

## **NATIONAL INFRASTRUCTURE ADVISORY COUNCIL**

### **QUARTERLY BUSINESS MEETING AGENDA**

September 17, 2020

1:00 PM - 3:00 PM ET

By Phone

#### **I. OPENING OF MEETING**

*Rachel Liang, Designated Federal Officer (DFO), President's National Infrastructure Advisory Council (NIAC), Department of Homeland Security (DHS)*

Ms. Liang thanked everyone for joining the 17 September 2020 Quarterly Business Meeting (QBM) of the NIAC and announced that she was the new DFO, appointed by the Director of the Cybersecurity and Infrastructure Security Agency (CISA) within DHS, for the NIAC. On behalf of the NIAC, DFO Liang took roll and provided a brief overview of the NIAC's enabling authorities and history.

She mentioned that no public comments had been received and reminded the member of the public that written comments would still be accepted through [www.regulations.gov](http://www.regulations.gov) and provided to NIAC members without alteration. She then called the 17 September 2020 NIAC QBM to order and turned the meeting over NIAC's Chairman, Ms. Constance Lau.

#### **II. ROLL CALL OF MEMBERS**

*Rachel Liang, DFO, NIAC, DHS*

##### **NIAC MEMBERS PRESENT:**

Ms. Jan Allman, Mr. Neil Alpert, Mr. J. Richard Baich, Mr. Rand Beers, Mr. Georges Benjamin, Mr. William Boston, Mr. Robert Carr, General Albert Edmonds, Mr. William Fehrman, Mr. Benjamin Fowke, Ms. Margaret Grayson, Mr. George Hawkins, General Reynold Hoover, Mr. Timothy Horne; Chief Rhoda Mae Kerr, Ms. Constance Lau, Mr. Richard Ledgett, Mr. Randolph Lowell, Ms. Joan McDonald, Dr. Kevin Morley, Mr. Carl Newman, Former Secretary Kirstjen Nielsen, Mr. Keith Parker, Ms. Ola Sage, Dr. Beverly Scott, Mr. Michael Wallace, and Mr. Daniel Walsh.

##### **NIAC MEMBERS ABSENT:**

None

##### **SUBSTANTIVE POINTS OF CONTACT PRESENT:**

Mr. Nathaniel Smith with Dr. Beverly Scott; Ms. Kristina Dorville with Mr. J. Richard Baich; Athena Gilliam with Chief Rhoda Mae Kerr; Mr. Frank Honkus with Mr. Michael J. Wallace; Mr. Charles Durant with Mr. William Fehrman; Mr. Jeffrey Baumgartner with Mr. William Fehrman; Mr. Frank Prager with Mr. Benjamin Fowke; Mr. Peter Burns with Mr. Robert Carr;

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Nathaniel Millsap with Ms. Jan Allman; Mr. Scott Seu with Ms. Connie Lau; and Mr. Colton Ching with Ms. Constance Lau.

### **OTHER DIGNITARIES PRESENT:**

Ms. Rachel Liang, NIAC DFO, CISA, DHS; Ms. Kayla Lord, NIAC ADFO, CISA, DHS; Ms. Shannon Reed, NIAC ADFO, CISA, DHS; Mr. Brian Cavanaugh, Special Assistant to the President and Senior Director for Resilience, NSC; Director Christopher Krebs, CISA, DHS; Assistant Director Bradford Willke, CISA, DHS; Mr. Daniel Kroese, CISA, DHS; Acting Associate Director Enrique Matheu, CISA, DHS; Ms. Helen Jackson, CISA, DHS; Ms. Elizabeth Gauthier, CISA, DHS; Ms. DeShelle Cleghorn, CISA, DHS; Ms. Deirdre Gallop-Anderson, CISA, DHS; Ms. Julia Hanson-Takyi, DHS; Ms. Sandra Benevides, CISA, DHS; Mr. Steven Harris, CISA, DHS; Mr. Dwayne Baker, DHS; Assistant Director Robert Kolasky, CISA, DHS; Mr. Brandon Wales, CISA, DHS; Ms. Katherine Ledesma, CISA, DHS; Ms. Katheryn Condello; Mr. Matthew Hadley, DHS; Mr. Rebecca Winkel, CISA, DHS; Ms. Renee Murphy, CISA, DHS; Mr. Robert Puentes; Ms. Traci Silas, DHS;

