

Quarterly Business Meeting Agenda

Friday, September 5, 2014, 1:30 p.m. - 4:30 p.m. EDT

Navy League Building

2300 Wilson Blvd

Arlington, VA 22201

I. OPENING OF MEETING

Nancy J. Wong, Designated Federal Officer (DFO), National Infrastructure Advisory Council (NIAC), Department of Homeland Security (DHS)

II. ROLL CALL OF MEMBERS

Nancy J. Wong, DFO, NIAC, DHS

III. OPENING REMARKS AND INTRODUCTION

Constance H. Lau, NIAC Chair

Ray Alexander, Senior Director for Response Policy, National Security Council

Suzanne Spaulding, Under Secretary for National Protection and Programs Directorate, DHS

Caitlin Durkovich, Assistant Secretary for Infrastructure Protection, DHS

IV. APPROVAL OF JUNE 2014 MINUTES

Constance H. Lau, NIAC Chair

V. PPD-21 R&D NATIONAL PLAN REPORT AND RECOMMENDATIONS – NEW TASKING

Constance H. Lau, NIAC Chair

VI. NIAC TRANSPORTATION SECTOR RESILIENCE WORKING GROUP PRESENTATION AND DISCUSSION

Dr. Beverly Scott, Working Group Co-Chair

Jack Baylis, Working Group Co-Chair

Glenn Gerstell, Working Group Co-Chair

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**VII. NIAC NIPP 2013 CEO SUMMARY
WORKING GROUP PRESENTATION
AND DISCUSSION**

Margaret Grayson, Working Group Member

**VIII. PUBLIC COMMENT:
DISCUSSION LIMITED TO MEETING
AGENDA ITEMS AND PREVIOUS
NIAC STUDIES**

Nancy J. Wong, DFO, NIAC, DHS

**IX. DISCUSSION AND
DELIBERATION ON WORKING
GROUP PRESENTATION AND PATHS
FORWARD**

Constance H. Lau, NIAC Chair

X. CLOSING REMARKS

Constance H. Lau, NIAC Chair

*Caitlin Durkovich, Assistant Secretary for
Infrastructure Protection, DHS*

XI. ADJOURNMENT

Constance H. Lau, NIAC Chair

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MINUTES:

NIAC MEMBERS PRESENT IN WASHINGTON:

Mr. Glenn Gerstell; Ms. Margaret Grayson; Mr. David Kepler; Mr. James Murren; Dr. Beverly Scott; Ms. Constance Lau;

NIAC MEMBERS ATTENDING VIA CONFERENCE CALL:

Mr. Jack Baylis; Mr. David Grain; Mr. Thomas E. Noonan; Mr. James Reid; Mr. Bruce Rohde; GEN Albert Edmonds (Ret.)

MEMBERS ABSENT:

Mr. Donald Knauss; Mr. Michael Wallace; Mr. David Bronczek; Mr. Philip Heasley; Commissioner Raymond Kelly; Mr. James Nicholson; Mr. Gregory Peters;

SUBSTANTIVE POINTS OF CONTACT OBSERVING IN WASHINGTON:

None

SUBSTANTIVE POINTS OF CONTACT OBSERVING VIA CONFERENCE CALL:

Linda Wilmiack (for Mr. Bruce Rohde); Ms. Joan Gehrke (for Mr. James Nicholson); Mr. Richard Houck (for Ms. Lau)

OTHER DIGNITARIES PRESENT:

Mr. Ray Alexander, NSC; Suzanne Spaulding, NPPD-IP, Caitlin Durkovich, DHS-IP; Mr. Eric Letvin, NSC; Ms. Nancy Wong, DFO, NIAC, DHS

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I, II. OPENING OF MEETING, ROLL CALL

Nancy J. Wong, DFO, NIAC, DHS

Nancy Wong opened the meeting and called the roll. She then described the purpose; a short history of the Council, and availability of its reports and additional information to the public on www.dhs.gov/niac. Then, Ms. Wong turned the meeting over to Constance Lau, NIAC Chair, and Dr. Beverly Scott, NIAC Vice Chair.

