

American Association of Port Authorities

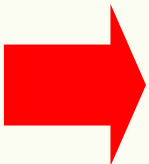
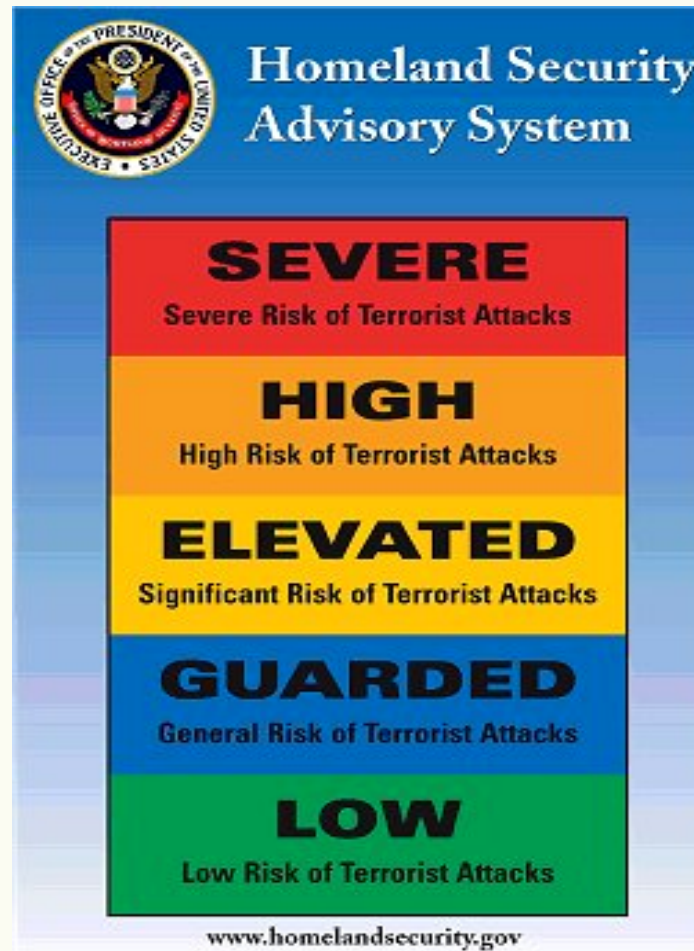
Tools for Managing Homeland Security Risks: The History and Fate of the Terrorism Risk Insurance Act

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Goals

- **Quick Overview of Homeland Security Law**
- **Define Risks Presented by Homeland Security Issues**
- **Discuss Legal Strategies for Reducing Risk**
 - Terrorism Risk Insurance
 - Other

Today's Security Threat Level



The Post 9/11 World

“...[P]reparedness is not a luxury; it is a cost of doing business in the post-9/11 world. It is ignored at a tremendous potential cost in lives, money, and national security.”

Source: National Commission on Terrorist Attacks upon the United States, The 9/11 Commission Report (Final Report/Authorized Edition 2004), at pp. 397-98.

Part I: Development of Homeland Security Law

- **Pre-911**
 - 1993 World Trade Center Bombing
 - Oklahoma City
 - Embassy Bombings
 - USS Cole
- **US Commission on National Security presented initial reports in 1999 suggesting that airlines could be used to attack US interests.**
- **The full Report was presented to President Bush in January, 2001.**
- **This Report eventually became the basis for the Department of Homeland Security and much of the new legislation that comprises the Homeland Security Act and related laws.**



Legislative Response to 9/11

<p>USA Patriot Act – Pub.L. 107-56 10/26/01</p> <p>Provides federal, state and local law enforcement agencies broader discretion in the investigation and prosecution of illegal activities</p> <p>Amends the Bank Secrecy Act to expand who must look for money laundering.</p>	<p>Public Health Security & Bioterrorism Preparedness & Response Act of 2002 – Pub.L. 107-188 6/12/02</p> <p>Provides tools and resources to prevent, prepare for and respond to bioterrorism and public health emergencies</p>	<p>Critical Infrastructure Information Act of 2002 – Part of Pub.L. 107-269 Section 211-215 Title II Subtitle B</p> <p>Encourages private sector entities to share information with DHS pertaining to their particular and unique vulnerabilities and provides limited protection from disclosure under the Freedom of Information Act</p>
<p>Aviation & Transportation Security Act of 2001 – Pub.L. 107-71 11/19/01</p> <p>Improves aviation security</p>	<p>Victims of Terrorism Tax Relief Act of 2001 – Pub.L. 107-134 1/23/02</p> <p>Amends the Internal Revenue Code of 1986 to provide tax relief for victims of the terrorist attacks against the United States on September 11, 2001</p>	<p>Terrorism Risk Insurance Act of 2002 – Pub.L. 107-297 11/26/02</p> <p>Requires all commercial property and casualty lines to include a terrorism insurance option.</p>
<p>Air Transportation Safety and System Stabilization Act of 2001 – Pub.L. 107-42 9/22/01</p> <p>Authorizes \$15 billion in financial assistance to airlines and limit their liability for damages stemming from the September 11 attacks</p>	<p>Support Anti-Terrorism by Fostering Effective Technologies Act of 2002 ("SAFETY Act")</p> <p>– Title VIII Subtitle G of Homeland Security Act of 2002 - Pub.L. 107-296 11/25/02 Section 861-865</p> <p>Protects public and private entities that sell “qualified” anti-terrorism technology from legal and financial risks associated with the deployment of anti-terrorism technology</p>	<p>Maritime Transportation Security Act of 2002 – Pub.L. 107-295 11/25/02</p> <p>Amends the Merchant Marine Act to ensure greater security for U.S. seaports</p>
<p>Enhanced Border Security and Visa Entry Reform Act of 2002</p> <p>Pub.L. 107-173 5/14/02; Pub.L. 107-296 11/25/02</p> <p>Provides additional personnel and resources for border security and amend existing immigration law and procedures</p>	<p>Terrorist Bombings Convention Implementation Act of 2002 - Pub.L. 107-197 6/25/02</p> <p>Establishes compliance requirements to detect, and liability for failure to detect, transactions supporting individuals or groups responsible for funding suspected terrorist organizations</p>	
<p>Homeland Security Act of 2002 – Pub.L. 107-296 11/25/02</p> <p>Establishes the Department of Homeland Security</p>	<p>National Construction Safety Team Act - Pub.L. 107-231</p> <p>Authorizes the Director of NIST to establish National Construction Safety Teams for deployment within 48 hours after events causing the failure of a building that has resulted in or posed significant potential for substantial loss of life</p>	

Part II: Identifying Risks

■ What are the Categories of Risk?