### **III. OPENING REMARKS AND INTRODUCTIONS**

*Constance H. Lau, NIAC Chair*

*Dr. Beverly A. Scott, NIAC Vice Chair*

*Dr. Seth Jonas, Deputy Senior Director for Resilience Policy, National Security Council*

*Brandon Wales, Executive Director, Cybersecurity and Infrastructure Security Agency*

Ms. Lau thanked Ms. Liang and NIAC members. She shared that a few days after 11 September 2020, she had been thinking about the challenges that the nation faced including the pandemic, hurricanes in the Gulfs, wild fires in the west, cyber-attacks, and many issues facing owners and operators of critical infrastructures, and appreciated everyone taking the time to join. She also thanked all the staff for their hard work in making this QBM possible.

She welcomed Ms. Liang as the new DFO and recognized the prior DFO, Ms. Ginger Norris, for her five years of service with the council. Ms. Lau then welcomed Mr. Neil Alpert, new NIAC Member, and shared that during this meeting Mr. Alpert would be officially sworn into the NIAC. She thanked Mr. Murren, former NIAC Member, for his many years of service on the council.

Ms. Lau provided a brief overview of the QBM agenda emphasizing that this meeting would focus on dialogue with members. She then turned the floor to Dr. Beverly Scott to provide comments.

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Dr. Scott thanked Ms. Lau, mentioning that during a recent conversation with a Department of Public Works stakeholder during a Workforce and Talent Management (WFTM) WG this past week she heard the profound statement that “infrastructure is making normal happen.” When experiencing incidents, the work that the people on the front lines were doing to make normal happen for the United States (U.S.) was unbelievable. She added that it was an honor to serve during these unprecedented times and that she had every confidence that the U.S. would make it through and be stronger.

Ms. Lau welcomed Dr. Seth Jonas, the Deputy Senior Director for Resilience Policy at the National Security Council (NSC), who would give opening remarks for the NSC. Dr. Jonas shared that it was hard to convey the importance of infrastructure to the U.S. national security, economy, and society. He lauded the invaluable expertise from NIAC members and recognized recent studies and recommendations on how to strengthen the capabilities of the nation to survive a catastrophic power outage with the electric power grid.

Ms. Lau then turned to Mr. Brandon Wales, who provided opening remarks on behalf of CISA. He mentioned it was fortuitous that the NIAC would be discussing preparedness, as September is National Preparedness Month. He shared that CISA was particularly interested in the workforce study, ensuring that the recommendations were actionable and focused.

Mr. Wales said that he was also interested in the “How COVID-19 Is Changing Critical Infrastructure” panel as it was a different take on the topic, not merely about how they were responding to the COVID-19 Pandemic but about how it was changing industry. He posed the questions, “How does critical infrastructure adapt” and “What does this look like over the medium and long-term as the country grapples with the necessary and important changes that are taking place.” He shared that the NIAC is on the cutting edge in how they are looking at this topic, and he was interested to see how the conversation would progress.

He then administered the oath of office for Mr. Alpert, who was appointed to the council on 8 September 2020. He shared that Mr. Alpert was currently the Managing Director for Potomac Management and that his background brought a wealth of expertise from across the sectors.

Ms. Lau welcomed Mr. Alpert to the NIAC and shared that he set a new mark for the council by being the first person sworn in virtually. She then motioned to approve the May 2020 QBM Meeting Minutes that had been previously circulated to NIAC members and asked if there were any comments, corrections, or revisions. As there were none, the minutes were approved to circulate.