III. OPENING REMARKS AND INTRODUCTIONS

Constance H. Lau, NIAC Chair

Ray Alexander, Senior Director for Response Policy, National Security Council Staff

Suzanne Spaulding, Under Secretary for National Protection and Programs Directorate, DHS

Caitlin Durkovich, Assistant Secretary for Infrastructure Protection, DHS

Ms. Lau welcomed all NIAC members and Federal Government representatives, and provided an overview of the meeting agenda. She welcomed and thanked new member, James Murren, President and Chair of MGM Resorts, for his participation in the Council. Additionally, Dr. Scott welcomed Mr. Murren to the Council and expressed her gratitude for his participation. She noted there is much to be done, and expressed her great pleasure to be working with Mr. Murren. In turn, Mr. Murren stated his pleasure to be working with the Council.

Ms. Lau then asked Mr. Ray Alexander, from the National Security Council, to provide opening remarks.

Mr. Alexander thanked Ms. Lau and Dr. Scott and commented that he was impressed by the agenda and looked forward to hearing updates from the Transportation Sector Working Group and the CEO Engagement Working Group. He noted that this council provides critical recommendations to the President in maintaining and strengthening resilience to the Nation's Critical Infrastructure. Mr. Alexander noted that the White House has valued the Council's recommendations highly. Consequently, the Administration has further asked the Council to provide recommendations on Research and Development Priorities for Security and Resilience of Critical Infrastructure. He mentioned that as many are already aware, the President called for a National Research and Development Plan for Critical Infrastructure in Presidential Policy Directive 21(PPD-21). Such a plan is scheduled to be delivered on February 12, 2015. It will

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identify key national research and development priorities for national investment and that could enhance collaboration across the public and private sectors. It is to consider cross-sector vulnerabilities and interdependencies. Mr. Alexander indicated that he and his colleagues would be looking forward to seeing the Council's thoughts and perspectives as this task is delivered.

Ms. Lau thanked Mr. Alexander, and moved to ask Under Secretary Suzanne Spaulding for opening comments.

Ms. Spaulding expressed her pleasure to be present at the Council meeting. She thanked the Council for recommendations that have had major effect on government programs to enhance Critical Infrastructure private sector information sharing, as well as recommendations on resiliency. She added that the findings and recommendations offered in Council reports have been and will continue to be useful to the Federal Government and the private sector. Ms. Spaulding is looking forward to hearing updates on two projects – the Transportation Resilience Study, and the CEO Engagement Study to enhance public-private partnership. Noting that resiliency in transportation is important to an individual's life, as well as a nation and its economic state; the transportation study will provide valued insights. Additionally, she noted her excitement about the potential findings and recommendations on public- partnerships at the CEO and senior executive leadership levels. Having CEOs like Mr. Murren, on the council will help ensure that the government can reach the right individuals who are in a position to make resource allocations and risk management decisions. Ultimately, they are the ones who can weave physical and cyber security together, and make the trade-offs in the approach to manage the entire range of risks to the sustainability of their business operations. Ms. Spaulding further noted that no good deed goes unpunished and all work of the Council, as public servants, are greatly appreciated and recognized; thus the Administration has asked the Council to make recommendations for another task on a very short timeline.

Ms. Lau responded that last year the Council volunteered to take on additional short-term tasking to provide timely and relevant advice to the Administration and is pleased to do so again. The new tasking will be discussed later in the meeting.

Ms. Caitlin Durkovich was then recognized to make opening remarks.

Ms. Durkovich welcomed James Murren to the Council, and recognized the dedicated work of the Council. She noted that Administration leadership relies on the Council for recommendations on Critical Infrastructure and Resiliency, and their hard work is not only recognized and respected, but the 24 studies are a primary guide for the Administration on decisions and priority setting. Ms. Durkovich commented that she is very interested in continuing to track the council's progress, and to receive results and findings of the transportation sector study and to identify inter-dependencies of various modes. She expressed that not only is this important to her in her role as the primary government lead for the Critical Infrastructure mission, but to the White House. Mr. Alexander has spent a considerable amount of time speaking about Freight

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and Passenger transportation. Ms. Durkovich further noted her interest in the executive-level engagement study, and stated there is much to be learned from the success of the electric sector. Additionally, she noted executive-level engagement to develop senior-level partnerships is an effective framework and should be explored by looking at other sectors. She then thanked the Council for being ambitious in their focus in studying complex-multifaceted subjects, and acknowledged the efforts of the working groups. Ms. Durkovich thanked all members of the working groups for their continued weekly work and noted that while many members have other full time work responsibilities, they choose to take part in NIAC on top of that.