- **Physical Risk** – loss of hard assets (people, property, computers, supply and distribution chains)
- **Legal Risk** –
 - Pre-incident risks: (a) non-compliance, (b) direct business interference (c) market changes
 - Post incident risks: (a) recovery/rebuilding time, (b) 3rd party liability

■ **Homeland Security Compliance and Risk Reduction Planning Touches Every Area Of a Business**

- International Trade
- Import/Export
- Financing
- Immigration
- Contract Negotiations
- Real Estate
- Purchasing
- Governance
- **Insurance**
- HR
- Network Security
- Information Protection

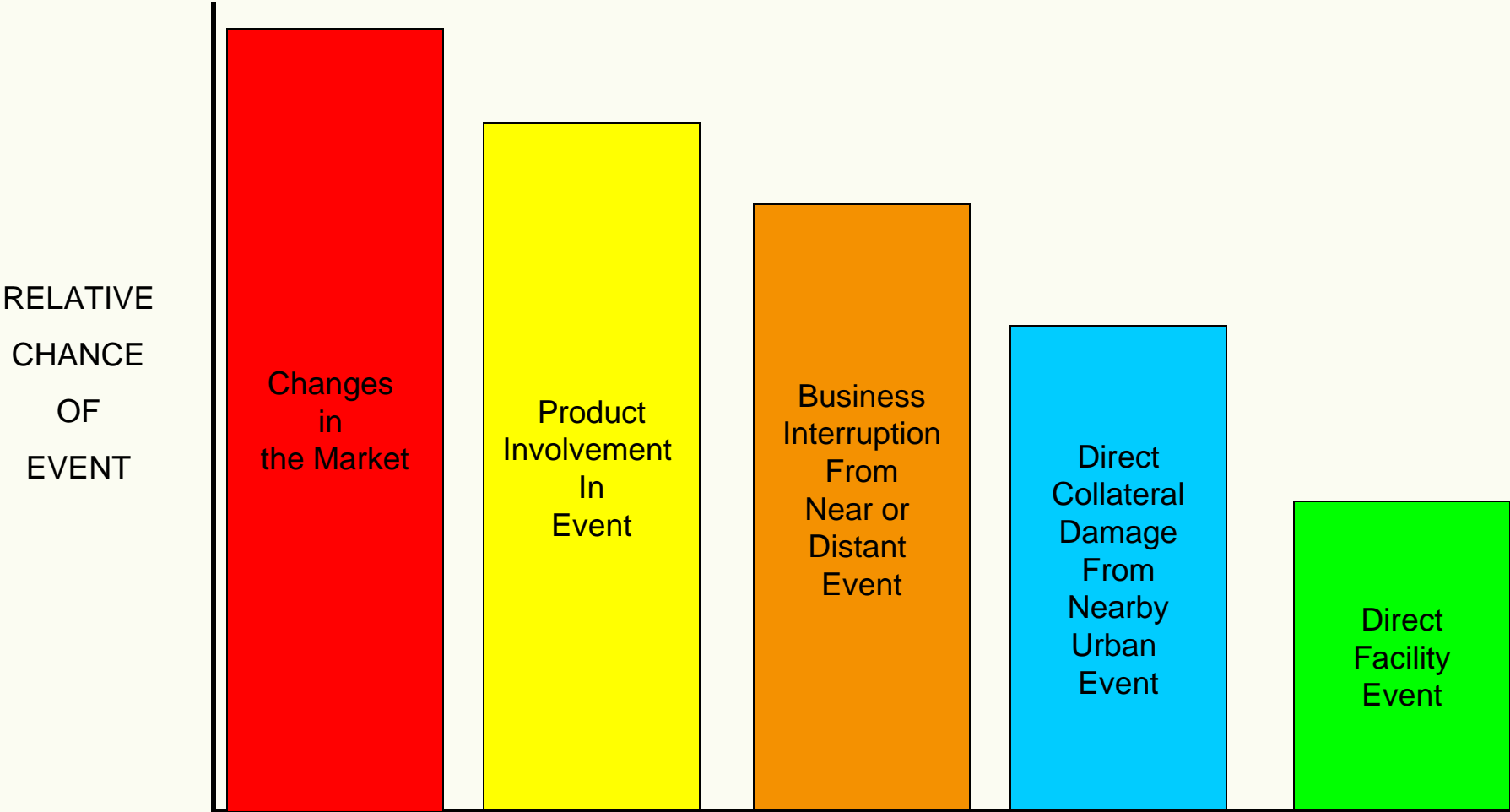
Types of Risks

- Financing
 - Anti-Money Laundering
 - Anti-Terrorism Funding
- Immigration
 - Visa Program
 - Deemed Export Compliance
- Contracts
 - Protective Terms
 - Force Majeure
 - Risk of Loss
- Real Estate
 - Lease Terms
 - Insurance Coverage
- Operations
 - Security Plans
 - Contingency Plans
 - Environmental Controls