#### **IV. WORKFORCE AND TALENT MANAGEMENT STUDY UPDATE AND DISCUSSION**

*Dr. Beverly A. Scott, NIAC Vice Chair*

*Jan Allman, Chief Executive Officer,  
Marinette Marine Corporation*

Dr. Scott and Ms. Allman discussed the Workforce and Talent Management (WFTM) Study. Dr. Scott recognized WG membership, sharing that their expertise enabled them to produce

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strong recommendations. She explained that the WG was asked to develop near-term and long-term recommendations to improve worker readiness and ensure the continuity of critical infrastructure, focusing on the energy, water and wastewater, transportation, communications, financial services, and healthcare sectors, but that the NIAC should develop recommendations that should be applied beyond these sectors. She praised the NIAC Support Staff and the work that they have done and shared that the WG had been able to establish a Study Group (SG) of outside experts to dig into the more technical aspects of worker readiness challenges. She also shared that there was a lot of existing information, and the goal of the larger Study is to produce near term and long-term recommendations that are actionable, focused, and practical.

Dr. Scott stated that when they received the NSC guidance, they first looked at what the NIAC had done before on workforce issues. She shared that while there have been workforce recommendations in seven NIAC studies since 2006, this will be the first NIAC study that focuses on worker readiness across critical infrastructures sectors. She added that the majority of prior workforce recommendations were focused on building a cyber workforce or on a single sector. However, she shared that they know that the risks facing the nation's infrastructure requires a more cross-sector approach.

She added that to guide the study, the NSC provided framing questions that cover the following topics: ensuring workers have the skills needed to operate, maintain, and restore infrastructures; examining ways to develop the skills needed; determining the role for the workforce in the education system for developing the skills needed; and identifying the major trends transforming the workforce and the actions needed to prepare for these changes. She stated that they were working to identify the workforce challenges and opportunities, existing programs, initiatives, and actions that have been taken to improve worker readiness for critical infrastructure. She mentioned that they were engaging federal agencies, critical infrastructure owners and operators, experts from academia and workforce development programs, as well as state, local, tribal, and territorial government.

Finally, Dr. Scott shared that they were conducting in-depth research into the critical workforce landscape, identifying the good work that has already been done by the sectors, all levels of government, think-tanks, and academic institutions. She stated that this broad scan would ensure that they would be able to identify better best practices at the national and international level. She noted that the current global pandemic had exasperated systemic workforce issues across the nation and that any inclusion of those lessons learned from the pandemic would be through a lens that would ensure they stay focused on their tasking. She mentioned that they were looking forward to providing an update on what they had learned through their interviews, panels, and SGs at the 10 December 2020 QBM. The plan is to complete the study in the third quarter of 2021, with the expectation that they would provide interim observations as available.

Lastly, Dr. Scott recognized the support and cooperation from the National Security Telecommunications Advisory Committee (NSTAC) on this study, adding that the WG was trying to stay aligned with the NSTAC's work.

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### V. “HOW COVID-19 IS CHANGING CRITICAL INFRASTRUCTURE” PANEL

*Dr. Georges Benjamin*, NIAC Member,  
Moderator

*Kathryn Condello*, Senior Director, National  
Security/Emergency Preparedness, Lumen  
(formerly CenturyLink)

*Bob Kolasky*, Assistant Director, National  
Risk Management Center, Cybersecurity and  
Infrastructure Security Agency

*Robert Puentes*, President and CEO, Eno  
Center for Transportation

Dr. Georges Benjamin, NIAC Member, moderated this panel. He explained that the purpose of this discussion was to talk about how COVID-19 was impacting the workforce. He shared that the disease was still ongoing, and that non-pharmacological interventions, such as mask wearing, hand washing, and social distancing, coupled with selective closures of businesses and large gatherings were major tools they had to control the spread of the disease. He shared that COVID-19 produced a new environment in which different sectors saw varying impacts. The panel would discuss how things would change over time, recognizing that the disease would continue to be an issue for some time. Since the May QBM discussion, there has been more clarity around the disease and its progression and officials’ perspectives on COVID-19 were being joined with flu season, further impacting businesses.

