

DR. STEPHEN FLYNN: Good morning. We are gathered in the month of the sixth anniversary of the attacks on September 11, 2001. With the benefit of hindsight it is clear that there are three lessons that should have drawn from that day that can usefully inform the development of a new maritime strategy. There's one lesson I'll argue that the strategy has learned well. There's one that's been partially learned, and there's one that has been barely learned at all.

The first lesson that has been well learned is that there are bad people intent on attacking and killing Americans within our borders and we should search them out beyond our borders and apprehend or kill them first. This pretty much summarizes what has consumed the bulk of Washington's attention and energies since 9/11.

The second lesson, only partially learned by our national security community is that the economic and civil space is the new battle space for our adversary. Recall that on 9/11 al Qaeda did not import a weapon of mass destruction but exploited a domestic commercial airliner to serve as one. And, they succeeded at generating a response that caused tremendous economic disruption and a high price tag. In short, al Qaeda found that they could get a big bang for their buck by exploiting and targeting our commercial space as a battleground. While at the strategic level, the maritime strategy acknowledges this is challenge, at the operational level it has not yet translated that understanding into redirecting resources to assemble effective defenses of the maritime transportation system and the critical infrastructure in and around our ports and littorals.

Most problematic is that there is a 9/11 lesson that has been almost completely overlooked. It is the lesson Washington should have taken away from Flight United 93 but has not. Recall that United 93 was the fourth airplane involved in the attack that got off the ground later than scheduled. The terrorists were a bit cocky and did not stop the passengers from using the phones in the back of the seats and calling their friends and loved ones and finding out something that the people in the first three planes did not know: that planes were being used that day as missiles. Armed with this knowledge they

did something extraordinary for this was the one plane almost certainly headed for our seat of government, for Capitol Hill.

Think how ironic this is. Our elected leaders who were gathered that day in part to carry out their solemn duty to provide for the common defense as outlined in the preamble of the U.S. Constitution were themselves defended by one thing and one thing alone: everyday American people who armed with the information about the nature of the threat, acted in ways that ultimately protected their own government. The Air Force did not know United 93 has been hijacked. There were no air marshals aboard the plane; nobody stopped the passengers at the airport and took from them any bottles with more than 3 ounces of liquid. What made the difference was the passengers' awareness of the threat and their seizing on their own capabilities to confront it.

In short, 9/11 should have reminded us that our greatest strength as a nation is not our second-to-none military—even though that is a tremendous asset to have in the dangerous world—but “we the people.” The lesson, therefore largely unlearned, is that if the battle space is increasingly civil society and the economic space, to be successful we must engage as many of the participants in that space as possible.

This lesson has been largely overlooked by the new maritime strategy. Instead, the Navy has been preoccupied primarily on how to deal with the first lesson of 9/11—that we need to mobilize to kill bad guys out there before they attack us here. As such the maritime domain is viewed as essentially a place to project power in a dangerous world.

To be fair, the strategy does formally acknowledge that our economic dependency on the maritime domain has grown and that we have to figure out how we manage security within that context. This is something of a case where the Navy is going back to the future. After all the founder of the Naval War College and the strategic mastermind of the modern U.S. navy is Alfred Thayer Mahan who built the case for America's deepwater navy around the imperative that the nation needed to protect our sea lines of communication. As Admiral Michael Mullen said in his opening address, it is all about

economics. You can't maintain connectivity with the world if you don't have the power to safeguard access to the sea. In the 19th century this was to secure access to raw materials and markets. Today the maritime domain essentially serves as the conveyor belt for global commercial activity and safeguarding that conveyor belt should be a top priority of the navy and the U.S. government.

However, while our dependency on this environment is understood in strategic terms, as a practical matter the strategy does little to address one of the biggest threats to the part of the maritime world that most affects how our economy works. That is the strategy is largely silent on the need to assure the reliability of global supply chains.

Another illustration of the limited operational focus on the economic space is the strategy's silence on dealing with the need to safeguard the nation's ports as strategic assets. A little known fact of life by most Americans is the degree to which the economy relies on a "just-in-time" energy refinement system. There are only 10 to 15 days of refined fuels in the entire Southern California economy that supports 18 million people. Fifty percent of the oil that goes into those refineries arrives in the combined ports of Los Angeles and Long Beach. Should that harbor be disrupted for one month or more, the southern California economy would literally run out of gas. There is only one pipeline that connects the region to the national pipe system, and it is to export fuel to Phoenix, not to receive it from anywhere east of the Rockies.

