and two on the East Coast. The remaining two can be deployed overseas to support navy operations. Fourth, the National Oceanographic and Atmospheric Administration (NOAA) hydrographic research vessels should receiving additional funding to complete bottom surveys of the all the major U.S. commercial seaports. This baseline information is indispensable in quickly spotting mines should an adversary deploy them. Without it, the centuries of junk that lay on the floors of most harbors have to be examined by divers to determine if they pose a risk. This post-mining examination could take many weeks or even months in the absence of current bottom survey data. Fifth, the Coast Guard needs to see a doubling to $2.0 billion of the annual funding to replace its ancient fleet of vessels and aircraft, and to bring its command and control capabilities into the 21st century. Many of its cutters, helicopters, and planes are operating long beyond their anticipated service life and are routinely experiencing major casualties. Under the current delivery schedule, it will be 20-25 years before it has the kind of assets it needs today to perform its mission. This could leave a two-decade gap in capability as the existing fleet becomes too decrepit and dangerous to operate. Sixth, Congress should authorize the reallocation of all the duties and fees that are collected in seaports to go back into the ports to support security upgrades and infrastructure improvements. Currently, ports are the only transportation sector where the federal government is parasitic. That is, unlike airports and highways, the federal treasury takes more money away than its returns. According to the Coast Guard, seaports need to invest upwards of $5 billion to put in place minimal access control and physical security measures. Neither the ports nor their city or state governments have those kinds of resources. Finally, the Customs and Border Protection Agency should receive $20 million in additional funding to expand the information technology capabilities and staffing at its national targeting center so that it can manage the NII scanning data collected in overseas terminals.

Fed key- coordination and resources

Jon D. Haveman and Howard J. Shatz 2006- Director of the Economy Program at the Public Policy Institute of  California and Senior Economist; Professor, Pardee RAND Graduate School (Protecting the Nation’s Seaports: Balancing Security and Cost, Pg 50, <http://www.ppic.org/content/pubs/report/r_606jhr.pdf>)

Third, better policy guidance is needed. The U.S. government has demanded the implementation of multiple programs simultaneously, without setting priorities. This leaves the setting of priorities in the hands of senior government officials, who may have fine judgment but who also can be unfairly blamed by politicians for mistakes they may make in the absence of political guidance. Responsibility for program priorities belongs to elected officials—first to the federal executive branch and its agencies for designing strategy and implementation and to the Congress to allocate sufficient money to meet national goals. But even at the state and local levels, there is room for priority-setting, especially in the design of incident response and in ensuring a risk-based allocation of money and personnel.

**Only the federal government has the resources and mechanism**

Joseph Bouchard 6 (Executive Director of the Center for Homeland Security and Defense (CHSD) upon retiring as a United States Navy Captain in 2003 after twenty-seven years of active duty service gained wide recognition as an expert on port security while Commanding Officer of Naval Station Norfolk, “New Strategies to Protect America: Safer Ports for a More Secure Economy”, Published by the Center for American Progress, 2006, p. 25, <http://www.americanprogress.org/kf/port_security.pdf>)

Port security is a national imperative and requires a national approach. Since the benefits of maritime operations extend to 50 states, we should have a system where the costs of better security are shared across the country. That is what a genuine partnership really does. The federal government, states, municipalities and private owners and operators are now all players in our global system of commerce and all have responsibilities to help secure it. But only the federal government can set up appropriate mechanisms so that the burden is spread appropriately across the system and is thus sustainable over the long-term. The current approach fails to achieve that goal. A new approach is necessary. Although MTSA was badly needed to correct the long-standing neglect of maritime transportation security, one year later it is clear that serious flaws that must be corrected if we are to achieve effective security and, more importantly, robust ability to minimize the consequences of a terrorist attack. Implementation of MTSA has been hampered by the Bush Administration’s reluctance to devote adequate resources to the task. Because maritime transportation security is an unfunded mandate, we are less secure and more vulnerable than we should be as we approach the fourth anniversary of September 11. Now is the time to rectify these shortcomings, before rather than after another successful terrorist attack.