Types of Risks

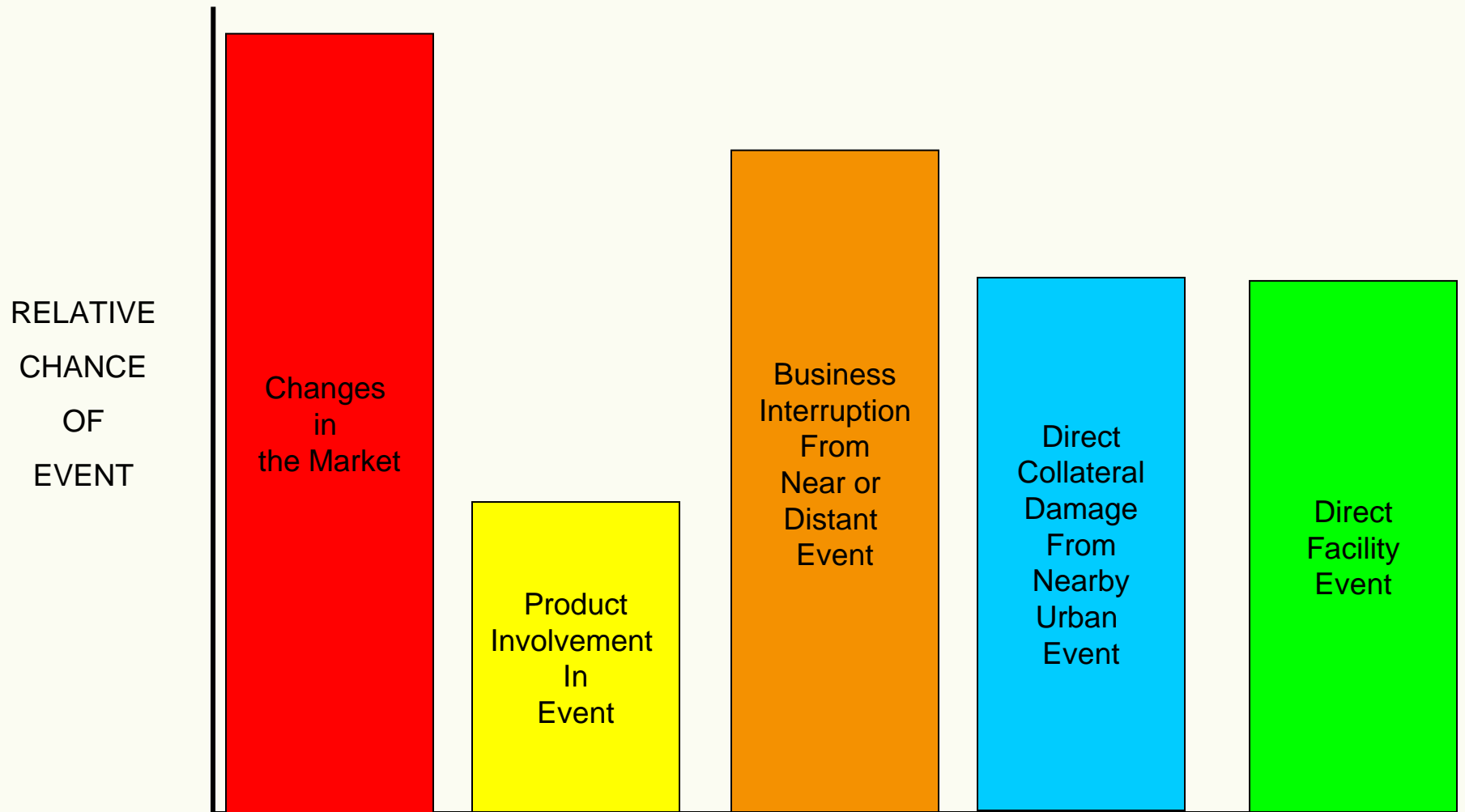
- Purchasing
 - SAFETY Act Protections
 - Contract Terms
- Organization Governance
 - Information Systems
- Insurance
 - **Terrorism Risk Insurance**
- HR
 - Privacy Requirements
- Network Security
 - Contract Terms for Data Sharing
- Information Protection
 - Critical Infrastructure Information Act
 - Procedure Compliance
- Communications
 - Crisis Management Plan

