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Trends. Legislation, Bias, and the Funding of Security Technology and Services

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Abstract: This Trends article discusses the funding of security technologies and services, and the costs of potential bias in terms of legislation and procedures.

In a perfect world, the best security technology and services would be funded subject to a cost-benefit analysis. Best might be defined as minimizing the noxious consequences of specific threats, of specific vulnerabilities, or of some overall conception of specific risk—all deemed the most crucial to the security interests of some entity compared with noxious consequences of lesser note. On the other hand, if best is de facto or operationally defined as how well legal and bureaucratic criteria of a funding entity can be satisfied by the vendors of some technology or service, then security threats may well have a better chance to foster noxious consequences.

A case in point could be the Support Anti-Terrorism by Fostering Effective Technologies Act of 2002—often called the Safety Act. The Safety Act gives the United States Department of Homeland Security (DHS) the authority to award vendors with anti-terrorism products a significant degree of protection from lawsuits that might be forthcoming in the event of a terrorist operation that caused death, injury, and or destruction. The problem is that failing to apply for government protection from liability would be place a vendor at a competitive disadvantage. And this competitive disadvantage could be more likely for smaller than larger vendors because of the significant amount of information required by DHS to apply for liability protection. Given that capability to provide the information in a timely and comprehensive fashion may not positively correlate with the excellence of one's technology or service, funding might be more likely for otherwise more unlikely products.

A second potential issue with legislation like the Safety Act is that application forms and related information criteria might be wittingly or unwittingly developed to favor technology and hardware as opposed to other sorts of services. Such a bias could make it more unlikely that a whole class of deserving security support might be funded.

Legislation and policies and programs stemming from legislation could even shape two related psychological predilections among vendors. The first would be to sink more resources into application and the writing of grant- and contract-writing capabilities and less into technology or service development. The second would be to ignore non-technology based services to the detriment of a comprehensive approach to security. The results of the two potential issues and the two psychological predilections would be yet another impediment in the continuous struggle for adequate aviation security (cf. Simon, 2003). (See Dixon, J., & Dogan, R. (2003). A philosophical analysis of management: Improving praxis. *Journal of Management Development*, 22, 458-482; Rundh, B. (2003). Rethinking the international marketing strategy: new dimensions in a competitive market. *Marketing Intelligence & Planning*, 21, 249-257; Shariff, Z. (2002). Reflections on public administration in a time of crisis. *Administration & Society*, 34, 4-7; Simon, H. (October 22, 2003). Paperwork may overwhelm smaller companies applying for Safety Act liability protections. *Homeland Security & Defense*, 2(43), 1-2.)

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