Effective port security requires a paradigm shift to interagency cooperation led by the DHS and DOD

**Lane 2009** [Drefus, Colonel in the US Army, “U.S. Seaport Security: Critical Challenge for Department of Homeland Security”, 2/4/2009, US Army War College, <http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA499287>, MR]

Achieving U.S. seaport security requires several joint endeavors. As this analysis¶ has shown, **securing the U.S. seaports is not a single integrated mission, but a¶ multifaceted set of assorted missions and functions** that must be performed jointly by¶ federal, state, local, and a host of other organizations. DHS has expanded its area¶ borders outward so that ports can identify, interdict, and prevent suspicious cargo from¶ directly threaten our country. DHS requires information and intelligence on every single¶ U.S. bound shipping container before it has been loaded onto a foreign ship. CBP¶ officers are “stationed at 58 overseas ports [that account] for 86 percent of the container¶ traffic that comes to the United States. [DHS has] deployed equipment overseas to scan¶ cargo for radiation before it leaves for our country [and has] proposed new regulations¶ to collect more commercial data from the private sector [to] better track international¶ shipments.”¶ 36**¶ DHS is currently developing a comprehensive national strategy that will¶ provide a roadmap for joint, integrated action and for realizing the leverage and synergy¶ that is attainable only through joint operations with international, federal, state, and local¶ participants to include the DOD. This master plan plays a critical role in securing the¶ homeland.¶** **U.S. port security requires joint operational concepts**. Despite the large number¶ of federal homeland security strategies disseminated in the wake of 9/11, none provide¶ “clear joint or interagency operating concepts. These policy documents provide general¶ guidance regarding the goals of homeland security and the need to share information15¶ and coordinate, but none recommend the formulation of a joint operations concept.”¶ 37¶ This is an incredible strategic gap, considering the widespread “perception that DHS¶ was created in order to ‘consolidate’ federal homeland security efforts.”¶ 38¶ **Port security efforts must be adequately resourced**. **This means** more than just¶ providing funding to agencies at the federal and state levels, such as **funding the Coast Guard for port security operations and deployments, or** **hardening physical assets and infrastructures, or adding personnel and improving equipment.** **Port security requires a paradigm shift**. The immediate national response must focus on creating U.S. concepts¶ for joint or interagency operations and on processes in place to sustain and maintain¶ nation-wide capabilities for port security. The need to ensure and enable a safer¶ America and its seaports is evident from the studies and commissions conducted after¶ 9/11. There are many common-sense measures being implemented to protect our¶ ports. New restrictions and regulations are implemented for seaports and maritime¶ facilities throughout the nation. Companies are required to file security plans with the¶ Coast Guard that identifies its vulnerabilities along with a feasible, suitable, and¶ acceptable plan to mitigate risk. Nearly 80,000 maritime employees are enrolled into the Transportation Identification Credential (TIC) program by the Coast Guard. There are considerable improvements in container management at the ports; virtually all¶ containers are scanned for radiation upon their arrival to prevent the entry of potential¶ weapons of mass destruction. Prior to 9/11, no cargo was scanned.”¶ 39¶ Securing the¶ homeland is not a single integrated mission but a complex set of diverse missions and¶ functions performed jointly by a number of organizations facing potential threats which¶ could occur in locations nationwide. **The success of homeland security hinges on16¶ cooperation and coordination of multiple independent elements acting at different levels**.¶ **DHS and its security partners face the challenge of devising a comprehensive national¶ strategy that is a roadmap for joint, integrated action and for realizing the leverage and¶ synergy that is attainable only through joint operations of federal, state and local parties**.¶ **DOD is a significant participant in this endeavor; its enormous capabilities can be¶ skillfully incorporated in the overall security strategy.**

### 2AC – Privatization Counterplan

No economic incentive for the private sector

Jon D. Haveman and Howard J. Shatz 2006- Director of the Economy Program at the Public Policy Institute of  California and Senior Economist; Professor, Pardee RAND Graduate School (*Protecting the Nation’s Seaports: Balancing Security and Cost,* Pg 30-31, http://www.ppic.org/content/pubs/report/r\_606jhr.pdf)

¶ Finally, government can focus its development efforts on those¶ technologies that commercial sources are least likely to develop. Private¶ businesses are keen to adopt and use tracking technology so that they¶ know where goods are and whether they are being pilfered. However,¶ private businesses are not so interested in producing technology that will¶ detect threats to the entire maritime system or to the economy as a¶ whole, that will help the entire supply chain operate through a terrorist¶ attack, or that will allow it to be reconstituted quickly—the benefits are¶ too diffuse for any single business to profit from them. However, the¶ benefits are large for society, suggesting that government should pay¶ special attention to technologies such as those that can remotely sense the¶ presence of chemical, biological, radiological, and nuclear agents.