Possible Scenarios – General Industry



Consequences of Event

Possible Scenarios - Ports



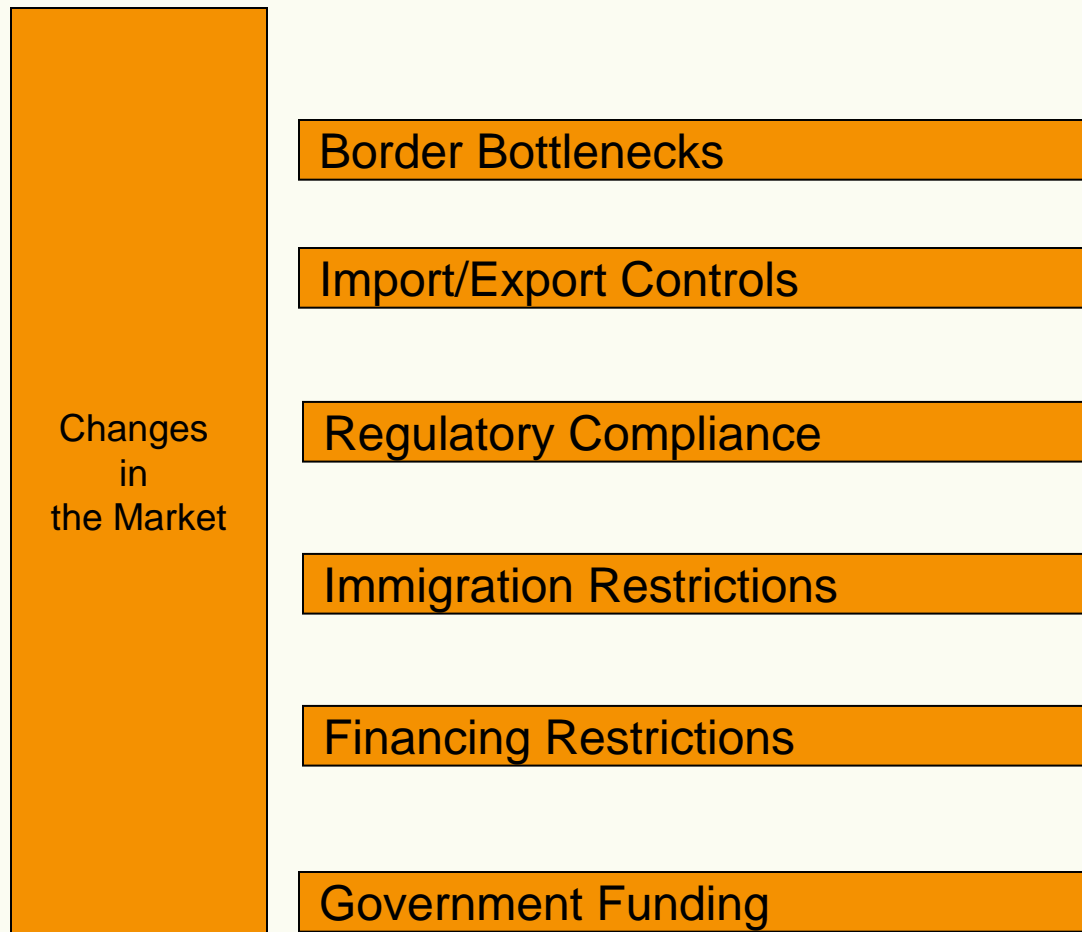
Consequences of Event

Jenkins & Gilchrist

Likelihood?

- **Evaluate**
 - (a) vulnerabilities
 - (b) consequences
- **Market Changes are a certainty!**
- **Direct Attacks Likely?**
- **Collateral Damage Likely?**
- **Business Interruption Likely?**

Examples



Examples

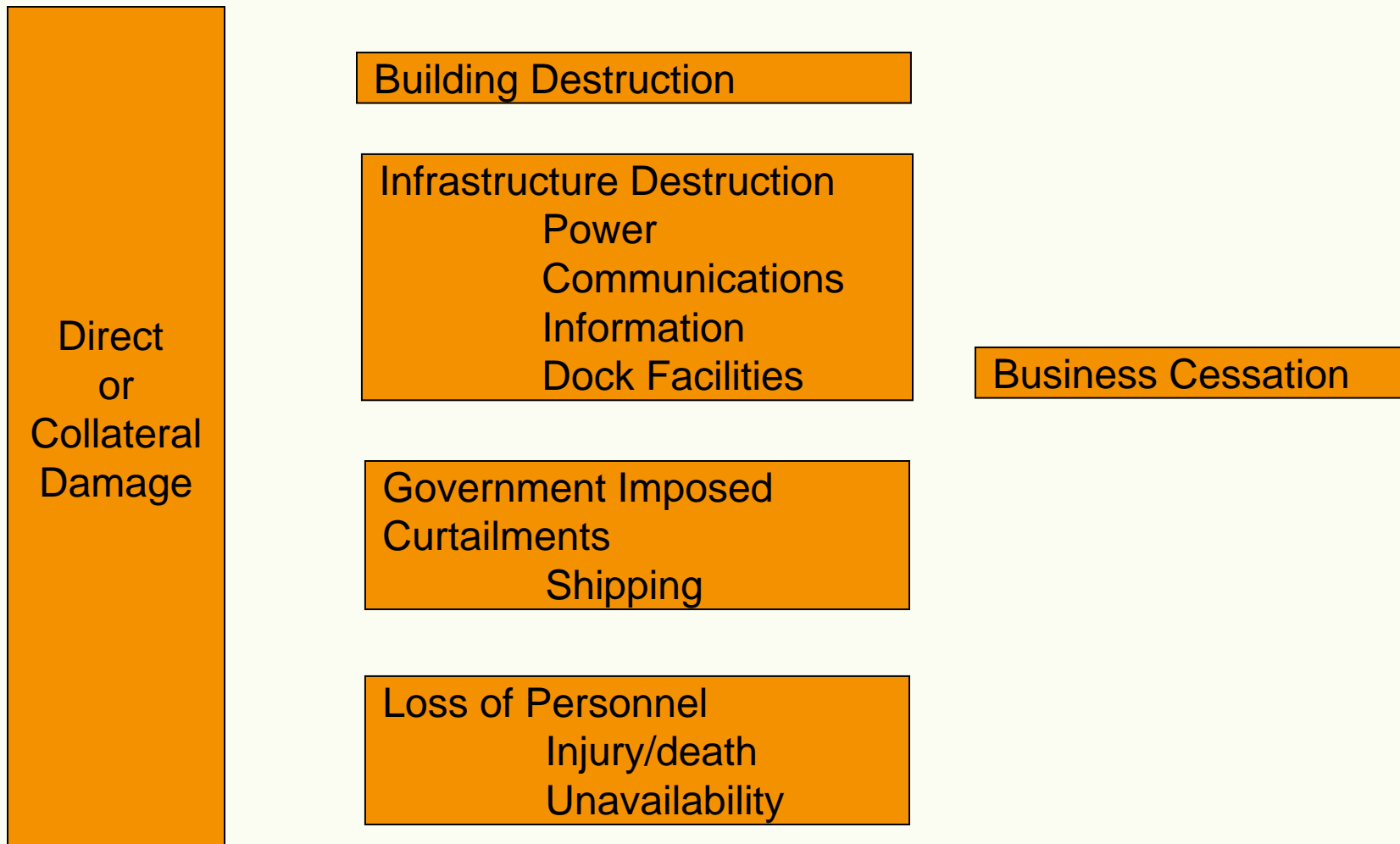
Business
Interruption
From
Near or
Distant
Event

Supply Chain Interruption:
Utilities
Transportation
Personnel

Communication Interruption:
Telephone
Email
Other

Financing Interruption:
Markets
Banks

Examples



Foreseeability of Risk Post 9/11?