The panelists were asked to provide their perspectives on the major issues influencing critical infrastructure within their various sectors. Ms. Kathryn Condello shared that when the communications sector discussed the COVID-19 response, there were two priority areas. The first was provisioning all the additional capacities and capabilities needed for customers to operate from home. The second was less visible because it dealt with managing the rapidly changing volumes and usage patterns of global traffic. During the first 8 to 12 weeks, they accommodated two major game releases and also built the work from home, learn from home, telehealth communities. She shared that traffic grew within the broader communication sector and they had to accommodate the work from home environment.

Mr. Robert Puentes shared that transportation was a mixed bag when looking at the impact of COVID-19 on critical infrastructure because there were two ways to look at it: workforce and demand for services. The transportation workforce has about 11% of Americans directly employed in infrastructure. He stated that aviation and transit had been hit hard by the global pandemic and the reduction in demand. On 16 September 2020 approximately half a million people had gone through TSA checkpoints in U.S. airports. This was far less than usual but better than April when airport traffic had almost disappeared. He concluded that aviation was slowly bouncing back.

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Mr. Puentes shared that public transit ridership dropped to about 70% to 95%, most of which was impacting the major rail systems. Rail transit almost disappeared, but the bus system was only down about 40% and 60% in some regions. Most buses went to zero fares and rear door boarding, which meant that they were unable to count passengers. Separating rail and bus transit was important because bus transportation was the main means of work transportation for central New Yorkers and the majority of essential workers used bus transit.

Mr. Puentes stated that there were major cuts to services within rail transit, adding that unless there was federal assistance in the near future, the rail transit would face more challenges. For example, Amtrak had record levels of ridership last year but was down 97% now and might have to furlough 2,000 employees by October 2020 without assistance from Congress.

Mr. Puentes shared that highway transit was rebounding quickly; the Federal Highway Administration reported that traffic on U.S. roads in June 2020 was only 13% below the 2019 level. Gasoline prices stabilized at about 7% to 10% below normal, which was not great for gasoline tax collections but not as traumatic in comparison to aviation and public transit. He added that freight transit differed other modes of transportation; U.S. Airlines carried about 13% more cargo by weight this past month than last year despite the pandemic. There was also a rise in cross-border freight transportation between Canada and Mexico. Additionally, the U.S. rail moved more containers in the past week than they had transported since December 2018. However, while there was a huge increase in freight traffic, there was a huge reduction in passenger transportation.

Dr. Benjamin shared that CISA published guidance on essential critical infrastructure workers, which was used by owners and operators during the COVID-19 response, introducing AD Kolasky to discuss the value of this guidance. AD Kolasky shared that they briefed the NIAC as this guidance was being developed, and have updated it four times since the initial release. The initial intent was how to should identify essential classes of workers and allow them to travel despite the community restrictions. They wanted to signal what things were essential and what they could do to support a consistent national approach that would give industry some certainty and identify what workers were important, especially as infrastructure, particularly the public health, was so important to the immediate response. Roughly about 34 states adapted some version of CISA's *Essential and Critical Infrastructure Workers* guidance into their community restrictions, and it served as a basis for identifying the types of work needed during the initial response to the pandemic. The most recent version considers the workforce going forward and the importance of being able to work safely and securely. This version discussed testing, vaccine prioritization, and Personal Protective Equipment (PPE) availability.

The NRMC spoke to the Centers for Disease Control and Prevention (CDC), the Department of Health and Human Services (HHS), and Advisory Committee on Immunization Practices (ACIP) and discussed how essential workers should be prioritized for the vaccine. A study by the Brookings Institution found that about 42% of the workforce qualified as essential and indicated the interdependency and different functions that needed this workforce in order to create infrastructure, but this needed to be further narrowed. To identify this, they would ask if those workers had to work in a closed environment, if they touched a lot of people, and if they were at

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risk of being exposed to the disease. They continued to work to narrow the essential workers based on worker conditions and types of jobs, leaving flexibility within the framework that allowed it to be managed at the community level without mandates.