Public good and dual threat

Jon D. Haveman and Howard J. Shatz 2006- Director of the Economy Program at the Public Policy Institute of  California and Senior Economist; Professor, Pardee RAND Graduate School (*Protecting the Nation’s Seaports: Balancing Security and Cost,* Pg 260-261, http://www.ppic.org/content/pubs/report/r\_606jhr.pdf)

The ports’ position as a dual threat represents a vulnerability in the nation’s defense system, one different from those addressed by traditional forms of national defense; the means by which this vulnerability is eliminated also differ. Nonetheless, the prescription for an efficient payment system, for port security in this case, is the same as for national defense. All citizens benefit; therefore, general government revenues are an appropriate source of funding. This prescription for funding is derived from the identification of national defense as a “public good.” Public goods are characterized as non-exclusive and non-rivalrous. They are non-exclusive in that providing the service to one person includes providing the service to others. They are non-rivalrous in that the benefits received by one person from their provision do not detract from the benefits received by another. Public goods are underprovided or inefficiently provided by private markets and are therefore good candidates for government activity. This is particularly evident with national defense, which likely would not be available without a formal government program. The need to protect society from the physical threat of dangerous materiel flowing through the ports and the broader waterborne supply chain is the source of the public goods nature of port security. Terrorism entails an additional threat that is not present with the provision of most public goods. That is, whether a port or some other location is struck, a terrorist attack has costs well above and beyond the economic. As Stephen S. Cohen discusses in Chapter 4 of this volume, there is a real danger of an extreme emotional response by the general public to a terrorist attack. Likening this response to the human body’s autoimmune defenses, he points out that there is the danger of “reactions on our part that are themselves vastly more damaging than the initial terrorist act.” This additional cost strengthens the case for preventing terrorism and its effects and hence strengthens the case for government provision of this public good.

Government insurance is better than private markets- comparative evidence

Jon D. Haveman and Howard J. Shatz 2006- Director of the Economy Program at the Public Policy Institute of  California and Senior Economist; Professor, Pardee RAND Graduate School (Protecting the Nation’s Seaports: Balancing Security and Cost, Pg 268, <http://www.ppic.org/content/pubs/report/r_606jhr.pdf>)

Where private markets fail, governments can intervene. Perhaps the easiest form of intervention would be in the public provision of insurance, with a mandate that all at-risk entities maintain coverage. Where government can efficiently intervene in the case of natural disasters and terrorism is in providing access to actuarially fair premiums for likely victims of such one-time events.14 Governments have the resources available to bear the risk of a bad outcome, whereas a private insurance company likely does not; as well, it has a responsibility to its shareholders to avoid risk it cannot financially support. Providing actuarially fair premiums that reflect security measures at the ports will provide incentives for the investment in better security by the ports, terminal operators, and those along the supply chain. A number of arguments are in favor of government participation in terrorism insurance markets, if not direct provision. These include the potential of widespread economic disruptions from terrorism, the ability of government to achieve greater diversification than private companies, and the fact that governments can have a large influence on terrorism risk through their counterterrorism, defense, and foreign policies.

Fed key- public good

Jon D. Haveman and Howard J. Shatz 2006- Director of the Economy Program at the Public Policy Institute of  California and Senior Economist; Professor, Pardee RAND Graduate School (*Protecting the Nation’s Seaports: Balancing Security and Cost,* Pg 260, http://www.ppic.org/content/pubs/report/r\_606jhr.pdf)

The dual security threat—to ports themselves and to the country as a whole through the ports—makes port security susceptible to elements of three market failures, which in turn suggests a role for government financing or regulation. These market failures include the provision of a public good, national security; a negative externality, the danger introduced to the rest of the country by maritime activities; and the absence of a market through which the ports could insure against terrorism related damages.