- **Terrorism is much more foreseeable with regard to skyscrapers, stadiums, utilities, airlines and ports.**
- **In Re September 11 Litigation, 21 MC 97 (S.D. N.Y. September 9, 2003)**
 - Federal District Court Judge Hellerstein in New York ruled that the 911 attacks WERE foreseeable.
 - "While it may be true that terrorists had not before deliberately flown airplanes into buildings, the airlines reasonably could foresee that crashes causing death and destruction on the ground was a hazard that would arise should hijackers take control of a plane," Judge Hellerstein ruled. "The intrusion by terrorists into the cockpit, coupled with the volatility of a hijacking situation, creates a foreseeable risk that hijacked airplanes might crash, jeopardizing innocent lives on the ground as well as in the airplane"

Everyday Risk Management Examples: Contractual Issues

■ Types of Contracts

- Purchase Agreements with Vendors
- Sales Agreements with Customers
- Lease Agreements
- Financing Agreements

■ Risk of Loss Clause/ Force Majeure Clause

- Many contract clauses do not name “terrorism” but are limited to “acts of war”. Unclear whether terrorism would be considered act of war
- Terrorism could now be considered foreseeable.

■ Premises Liability Clauses

- Landlord/Tenant Liability- “Negligent Security”
- World Trade Center Litigation; In re September 11 Litigation
- Broder v. Empire State Building (prospective)
 - Duty to exercise reasonable care to protect against terrorism?
 - provide fire/collapse safe structures
 - conduct risk assessment

Financial Issues

■ Executive Order 13224

- Executive Order on Transactions With Suspected Terrorists - Prohibits transactions with terrorists or persons acting on behalf of, or associated with, terrorists.
- Need to check list maintained by the Federal Government. (Currently, more than 150 entities plus aliases).

■ Bank Secrecy Act Amendments

- Patriot Act Amendments broadens the “financial institution” definition of this Act to make requirements for identification and reporting of terrorist support groups involved in financial transactions applicable to a much broader group.
- Treasury Department has proposed a rule defining lawyers, brokers, title companies and lenders (“persons involved in real estate closings and settlements”) as “financial institutions” for purposes of the anti-money laundering provisions of the Patriot Act.
- If finalized, would subject these entities to the following requirements:
 - developing policies for detecting money laundering
 - appointment of responsible compliance officer
 - training programs
 - independent compliance audits
 - disclosure requirements

■ Recent Impacts

- Sellers and Lenders recently requiring anti-money laundering Reps/Warranties/Indemnities

Anti-Money Laundering/Terrorist Provision

- **“(a) Assignee will ensure that all funds collected by Assignee in connection with the transactions hereunder and under the Purchase Agreement from any direct member in Assignee and any funds paid by Assignee to Seller and/or Assignor are funds that (i) are and have been legitimately and lawfully acquired and are not direct or indirect proceeds from any criminal or unlawful enterprise or activity in any jurisdiction and (ii) have not been received, directly or indirectly, from any “Specially Designated National” or “Specially Designated Terrorist or Terrorist Organization” as identified by the Office of Foreign Asset Control of the United States Treasury Department or from any other person or entity that is prohibited under applicable law;**
- **(b) Assignee will perform reasonable diligence, and have in place appropriate anti-money laundering policies and procedures as required by this Agreement and the Purchase Agreement and by any applicable laws to insure that the funds provided directly or indirectly by any direct member in Assignee and paid by Assignee to Seller and/or Assignor in connection with the transactions hereunder and under the Purchase Agreement are funds that (i) are and have been legitimately and lawfully acquired and are not direct or indirect proceeds from any criminal or unlawful enterprise or activity in any jurisdiction and (ii) have not been received from any “Specially Designated National” or “Specially Designated Terrorist or Terrorist Organization” as identified by the Office of Foreign Asset Control of the United States Treasury Department. Assignee will provide to Assignor and Seller the findings of all such reasonable diligence....**
- **(c) Assignee will require each direct member in Assignee to execute a sworn statement addressed to Assignor and Seller (i) representing and warranting that funds paid to Seller and/or Assignee in connection with the transactions hereunder and under the Purchase Agreement are funds that (aa) are and have been legitimately and lawfully acquired and are not direct or indirect proceeds from any criminal or unlawful enterprise or activity in any jurisdiction, and (bb) have not been received from any “Specially Designated National” or “Specially Designated Terrorist” as identified by the Office of Foreign Asset Control of the United States Treasury Department; and (ii) agreeing to cooperate and comply with any reasonable requests Assignor and/or Seller may make for documents or records necessary to confirm the accuracy of such representations and warranties;**
- **(d) Assignee will not (i) accept from or on behalf of any direct member in Assignee any payment, or series of payments, in paper or coin currency, money orders, cashier’s checks in amounts less than US \$10,000 or its equivalent, or travelers checks in connection with the transactions hereunder; and (ii) without Assignor’s and Seller’s prior written consent, accept an investment from (aa) any direct member in Assignee whose source of funds is derived primarily from his/her/its ownership or operation of any cash-intensive enterprise, including but not limited to any convenience store; currency exchange; money transmitter or remitter business; vending machines; car wash; parking garage; leather goods store; auction house; telemarketing business; honey production or distribution business; golf course; shipping, air transport or bus operator; (bb) Islamic charity or nongovernmental entity (NGO); (cc) any direct member in Assignee with ties to the former Soviet Union or any Eastern Bloc country; or (dd) any direct member in Assignee that has been the subject of any criminal investigation or proceeding or a defendant in any civil litigation involving fraud in any jurisdiction, or (iii) without Assignor’s and Seller’s prior written consent, accept from or on behalf of any direct member in Assignee any wire transfer from any Secrecy Jurisdiction (as defined below). As used herein, a “Secrecy Jurisdiction” includes Cook Islands, Egypt, Grenada, Guatemala, Indonesia, Myanmar, Nauru, Nigeria, The Philippines, St. Vincent and the Grenadines, Ukraine, Switzerland, Luxembourg, Liechtenstein, British Virgin Islands and Cayman Islands.”**