Dr. Benjamin reiterated that the issue of worker safety was vital and asked Ms. Condello to speak on what Lumen was doing. Ms. Condello shared that most of their employees work remotely, with only those working in operations centers entering the office. She shared that they were adhering to social distancing guidelines and hygiene techniques and were scheduled on a staggered basis. Additionally, they reviewed all of the functions that had to be done in NOCs or customer centers and were able to equip more individuals to work from home.

Dr. Benjamin mentioned that transportation was obviously a very different situation because their workers had to be out and about. Mr. Puentes shared that the transportation workforce was multifaceted given all the different modes of transportation. In the spring, the CDC recommended that employers incentivize their workers to commute by cars alone; however, it pulled back on this and shared that there were other modes of transportation that allowed for social distancing. However, the CDC's prior guidance caused people to believe that any mode of transportation outside of driving their own vehicles was dangerous, slowing public transportation's rebound. He added that there had been no detectable outbreaks within public transit and the agencies had done a good job of controlling what they could. Masks were a top requirement for transit and aviation, but enforcement could be an issue. Air filtration and circulation on buses and aircraft was a focus, keeping air moving to prevent the virus from spreading. Philadelphia's Southeast Pennsylvania Transportation Authority was a great example, showing the benefits of air circulation. Distancing was certainly an issue, especially in light of decreases in demand, limiting the number of bus routes and increasing rider density.

Dr. Benjamin asked AD Kolasky what the NRMC had learned about how the pandemic was affecting other critical infrastructure sectors. The NRMC did a lot of work to map the essential workers into labor categories, as captured through North American Industry Classification System (NAICS) codes and U.S. Bureau of Labor Statistics (BLS) work. Brookings had also done some interesting work on the social policy end of essential workers. He urged the NIAC to borrow from them as they engaged in the workforce study.

He shared that the public health system and related infrastructure functions were overwhelmed in hot spots, but other functions, such as food processing facilities, were dealing with shortages and supply disruptions as well. There were cascades across systems and failure points, but no systemic failure due to the impact of the pandemic. Optimistically, U.S. infrastructure was more resilient than they initially thought. However, long term economic impacts and changes in worker trends may stress this resilience. The NRMC was continuing to look at other functions as well, such as elections resilience. While voting can be done by mail or at different polling places, it would still be occurring within a COVID-19 environment.

Dr. Benjamin asked all three panelists about equity, as the pandemic had more severe impacts on communities of color and aging communities. Ms. Condello shared that they had not seen much

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of this in their workforce but understood that there were digital equity issues facing the nation irrespective of COVID-19.

Ms. Condello shared that they observed two case studies: essential workers who continued their work within this environment and employees who work from home because of ICT capabilities. However, there was an issue with some employees not having access to broadband. This was a well understood problem that more than \$4 billion a year was invested into extending broadband services to rural or underserved areas, but as a nation, they needed to further look at this issue as they become increasingly more reliant on ICT for certain components of society.

Dr. Benjamin asked about the disparity that existed for many frontline workers in blue collar communities, and the pandemic's impact on this workforce. Mr. Puentes stated that there were big challenges within the transit agencies. These workers were in harm's way and every general manager within the transit agencies around the country made employee health and safety their top priority. There were new cleaning protocols and measures designed to protect the public and the operators. Essential workers comprised about 36% of the total U.S. transit commuters, so transportation services were important for the nation's recovery.

Mr. George Hawkins, NIAC Member, shared that personnel safety was important for the water sector, which supports fire, flooding, and drought response in addition to lifeline use. He asked Mr. Puentes whether the transportation sector saw small businesses or understaffed utilities facing higher risk of breakdown due to COVID-19, adding that these businesses were already financially stressed and had a smaller number of available staff who worked longer hours. Mr. Puentes agreed that smaller agencies were experiencing shortages prior to the onset of the pandemic, especially in rural areas. He shared that attracting people to those positions was a challenge even before the pandemic. There was a redundancy that is needed absenteeism, and that some bus routes could not be run due to worker shortages.