### 2AC – Private Insurance Counterplan

**Private insurance fails- adverse selection, moral hazard, inaccurate risk forecasting and lumpiness of events**

Jon D. Haveman and Howard J. Shatz 2006- Director of the Economy Program at the Public Policy Institute of  California and Senior Economist; Professor, Pardee RAND Graduate School (Protecting the Nation’s Seaports: Balancing Security and Cost, Pg 267, <http://www.ppic.org/content/pubs/report/r_606jhr.pdf>)

The private provision of insurance for events similar to a terrorist attack has been tried and found unprofitable in the past.9 There are five factors working against the success of these efforts: adverse selection, moral hazard, inaccurate risk forecasting, the lumpiness10 of the events, and the undervaluation of insurance by potential victims. Adverse selection results from the likelihood that only those most at risk of a flood, earthquake, or terrorist attack will purchase the insurance. Therefore, the private providers of such insurance will have difficulty spreading the risk sufficiently so that the premiums are affordable. The moral hazard arguments suggest that, having purchased the insurance, individuals will invest too little in other protection or will locate in areas that are subject to even greater risk than otherwise would have been the case. The inability to accurately forecast the risk of a terrorist attack is another contributing factor in preventing the profitable functioning of this insurance market.11 The insurance industry has gotten better at estimating what its losses might be from a terrorist event, but estimating the probability of such an event remains extremely murky.12 In their desire to insulate themselves from inaccurate forecasts of risk, private insurance companies will likely overprice coverage, leading to lower takeup rates. That terrorist events are lumpy further adds to the difficulty in profiting from this type of insurance provision. Private insurance generally functions well when there is independence of risk among the insured. Consider one million homes, each of which faces some small probability of a house fire that would create a large loss. For insurance against that loss, each homeowner would gladly pay a premium equal to the expected value of that loss, meaning the value adjusted for the probability of the event. If the probability that one house catches fire is independent of the probability that any other catches fire, an insurance company can offer each a policy with that premium and have a very certain income stream. This independence of risk means that the percentage of houses catching fire during any period will always be very close to the probability that any one house catches fire. The insurance company can pool risk and turn individual risk into near aggregate certainty. This pooling does not work with one-time events such as terrorist attacks or natural disasters. The probability that one insured entity is damaged through terrorism is small, but it is not independent of the probability that other insured entities will also be damaged. Therefore, in a given year, the percentage of a company’s insured houses being damaged by terrorism will never be close to the probability that any one insured house is damaged. The probability that any one house is damaged is equal to the probability of an attack, whereas the percentage of a company’s insured homes damaged in the event of an attack will be either zero or some number much higher than the probability of an attack. So, pooling risks leaves the insurance company facing significant variability in payouts and great uncertainty in its income stream. Providing this insurance is therefore a very risky proposition.

**Private insurance fails- undervaluation of insurance**

Jon D. Haveman and Howard J. Shatz 2006- Director of the Economy Program at the Public Policy Institute of  California and Senior Economist; Professor, Pardee RAND Graduate School (Protecting the Nation’s Seaports: Balancing Security and Cost, Pg 268, <http://www.ppic.org/content/pubs/report/r_606jhr.pdf>)

A final problem, and one that is particularly important with respect to the ports and other forms of infrastructure, is the undervaluation of insurance on the part of potential victims.13 Generally, this problem derives from a lack of perceived vulnerability, which leads to an unwillingness by potential victims to pay for even actuarially fair insurance. In the case of ports, this problem is magnified by their contribution to the functioning of the broader economy. Ports are part of large transportation networks. A disaster at a port will certainly cost that port, but it will also cost all users of the port, with potentially large ripple effects throughout the economy. Without some type of incentive, ports may not take these ripple effects into account and will underinsure.

### 2AC – Customs/Cargo Fee Counterplans

Cargo fees bad--- diverts cargo to airports and international seaports, violates international trade agreements and aren’t equitable

Jon D. Haveman and Howard J. Shatz 2006- Director of the Economy Program at the Public Policy Institute of  California and Senior Economist; Professor, Pardee RAND Graduate School (*Protecting the Nation’s Seaports: Balancing Security and Cost,* Pg 274, http://www.ppic.org/content/pubs/report/r\_606jhr.pdf)