Example Representations

- **“legitimately and lawfully acquired and are not direct or indirect proceeds from any criminal or unlawful enterprise or activity** in any jurisdiction and (ii) have not been received, directly or indirectly, from any “Specially Designated National” or “Specially Designated Terrorist or Terrorist Organization” as identified by the Office of Foreign Asset Control of the United States Treasury Department or from any other person or entity that is prohibited under applicable law”;
- **“Assignee will perform reasonable diligence, and have in place appropriate anti-money laundering policies and procedures** as required by this Agreement and the Purchase Agreement and by any applicable laws...”
- **“...execute a sworn statement** addressed to Assignor and Seller (i) representing and **warranting** that funds paid to Seller and/or Assignee in connection with the transactions hereunder and under the Purchase Agreement are **funds that (aa) are and have been legitimately and lawfully acquired and are not direct or indirect proceeds from any criminal or unlawful enterprise or activity...**”

Part III: Risk Management Responses

- **Formation of Homeland Security Risk Assessment and Management Teams. (GC typically provides leadership)**
- **Create information systems to inform management of vulnerabilities and risk reduction measures**
- **Appoint in-house/ outside professionals to conduct audits, partially to determine whether the entity is compliant with laws and taking reasonable actions with respect to security risks.**
- **Formation of TQM teams with emphasis on “security culture” to share responsibility for security at lowest levels.**
- **Evaluate tools at hand to reduce risk**

Terrorism Risk Insurance Act : Background

- **Adopted in 2002; intended to be temporary measure to stabilize economy after 9/11.**
- **Applicability: November 2002 – December 31, 2005**
- **Bottom Line: Requires insurers to make available “terrorism act” coverage in “property and casualty” insurance policies on terms, amounts and coverage limits that are not materially different from non-terrorism coverage.**
- **Terrorism Act must be one certified by the Secretary of the Treasury as meeting the definition of Terrorism in the Act:**
 - Terrorism limited to (a) violent act or act dangerous to human life property to infrastructure (b) damaging assets in the United States or outside the United States if on an air carrier or at a US Mission and (c) perpetrated by or on behalf of foreign interests.
 - Not applicable to losses in connection with an act of war declared by Congress
 - Not applicable unless the covered losses in the aggregate exceed \$5 Million dollars.
- **“Property and Casualty” Insurance limited to:**
 - commercial lines of property and casualty, workers compensation and surety insurance. Does not include crop, private mortgage, title, flood, life, med mal , financial guaranty insurance or re-insurance.
 - US Government subsidizes losses by agreeing to pay 90% of the covered losses exceeding a deductible that must be paid by the insurance company, ranging from 7-15% of prior year premiums.
 - Federal government and insurance industry limit on liability of 100 Billion Dollars
- **Insured can decline terrorism coverage.**
- **Insured can lose accepted coverage by failing to pay premiums**

Terrorism Risk Insurance Act

- **Sleeping Giant: Section 107 Litigation Management**
- **Where an “act of terrorism” occurs as determined by the Secretary under this Act, an EXCLUSIVE Federal cause of action arises that generally pre-empts any other state or federal causes of action for property damage, personal injury or death arising out of or resulting from such act of terrorism**
- **Act states that this is the exclusive remedy for such claims.**
- **Exclusive jurisdiction is granted to a district court assigned by the Judicial Panel on Multi-District Litigation.**
- **Substantive law for decision shall be “derived” from the laws, including choice of laws, of the state in which the act occurred.**
- **Only exception to pre-emption is with respect to persons who knowingly participated, conspired, aided or abetted, or committed the act.**

TRIA Extension Efforts

- **Congressional Budget Office Report expresses concern that current subsidies leave business with little incentive to make their own investments in protective measures and suggests that premiums charged should at least reflect the cost of the federal backstop.**
- **Treasury Report, issued in June 2005, expresses concern that the TRIA hampers the re-emergence of private markets. The Report suggests limiting the TRIA extension to:**
 - Applying only in situations where \$500 Million in loss has occurred
 - Increase the level of deductibles that insurers would need to pay before federal coverages would apply
 - Drop applicability to relatively low risk insurance products, like auto and general liability policies.
- **Media reports suggest that Republican Congressional leaders support the narrowing of any extension. This view is supported by Consumer groups who maintain that the insurance industry has rebuilt its assets and does not need a government subsidy.**

TRIA Extension

- **Democratic Congressional leadership and some industry groups express strong desire to extend TRIA in a more robust manner for the following reasons:**
 - The inability of large construction projects to continue without the program as the premiums may be too high or coverage may be unavailable; financing may be unavailable as a result
 - Lack of a sufficiently strong re-insurance market to act as a back stop
 - Concerns that commercial real estate investment markets will become dysfunctional; ratings agencies will put loans on watch lists; ratings could become downgraded and investors could get lower yields.
 - Inability of insurers to measure risk without some upper bound on potential exposure provided by TRIA; creating higher prices or unavailability of policies