Dr. Benjamin asked if staffing patterns within various industries had changed. Ms. Condello shared that all of their employees were working in different locations and that the last six months provided an opportunity to change worker patterns, as telework became globally acceptable. She shared that they were looking at how effective web platforms had been for telework and identifying ways to further leverage these options. The entire Communications sector was looking at what products and services their customers needed. She felt there would be a gargantuan shift over the course of the next ten years and added that they would soon be in the digital age, if they weren't already. Dr. Benjamin explained that telehealth had been crawling along but now they know that they can take care of patients remotely and do not need doctor's office visits for many different treatments.

Dr. Benjamin asked if anyone had seen any new types of jobs or new opportunities emerging. Mr. Puentes did not think so but explained that it might impact the type of work. For example, a small increase in telework would change transportation demand. A big portion of the workforce telecommuting once every two weeks, there would cause a 5% to 10% decrease in traffic congestion, changing travel patterns and impacting demand without changing occupation.



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Mr. Baich, NIAC Member has seen organizations begin to rethink whether or not they could outsource some services. General Albert Edmonds added that he noticed that contracting had improved during this period of time because a lot of their workers were teleworking and were coordinating, processing, and approving better contracts than he had seen in the last two years. Another key point Mr. Baich made was concern of physical security. He explained that the Pentagon was pushing for 30% to 40% of their employees to telework. The struggle with going virtual was that people have different levels of technological knowledge.

Dr. Benjamin shared that this brought up the question of cross-sector benefits and relationships, as many jobs were changing their work process. Mr. Daniel Kroese, AD Kolasky's Deputy, stated that there was a great case study on adaptability of workforce functions and how to extract maximum value to achieve the mission. The NRMC noticed that a lot of historically in-person tasks could still take place. For example, to perform an assessment on critical infrastructure facilities, the NRMC would deploy a team for three days, conduct the assessment, and return home, but now they are doing these remotely. He shared that COVID-19 had forced them to address threat landscapes in a more flexible, dynamic and in a scalable, remote way. This was one of the unexpected benefits of the pandemic because it caused them look inward for how to achieve their mission in a different way.

Dr. Benjamin then asked what needed to be done to return to 100% pre-COVID-19 employment, and he asked what the panelist thoughts were about the huge re-adjustments happening within the workforce. Mr. Puentes said that they were looking at infrastructure investments as a way to stimulate jobs and the economy; however, there were major national conversations happening about what kinds of investments would be the most valuable. He shared that there was an optimism about a big infrastructure bill that would stimulate economic growth and jobs, in both shovel ready jobs and operations. He shared that 11% of the U.S. workforce was employed by infrastructure, explaining that it was a source of good paying jobs.

Dr. Benjamin asked that the panelist to discuss one of the concerns that was mentioned earlier during the QBM: natural disasters during the COVID-19 pandemic. He stated that the approaching hurricane season was predicted to be active, and severe fires continued burning across the U.S. He asked how these natural disasters in combination with the pandemic would impact workforce resilience. Ms. Condello stated that Lumen was currently dealing with hurricanes and fires, sharing that COVID-19 had exacerbated these challenges in the Communications Sector. During a hurricane, workers might stay in a hotel or caravan with others. However, state quarantine and boundary introduced challenges. For example, crossing between Alabama and Florida impacted the ability to enter state emergency operations centers (EOC). Entry requirements included a negative COVID-19 test less than two days before, but if an employee was driving from New Jersey to Alabama to assist in incident response, the drive could take at least two days. She further explained that during Hurricane Laura they discovered that if assisted in a different state, he or she would need to quarantine for 14 days. While she believed it was the state's right to enforce its rules, those rules limited her company's ability to assist during natural disasters. She also believed that the states needed to better inform the public at large due to the quarantine rules they were enforcing.

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Dr. Kevin Morley, NIAC Member, commented that in Louisiana he dealt with a similar experience to what Ms. Condello had described. The Governor made the decision not to open up standard shelters, so responders stayed in hotels, creating a housing shortage for support workers. He explained that thinking through the impacts of these policies during concurrent incidents would be useful. Dr. Benjamin believed that doing a more emergency response gaming, including for multiple events, would help localities identify challenges related to isolation, quarantining, and moving people from one place to another.