There are two particular objections to this idea, however. First, such a fee could cause shippers to divert some of their cargo to airports or to Canadian or Mexican seaports—such as Vancouver and Halifax in Canada and Manzanillo and Veracruz in Mexico—from where they could be transported by truck into the United States. Second, such fees might violate international trade agreements to which the United States is a party.30As container fees would put U.S. seaports at a disadvantage relative to other modes or ports in other countries, they could result in an inefficient allocation of resources. If this diversion were to reduce the threat or vulnerability from terrorism, it might well be appropriate. However, because we have identified the problem as the process of moving goods rather than the volume of goods moved, our earlier discussion indicates the desirability of some regulation of goods movement practices that would likely result in a smaller reduction in volumes and, hence, less inefficient diversion. We do not address the implications of international agreements for container fees. Although potentially very important, this issue falls within the realm of international politics. It would involve uncertainties about whether any other country would challenge such fees and whether the United States could successfully negotiate the ability to use such fees if there was an unsettled question under international law. Two additional considerations are worth discussing here. The post- September 11 regulation of security is already imposing a substantial financial burden on the goods movement industry. As we indicated in the discussion of economic efficiency, society at large receives substantial benefits from increased security at America’s ports. If user fees are used to offset the contribution derived from general revenues, an inefficient burden could be placed on the ports. In particular, were user fees ultimately to be the only source of government funding for port security, the burden that is rightly imposed on broader society now falls back on the goods movement industry and its beneficiaries.31 Another consideration has to do with equity within the waterborne international shipping community. In particular, the Coast Guard has estimated that a disproportionate share of the security costs over time will be borne by oil terminals. Generating revenue for port security through a container fee or some other general cargo or passenger fee suggests that security at oil terminals would be subsidized, since these terminals would not be subject to such a fee. In addition, oil terminals may not receive appropriate attention and resources if the revenues are disproportionately the result of container traffic. Each of these issues should be carefully considered when evaluating alternative revenue sources.

Diversion of custom duties force tradeoffs with other programs and unrelated to transportation

Jon D. Haveman and Howard J. Shatz 2006- Director of the Economy Program at the Public Policy Institute of  California and Senior Economist; Professor, Pardee RAND Graduate School (*Protecting the Nation’s Seaports: Balancing Security and Cost,* Pg 272-273, http://www.ppic.org/content/pubs/report/r\_606jhr.pdf)

There are three arguments against the use of customs duties, however. First, the undedicated (70%) portion of these duties is already used to pay for other programs, so diverting them will mean cutting those programs. There is no clear indication that the particular programs currently funded by tariff revenue are any better candidates for cutting than are programs not funded by tariff revenues. Second, advocates sometimes discuss duties collected at ports as something generated by ports.26 However, duties are not related to the use of the transportation system. Rather, they are taxes on imports imposed without regard to the mode of transportation.27 Shippers use seaports not because they get a better deal on tariffs there, but because in some cases it is cheaper or more convenient to use ocean transport than air transport (from anywhere in the world) or land transport (from Canada or Mexico). The claim made by seaports as to their entitlement to the collected duties is comparable to that of a large local retailer staking a claim on the sales tax revenue that it generates. Third, diverting duties will create a constituency that wants to retain duties, a position counter to long-term U.S. trade philosophy. The United States has aggressively sought to lower worldwide tariffs since even before World War II, and most recently took the lead on starting a new round of trade liberalization negotiations, the World Trade Organization’s Doha Development Round. Creating a powerful group that benefits directly from tariffs—ports, terminal operators, and other goods movement industry participants—would run counter to six decades of U.S. trade policy.

### 2AC – Local User Fees Counterplan

Competition among ports disincentives local user fees

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A local user fee will have many of the benefits and costs of a national user fee, but with one additional problem. Ports within the United States compete fiercely with each other. Any single port may be reluctant to institute a fee if its competitor ports do not institute the fee, because the fee-charging port will then be more expensive to shippers. It may also become more secure, which could attract business, but the balance of these two effects is uncertain.

# Case Negative

## Case Frontlines

### Solvency Frontline

No Solvency - current grant regulations are too rigid—takes too long and can only be used in a certain way

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The grants program and the handling of labor both illustrate the question of allocations within security categories. Grants cannot be used for the operation of equipment or for training of personnel and must be spent within one year. Port officials consider these terms too rigid. Any new security equipment must be maintained and, often, security enhancing projects can take more than a year to complete. The choice between the purchase of equipment and the maintenance of that equipment is an allocation decision that fits within the framework described above.44 Properly targeting grants has been an issue throughout the development of the U.S. homeland security response. In an evaluation of the federal grant system for first responders, the GAO reported that any effective grant system should target states and localities at greatest risk. “A proclivity to spread money around, unfortunately, may provide less additional net protection while actually placing additional burdens on state and local governments. Given the significant needs and limited federal resources, it will be important to target to areas of greatest need.”45