TRIA: Next Steps

- **109th Congress**
 - S.467 and HR. 1153 introduced this Spring
- **Both bills propose to extend TRIA to 2007, with Congressional Study of long term approaches.**
- **The House Bill is before the Committee on Financial Services, Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises.**
- **The Senate Bill is before the Committee on Banking, Housing and Urban Affairs. This committee had a hearing on 4/14/05 titled "Oversight of the Terrorism Risk Insurance Program." Another is scheduled for 7/14/05 and titled " Treasury Department's Report to Congress Regarding The Terrorism Risk Insurance Act of 2002."**

TRIA: Next Steps

- **National Association Of Insurance Commissioners**
- **Appears to support extension of TRIA**
- **Model Conditional Exclusions suggested for State Agencies in the event TRIA terminates**
- **Proposes coverage for Acts of Terrorism that are from domestic as well as foreign sources**
- **Proposes cap on terrorism property/liability coverage of \$25,000,000 (or more than 50 deaths or serious injuries) for a single event within 72 hour period (would also exclude damage from nuclear, chemical or biological)**

Other Liability Protections: The SAFETY Act

- SAFETY Act was created to encourage anti-terrorism services and technologies to be developed by removing the fear of catastrophic liability in the event the product or service failed to prevent a terrorist act.
- Essentially, the Act *limits liability* to a predetermined amount (based on reasonably available insurance coverage)
- **SIGNIFICANTLY** this liability limitation is meant to apply not only to the manufacturer of the product/service, but also to the **CUSTOMER**

Liability Protection: The SAFETY Act

- **For Products or Services that receive DHS Designation:**
 - Exclusive jurisdiction in Federal court for claims for “losses” against the sellers of these goods and services.
 - Only sellers are subject to suit for “losses”; not customers and subcontractors and vendors of the seller. Note however that plaintiffs may be able to allege other basis for the damage than the product and thereby reach the customer on other grounds
 - A limitation on the liability of sellers to an amount of liability insurance coverage specified for each individual technology, provided that sellers will not be required to obtain any more liability insurance coverage than is reasonably available “at prices and terms that will not unreasonably distort the sales price” of the technology;
 - A prohibition on joint and several liability for noneconomic damages, so that sellers can only be liable for that percentage of noneconomic damages proportionate to their responsibility for the harm;

Liability Protection: The SAFETY Act

- A bar on punitive damages and prejudgment interest;
- A reduction of plaintiffs' recovery by amounts that plaintiffs received from "collateral sources," such as insurance benefits or other government benefits; and
- For "certified" technologies, a rebuttable presumption that the seller is entitled to the "government contractor defense", an affirmative defense that would not just cap liability but would act as a broad bar against claims, including those for design defects or failure to warn.
- Perpetual coverage of products sold during 5-8 year term of the Designation/Certification; renewal process allows additional coverage for later sales.

Conclusion

- **Preparedness is a cost of doing business in the post-9/11 world.**
- **Audit, Evaluate and Assess your Risks.**
 - Reasonable protection of people, money and goods
 - Compliance with new statutory and regulatory requirements
 - Common law/Contractual liability in the event of terrorism
- **Tools and Strategies exist to address risks:**
 - Attempt to use Statutory Liability Protections
 - TRIA
 - Insurance
 - Exclusive Federal Court Jurisdiction
 - Safety Act
 - Attempt to Allocate Contractual Liability

Questions?

HELPFUL RESOURCES

Government Websites

<p>Whitehouse information on Homeland Security (http://www.whitehouse.gov/homeland/)</p> <p>This website provides access to current news and background information on homeland security. It also gives the current security threat level, and will allow the user to access presidential announcements and addresses on this and other topics.</p>	<p>U.S. Computer Emergency Readiness Team (US-CERT) (http://www.us-cert.gov/)</p> <p>U.S.-CERT is a partnership between the DHS's National Cyber Security Division and the private sector, established in September 2003. The site provides updates on the latest cyber security threats and responses through the National Cyber Alert System.</p>	<p>U.S. Department of the Treasury Executive Office for Terrorist Financing and Financial Crime (EOTF/FC) (http://www.treasury.gov/offices/eotffc/)</p> <p>EOTF/FC is responsible for combating terrorist financing domestically and internationally, and for implementing the National Money Laundering Strategy.</p>
<p>Department of Homeland Security (DHS) (http://www.dhs.gov/dhspublic/)</p> <p>Information on this site is organized two ways. A user may drill down based on their role in society (citizens, business, government, or employees), or by broad topics that include the organization of the department itself, emergencies & disasters, working with DHS, travel & transportation, immigration & borders, research & technology, and threats & protection. Still, it may be more helpful to click on the "site map" link at the bottom of the page to get where you want to go quickly. There are no obvious links to the regulations of the DHS, but the site has a search engine that works fairly well.</p>	<p>U.S. Department of Transportation's Research and Special Programs Administration (RSPA) (http://www.rspa.dot.gov/)</p> <p>RSPA is responsible for protecting the public from the dangers inherent in the transportation of hazardous materials and for the safety of the nation's system of pipelines.</p> <p>U.S. Federal Aviation Administration's Office of Security and Hazardous Materials (ASH) (http://asi.faa.gov/dacs.asp)</p> <p>ASH is responsible for ensuring the integrity of those who work in or support the National Aerospace System, and for protecting FAA employees and facilities from terrorist attacks. ASH also enforces hazardous materials regulations.</p>	<p>House Select Committee on Homeland Security (http://hsc.house.gov/) and</p> <p>the Senate Committee on Governmental Affairs (http://govt-aff.senate.gov/)</p> <p>Use these websites to follow the activities of Congress in the Homeland Security arena.</p>
<p>U.S. Immigration and Customs Enforcement (ICE) (http://www.ice.gov/graphics/index.htm)</p> <p>ICE is responsible for the enforcement of immigration laws, customs laws, and air security laws. It is the largest investigative division of DHS.</p>	<p>U.S. Environmental Protection Agency's role in Counter-Terrorism (http://yosemite.epa.gov/oswer/ceppoweb.nsf/content/ct-epro.htm)</p> <p>Several EPA offices are involved in counter-terrorism efforts, including the Chemical Emergency Preparedness and Prevention Office (CEPPO), the Office of Emergency and Remedial Response (OERR), and the Office of Air and Radiation (OAR). Further the Environmental Technology Verification Program (ETV) is responsible for monitoring the performance of various technologies for ensuring the safety of our air and water and for cleaning up contamination after an intentional attack. EPA's Office of Criminal Enforcement, Forensics and Training (OCEFT) delivers crisis management support to the FBI in the event of an attack. The agency's Office of Research and Development (ORD) has created a National Homeland Security Research Center (NHSRC). Websites for these specific programs can be found by searching the EPA website (http://www.epa.gov)</p>	<p>Jenkins & Gilchrist</p>
<p>U.S. Bureau of Customs and Border Protection (CBP) (http://www.cbp.gov/)</p> <p>CBP is the part of DHS that coordinates the work of all the inspectors at the nation's many ports of entry.</p>		