IV. APPROVAL OF MEETING MINUTES *Constance H. Lau, NIAC Chair*

Ms. Lau moved to the approval of the meeting minutes from the June 12 Quarterly Business Meeting. She noted that if there were no objections or comments, she would certify the meeting minutes at the adjournment of the meeting. No opposition or comments were voiced.

V. PPD-21 R&D NATIONAL PLAN *Constance H. Lau, NIAC Chairman* **REPORT AND RECOMMENDATIONS -** **NEW TASKING**

Ms. Lau commented that the Administration has made a request for the Council to take on a new tasking: To make recommendations to the National Priorities for Research and Development Plan for Critical Infrastructure required under Presidential Policy 21 (PPD-21). This will be short-term tasking – similar to Mr. Kepler’s working group tasking last year on the Implementation of Executive Order 13636 and PPD-21. It should be delivered in the November Quarterly Business Meeting. The final product will be a report on cross-sector priorities, rationalization of prioritization, strategic drivers for future prioritization, and recommendations on potential public-private partnerships on the recommended national priority investments. The Council will establish a working group to address this tasking. Ms. Lau encouraged members who are interested in working or serving on this working group to reach out to Nancy Wong, the NIAC DFO, or herself following the meeting.

**VI. NIAC TRANSPORTATION
SECTOR RESILIENCEWORKING
GROUP PRESENTATION AND
DISCUSSION**

Dr. Beverly Scott, Working Group Co-Chair

Glenn Gerstell, Working Group Co-Chair

Margaret Grayson, Working Group Member

Dr. Scott began by expressing her excitement on officially launching the Transportation Study at the Quarterly Business Meeting, which occurred on June 12, 2014. The study has been identified as one of the four lifeline sectors; and in turn, she thanked her co-chair and members of the working group for their contributions and significant efforts put forth in this study. Dr. Scott then began to give an update on the study task progress within the last three months, and gave an overview on what was to be presented. She stated the presentation will review the study charge, discuss the case study, outline the tasking to a study group, and review the schedule.

Currently, a schedule is being revised and will be completed by summer 2015. Dr. Scott noted the 2010 electric study will be used as a framework to the Transportation Sector to establish resilience and set goals. This study will test the validity of the framework to another lifeline sector, to uncover transportation resiliency issues and identify potential solutions to address issues identified in its research.

Dr. Scott noted that even with time and resource constraints, over the last three months, the working group has developed a study approach and has identified a transportation hub for a case study. In this study, Dr. Scott emphasized they will incorporate one or two CEO roundtables and invite subject-matter experts – as well as Subject Matter Experts (SMEs) -- to engage CEOs with real-life scenarios that will inform the report. Furthermore, she expressed the importance of identifying resilience gaps and potential fixes to inform the report. In addition, a tasking was issued to the study group formed by the working group. Currently, the working group is scheduling subject matter experts for interviews, and had received briefings that morning from the Transportation Security Agency and the Volpe Institute.

Following Dr. Scott's update, Mr. Gerstell briefed on the specific case study selected by the working group. Mr. Gerstell explained the methodology used to pick the venue for the case study. He noted they examined the top 25 transportation hubs in the United States. They had selected – 6 or 7 of the 25 based on a set of criteria. Factors that were considered were: (1) National economic significance (2) Vulnerability to terrorism risk: looking at high density population as high risk; (3) Intersection of multiple freight modes: looking at opportunities with combination of sectors, highway and aviation, for cross modal impacts ; (4) Cross-sector impacts: if there was a disruption in one sector, what are the ripple effects on the other sectors; (5) Extent to which multiple jurisdictions are involved; and (6) Volume of passengers that run through the hub. Based on these criteria, the working group had identified 7 locations: Los

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Angeles/Long Beach, Houston, Memphis, Philadelphia, Baltimore, New York/New Jersey, and Seattle for consideration.