Dr. Benjamin asked the panelists if staffing plans had dramatically changed or would change over time. Ms. Condello stated that in the long term this would change but clarified that this would be a normal occurrence. Mr. Carl Newman, NIAC Member, shared that if people were to look beyond the horizon, they would see this is not a new issue; the pandemic has illustrated a divide between those with and without computer skills. He believed that the workforce should start thinking about how to achieve the skills needed into non-college graduates so that high school graduates and junior college students would have professional workforce skills. Dr. Scott added that an additional challenge was the aging workforce in frontline workers, making them more vulnerable to the pandemic.

### **VI. CRITICAL INFRASTRUCTURE COMMAND CENTER (CICC) FOLLOW-ANALYSIS UPDATE**

*Rich Baich*, Chief Information Security  
Officer, AIG

*Rick Ledgett*, Senior Visiting Fellow, The  
MITRE Corporation; Former Deputy Director,  
National Security Agency (NSA)

Mr. Baich provided an update of their analysis on how to achieve the functionality of the NIAC recommended CICC. Mr. Ledgett shared that during the May 2020 QBM the CICC WG shared the guidance they had received from the NSC on how to approach this task. This update reviewed the organizations that they had spoken to and shared initial themes that they based on the work completed so far. They would address any questions from the full council, and then discuss next steps, including the acceleration of the delivery of the final report.

Mr. Baich then shared the list of organizations that the WG had interviewed to date, as well as identified additional necessary interviews to complete the study. He added that they had also briefed Cyberspace Solarium Commission, identifying the synergies between the NIAC's recommendations and the Solarium's efforts. The WG continues to remain in close contact as they moved forward with their report.

Mr. Ledgett shared that the WG identified some initial themes intended to drive discussion and inform the broader council about what the WG has learned thus far. First, the existing model does not have real-time collaboration and direct information flows between government and industry personnel, which is necessary component of the CICC. Second, the CICC's value stems from its the ability to connect dots, sharing intelligence and consequences data among operators and analysts. Third, the need for co-locating industry and government analysts who have access

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to their own IT networks, can discuss and analyze information in real-time without ever having to exchange or transfer data. He stated that one existing barrier is the need to protect proprietary data and that this would address that concern.

Mr. Baich shared that through their discussions it became very clear that the most successful models operated the Top Secret/Sensitive Compartmentalized Information (TS/SCI) level. Previous studies and feedback from other groups identified the need for appropriate clearances to enable different groups to communicate and share intelligence. Anonymizing and declassifying data to share with the private sector was time consuming, potentially reducing the information's value and effectiveness. This was a gap area that the CICC may address.

Furthermore, the appropriate authorities do not exist today to enable the CICC to operate as intended. Mr. Baich emphasized that this was an important point and the WG would continue to examine different applicable authorities. Additional analysis is needed before they can label this as a gap.

Mr. Ledgett shared that the Intelligence Community (IC) was currently unable to share intelligence directly with private companies. Intelligence producers would go through the Federal Bureau of Investigation (FBI) or DHS to share the information with the private sector, causing delays. Both the NIAC and the Cyberspace Solarium Commission had recommended making the private sector a customer of intelligence. Entities relied on individual Memoranda of Agreement (MOAs) and Understanding (MOU) to engage with the private sector on cyber collaboration and coordination, but there no general approach. There is a need for the private sector to fund and provide the right level of resources to work CICC, and while the CICC required both the government and private sector to come together, the private sector investment is essential.

Mr. Baich solicited NIAC member input on two questions. He asked what it would take for them to commit money and people to the CICC. General Edmonds agreed with the importance of private sector support, explaining that once they got one company to agree to support an operations center, other companies saw the competitive necessity to be in the same space. The CICC needed a major industry company to understand the benefit, then competitors would join.