Government Reports and Publications

<p>National Strategy to Secure Cyberspace, February 2003 (http://www.dhs.gov/interweb/assetlibrary/National_Cyberspace_Strategy.pdf)</p> <p>Outlines the responsibilities of federal government departments with a role in cyber-security. It also provides tips for state and local governments, private companies, and individual citizens that want to do more to improve the security of cyberspace.</p>	<p>Homeland Security: <i>Preliminary Observations on Efforts to Target Security Inspections of Cargo Containers.</i> GAO-04-325T December 16, 2003 Highlights Accessible Text Abstract</p>
<p>Homeland Security Act of 2002 (http://www.dhs.gov/interweb/assetlibrary/hr_5005_enr.pdf)</p> <p>This is the text of the act that created the Department of Homeland Security.</p>	<p><i>Posthearing Questions Related to Aviation and Port Security.</i> GAO-04-315R December 12, 2003 Accessible Text Abstract</p>
<p>Special Collection of Government Accounting Office Reports on Homeland Security (http://www.gao.gov/homelandsecurity.html)</p> <p>This site provides links to GAO reports on various aspects of homeland security. The page is updated as new reports are published. In particular, the following GAO reports may be of interest:</p>	<p><i>Homeland Security: Challenges in Achieving Interoperable Communications for First Responders.</i> GAO-04-231T November 6, 2003 Highlights Accessible Text Abstract</p>

Think Tanks, Institutes and Professional Organizations

<p>American Society for Industrial Security (ASIS) (http://www.asisonline.org/)</p> <p>ASIS bills itself as the preeminent international organization for security professionals. They are committed to improving security by developing educational materials on a broad array of topics.</p>	<p>Digital Forensics and Emergency Preparedness Institute at the University of Texas of Dallas (http://www.utdallas.edu/research/dfepi/index.htm)</p> <p>The Institute conducts leading edge research and implements critically needed programs for homeland security in the areas of digital forensics, network security and emergency preparedness.</p>
<p>John P. Murtha Institute for Homeland Security (http://www.iup.edu/murthainstitute/)</p> <p>This institute is operated by the Indiana University of Pennsylvania. According to their website, The institute collaborates with federal, state, and local partners to meet the critical needs of government agencies and military and civilian personnel in the many areas of homeland security.</p>	<p>Rand Corporation (Terrorism and Homeland Security Research Area) (http://www.rand.org/research_areas/terrorism/)</p> <p>The Rand Corporation makes its unclassified research materials available online or in print for purchase.</p>
<p>Institute for Defense and Homeland Security (IDHS) (http://www.idhs.org/)</p> <p>The Institute for Defense and Homeland Security was established by Virginia's Center for Innovative Technology (CIT), a state-chartered nonprofit corporation that accelerates Virginia's next generation of technology and technology companies. IDHS has as it's mission the delivery of world-class science and technology solutions in response to national defense and homeland security requirements through a consortium of university, industry and federal research and development activities.</p>	<p>ANSER Institute for Homeland Security (http://www.homelandsecurity.org/)</p> <p>The ANSER institute is a nonprofit research, education and communication organization formed in April 2001. It is especially concerned with health treats and healthcare delivery issues in times of disaster. The institute publishes the <i>Journal of Homeland Security</i> as described below.</p>

Journals, Newsletters, and Other Publications

<p>Journal of Homeland Security published by the ANSER Institute for Homeland Security (http://www.homelandsecurity.org/journal/)</p> <p>Articles are organized in several ways: federal/state/local, threats & responses, and government/private. There is a category under threats & responses for cyber security.</p>	<p>Homeland Security Monitor from Intellibridge Corporation (http://www.homelandsecuritymonitor.com/index.htm)</p> <p>This site requires a subscription for access to the full contents. Subscribers receive a daily intelligence briefing by email that covers the most current information on homeland security threat assessments, policy and regulation, and other news.</p>
<p>Homeland Security Week published by <i>Government Executive Magazine</i> (http://www.govexec.com/email/)</p> <p>This is a free weekly newsletter that includes news from <i>Government Executive</i> and <i>National Journal</i> on the federal government's efforts to protect the security of the United States.</p>	<p>IT Research on Homeland Security from bitpipe (http://www.bitpipe.com/rlist/term/Homeland-Security.html)</p> <p>The bitpipe website requires registration to get into any of the documents available in their research library, but the registration is free. Some of the documents may require a fee to access. You can sign up for a free newsletter (Knowledge Alert) that includes information on the newest white papers, product information, web casts and case studies on specific IT topics, including homeland security.</p>