Mr. Gerstell stated that Los Angeles and Long Beach are the largest port in the United States--ranked fifth in the world--and 50 percent of exports are from California. Consequently, this hub would be the number one choice that meets the requirements to have a meaningful study.

Ms. Margaret Grayson led the discussion on the study group's activities. The study group's research will focus primarily on Freight Transportation and Passenger Transportation, collect data to baseline the resilience of the five modes identified for the Transportation Sector: freight rail, aviation, highway and motor carrier; and maritime. Ms. Grayson noted they will also look at the intersection of modes. Ms. Grayson described the study group plan to gather information. Ms. Grayson expressed the need for a revised schedule for delivery of the final report. While there has been progress with this study, Ms. Grayson stressed that the complexity of the study will require more time, producing more useful results.

Ms. Grayson then presented the council with a revised timeline. The new timeline will enable the working group to use a more methodical process. Ms. Grayson assured the council that this process has been proven to produce more effective results and is consistent in previous studies.

Ms. Grayson concluded by asking if there were any questions; and as none were raised, she referred to Dr. Scott for further comments.

Dr. Scott noted they are trying to focus on cross-sector dependencies on the national scale. Much has been researched and completed on the Passenger Transportation side. The Working Group will be looking to research to complete the Freight Rail aspect as well. Dr. Scott emphasized a need to address the cyber dimension of transportation resilience, as well as Aging Infrastructure. With no further questions, Dr. Scott handed the meeting back to Ms. Lau.

Ms. Lau deferred the deliberation to reaffirm the Path Forward and Revised Schedule to later in the meeting after public comments on the Working Group briefings.

Members were then afforded time to offer comments and ask questions.

Ms. Durkovich asked for clarity on how they were going to define the baseline for resilience.

Dr. Scott responded to say that they recently spoke with USDOT and TSA on this specific topic. The plan is to reach out to all of the modes to collect information, using the goals framework established in the Council's 2010 electric and nuclear sector case study report.

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Mr. Kepler commented that it seems like Mexico and Canada integrations were not included in the choice of hubs. He further asked if the hubs were domestic or international, and if any lines, grids, roads, bridges, etc. were used when picking hubs. Mr. Kepler noted that connections are often as important as the hubs themselves. He recommended looking at the grids and lines at each particular hub.

Ms. Lau stated that North America is so intertwined that they may need to look at that further, but not just for the Transportation sector, but generally speaking as well.

Ms. Lau opened the discussion to any phone questions or comments. No phone comments or questions were offered.

Ms. Lau then moved to the status report for the NIPP 2013 Working Summary Group. She stated they have renamed the working group to CEO Engagement Working Group, as the tasking focus is more extensive and includes understanding the factors involved with partnering at the CEO or senior-executive level. The NIPP 2013 was one of the deliverables from the Working Group and was not an accurate name for the focus of the group.\

VII. NIAC NIPP 2013 CEO SUMMARY WORKING GROUP PRESENTATION AND DISCUSSION

Margaret Grayson, Working Group member

Ms. Grayson presented an update on the progress of the CEO Engagement Working Group. She noted that the chair, Mike Wallace, has been actively engaged in every call, every meeting and every discussion. He extended his regrets for his absence at this meeting. The question of CEO engagement and the impact of ensuring communication at the senior executive institutional levels have always been an issue. The study seeks to learn and add more on the value of CEO engagement, and seeks to identify elements for sustainability of such engagement, not only in emergency circumstances. As data was collected, the working group came to understand that the task is more complex than initially recognized, and Ms. Grayson stated that the working group recommended that the timeline be extended for this study. The Federal Government is seeking to understand the role of CEOs, how they act, and when are they really needed for an interaction across sectors and with the Federal government. Ms. Grayson commented that the final report will include a NIPP CEO summary as a communication model.