Mr. Ledgett then asked what concerns or issues they would need to have addressed to participate in the CICC. Mr. Hawkins asked how the CICC differed from the Electricity Information Sharing and Analysis Center (E-ISAC) or other similar groups. Mr. Baich explained that the ISAC concept has existed since 1998 but did not provide this level of insight in a timely fashion and added that the CICC concept was more than threat sharing but was about action and innovation. He explained that the Struts Vulnerability came out about 2 years ago, and the biggest challenge of any organization was how to determine if they had the technology in their organization that would allow them to act. He explained that intelligence was clear, but the risk was not. Several private sector companies had developed code to help identify these threats but there was no avenue to get these codes out to others or help organizations understand if they were at risk. The CICC would help consolidate the threat and share techniques that could be used across most industries.

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Dr. Scott remarked that there would be loyal, early adopters who would join because they supported the cause but added that once they joined, they would need to be convinced. It was important to know the value proposition and to make sure the authorities worked. She also encouraged them to think about whether this was something that they could see being institutionalized or if added unique value.

Ms. Lau shared that resources were more difficult for smaller companies and wondered how they envisioned supporting smaller companies. Mr. Baich shared that the vision of the CICC was for everyone but clarified that they were learning a lot during COVID-19, such as how workers really did not need to be on site. He explained that the CICC would probably have larger enterprise companies contribute personnel, but identified supply chain security as one way to include small and medium businesses.

He thanked the NIAC for their insights and asked for any additional feedback to be sent to him or any other WG members. Mr. Ledgett then shared the key milestones for this study. The WG decided to deliver the study by December of this year. He shared that they had shifted from the information gathering stage of this effort to the discussion stage where they will build their recommendations and answer the NSC's guidance. Dr. Morley shared that he appreciated the input from the other NIAC Members, and Mr. Baich thanked everyone for the robust conversations.

### **VII. PUBLIC COMMENT PERIOD**

*Rachel Liang, DFO, NIAC, DHS*

There were no registered public comments. Written comments would still be accepted through [www.regulations.gov](http://www.regulations.gov) and provided to NIAC members without alteration.

### **VIII. CLOSING REMARKS**

*Constance H. Lau, NIAC Chair*

*Dr. Beverly A. Scott, NIAC Vice Chair*

*Brian Cavanaugh, Special Assistant to the President and Senior Director for Resilience, National Security Council (NSC)*

*Chris Krebs, Director, CISA, DHS*

Mr. Brian Cavanaugh, NSC, provided closing comments, stating his appreciation of the NIAC and its active and engaged membership. He recognized the importance of the ongoing studies and mentioned that the panel discussion identified the need for ongoing support highlighting areas where the Federal government can support critical infrastructure.

Having the private sector's help in highlighting critical infrastructure challenges ensured solutions were meaningful and actionable. An example would be when CISA established the Election's Infrastructure Information Sharing Analysis Center and took practical steps to get

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actionable information out to the boards of election and state election directors. He thanked Ms. Lau and Dr. Scott for their tremendous leadership and partnership and shared his appreciation of the entire NIAC for the high-quality products and results it provides to the NCS.

AD Willke provided closing comments on behalf of CISA, thanking the NSC for their flexibility and guidance. He commended the work on the workforce and CICC studies, recognizing the potential to support future critical infrastructure security and resilience efforts. He felt it was important for the CICC study continue coordination with the Cyberspace Solarium Commission and its legislative path forward. He stated that there were some concrete, actionable steps that they could take to ensure they were shoulder to shoulder with what was happening.

Mr. Willke shared that the COVID-19 panel was something they would be talking about for a while and would probably return again to discuss how COVID-19 was driving the transformation of supply chain and net effects.

Dr. Scott thanked everyone on the team, sharing that the staff worked hard to take care of the NIAC's two ongoing studies while dealing with the impacts of COVID-19. Ms. Lau and Dr. Scott again welcome to Mr. Alpert and shared that the NIAC was glad to have him. Ms. Lau recognized AD Willke and the stakeholder engagement team for their work in making this virtual meeting happen. She thanked the NIAC member for their time, sharing that she knew how busy they were and what they were dealing with because of ongoing events.

### **IX. ADJOURNMENT**

*Constance H. Lau, NIAC Chair*

Ms. Lau adjourned the QBM.