Given that context and the interdependency for our manufacturing, retailing, and energy sector on our maritime infrastructure, the maritime strategy should be assigning a far higher priority to outlining how it will safeguard it. Instead as a nation we are today spending more on protecting the naval port of San Diego than we are on all the other commercial west coast ports combined. That is, the Department of Defense is spending more on protecting naval assets that project military power beyond our borders than the nation is investing in safeguarding the port of Los Angeles and Long Beach even though it brings in 43 percent of all the containers for the country and 50 percent of all the energy west of the Rockies.

Another illustration of the Navy's focus on its warfighting capabilities without serious acknowledging the importance of safeguarding vital economic and civil targets is the fact that the amount it is spending for a contingent of Coast Guard personnel to protect its submarines transiting Puget Sound, is 12 times larger than the civilian police force available to protect all the city of Seattle's waterfront. If civil society and the commercial space are increasingly the place where our adversary will seek to target us, does this imbalance in resources between protecting military platforms on the one hand and critical and crowded port infrastructure on the other make sense? Are we really adapting from the old risk environment to the new one?

But the lack of serious analysis and debate about where we should be most effectively investing our defense and homeland security resources both onshore and offshore is not the issue about which I have the deepest concern. The one area where our post-9/11 efforts are falling most short and where the new maritime strategy barely acknowledges is the imperative highlighted by the example of United 93, that we simply will not be successful securing the maritime space without the active engagement of those who own and operate within it and the citizens who live, work, and play in and around it.

A maritime strategy that is focused primarily on state-to-state cooperation and the projection of power is not a comprehensive strategy unless it also engages at all levels the industry and people who are likely to be exploited or targeted by our adversaries. As in the case of the passengers in United 93, our national and homeland security assets are not always going to be at the right place at the right time to protect the commercial maritime stakeholders and everyday civilians when they are in harms way. Therefore it is both a practical and moral imperative that those charged with developing and executing the new maritime strategy identify ways to make the legitimate commercial and civilian participants in this domain a full-fledged partner in the effort to secure the maritime domain.

Take the case of maritime domain awareness. Currently that effort is focused primarily on building a surveillance architecture that allows the monitoring of the maritime space with at most the passive participation of those operating in that space. That is, beyond deploying sensors such as transponders and meeting reporting requirements like the Coast Guard's 96-hour notice of arrival, the MDA effort is essentially built on the premise that the only way to determine legitimate from illegitimate maritime activity is by remotely monitoring and analyzing that activity. But this effort will almost certainly fail to provide sufficient context and granularity to make accurate judgments about anomalous behavior without the active—even interactive—engagement of those who are being monitored. Indeed, MDA could well result in more harm than good if it ends up yielding lots of targets that appear to be worrisome that then have to be investigated at sea to determine whether they really are a threat. The U.S. Navy and Coast Guard are likely to end up wasting lots of their limited resources on boardings to check things out, simultaneously generating large economic losses for our economy by disrupting the flow of commerce.

For instance, what if our MDA efforts generate concern that a container ship heading for the United States is carrying a container that might pose a threat? As a practical matter, what can be done at sea if that box is aboard a mega-container ship like the *Emma Maersk* that carries 11,500 TEUs? How do you gain access to a 40' container when it is among a stack that is 19 deep and 25 across and there are only eight to ten inches between the boxes? Clearly, at sea is not the place you want to discover and deal with a box that may have a bomb. Ocean carriers know at-sea boardings are largely impractical and very bad for their bottom line so they have every incentive to work with you to provide information in advance of the loading of their vessels and to closely cooperate so as to reduce the likelihood of this kind of boarding taking place. The MDA effort must fully capitalize on that motivation.

Let me conclude by saying that I was very pleased to hear in the remarks at the start of this conference that the rolling out of the new maritime strategy is only the beginning of an ongoing enterprise. We are living in an era that will be marked by dynamism and

turbulence. It would be foolhardy to suppose that any strategy will survive more than a few years never mind the nearly 20-year interval that has passed between the last maritime strategy and this new document. A successful maritime strategy must be a constant work in progress, and I tried to suggest this morning where additional work may need to be done even on the eve of rolling out the new strategy out. It is vital to move beyond a rhetorical acknowledgement that the maritime domain is a vital economic space. I challenge the Navy, Coast Guard, and others involved in developing and executing this strategy to think innovatively, operationally, and practically how one secures that space. Your success—and the nation's—will depend on your making this an open and inclusive process with as many of the maritime non-state actor participants, private sector participants, and everyday citizens as possible. Thank you. [applause]