Ms. Grayson briefed on the current findings of the Working Group from various sectors for which data has been collected. She noted the sectors are very different and CEO engagement and responsibilities vary from sector to sector. Some sectors have a regulatory overtone impacting

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the CEO's engagement, while others are very competitive and diverse in their interests within sectors.

Ms. Grayson noted that the working group has collected data for the chemical sector, the communications sector, and the financial services sector. Data collected indicate that trade associations have very strong active roles in developing partnerships, trade associations have a significant role in bringing CEOs to the table; but overall, data indicates that public-private interactions at the CEO level needs more impetus and motivation to get involved. The activity at the senior level, however, has been recognized by the NIAC to create stronger partnerships.

For example, Ms. Grayson commented that the financial sector is complex with multiple modes and CEOs gather in areas of interest where there are common interests. CEO engagement is relevant to only in the areas that their institutions operate in, but not necessarily the sector in its entirety. Ms. Grayson noted that in the communications sector, CEO engagement occurred only when there was a question of a common issue. One interview identified a national broadband plan to look at allocation of spectrum, and ensure Wi-Fi and technology was made available at a reasonable cost to all Americans. Many CEOs are accustomed to generating revenue for their own organizations and the CEOs within the communications sector partnered together to bring resources together for the common good. The CEOs saw a clear responsibility to come to the table with the responsibility to help the common good. Ms. Grayson commented that this example was of value in uncovering motivation for CEOs to engage.

Ms. Grayson stated that the working group has developed a case study outline that would, organize collected information into how a sector is governed, the actions that the CEO level would take and actions that are delegated to other senior executives.

In conclusion, Ms. Grayson stated that there is wide diversity among the sectors. A revised timeline would allow time to work on identifying a methodology that would enable a landscaping of executive decision-makers within a sector for a given topic and to perform the outreach necessary to engage them and sustain the engagement. She further noted that they are looking to complete the case studies along with the NIPP CEO Summary by the end of December. The completion of the report will be in the first quarter of 2015. Ms. Grayson noted they are working to gather information for six case studies.

Ms. Lau asked if there were any clarifying questions.

Mr. Murren commented that he is looking forward to this report because it will show how enterprises manage their risks. He recommended looking at universal risk factors with large companies, as many will show they are not industry specific. He further recommended doing a

study of organization charts. To draw CEO attention, Mr. Murren mentioned having cyber security as part of the report as well.

Ms. Durkovich informed the council that the council and the Federal government have made the case as to why executive-level engagement is needed. She explained that senior executives are the individuals that are thinking about risks, and as such, should be engaged. Ms. Durkovich said the study will show regulatory risk, and the tension between quarterly earnings and shareholder value. She stated that the government has learned that CEOs would like to think more strategically for long-term security and resiliency issues. Ms. Durkovich noted there are concerns pertaining to how companies will leverage markets and trends to security and resilience, and what they will worry about two to three years from now that may affect their supply chains.

Mr. Kepler commented that the electric sector has a more homogenous composition than the chemical sector. He continued to say that organizations often have many issues simultaneously and if ten major issues arise at ten companies; there will be a thousand interpretations. He further noted that one example from one sector does not work as a model for all sectors, as each sector is different.

In light of the meeting time constraints, Ms. Lau ended further questions and comments, and noted the deliberation will be later in the agenda when further discussion can occur. She turned the meeting over to Ms. Wong for public comments.

**VIII. PUBLIC COMMENT:
DISCUSSION LIMITED TO MEETING
AGENDA ITEMS AND PREVIOUS
NIAC STUDIES**

Nancy J. Wong, DFO, NIAC, DHS

Ms. Wong opened the public comment period for the public.

Mark J. Carr, Principal of Channel Design Group, Chair to Inland Water Transportation Committee at the Transportation Research Board of the National Academy of Science made a statement encouraging the council to engage with Channel Design Group and would be happy to give introductions. He commented that when looking at case studies within communities, to look closely at the maritime side, especially at the barge transportation sector going in and out of Houston and the Hudson River, located in New York. He noted that if you only look at ocean maritime transportation, you miss a big percentage of maritime transportation.

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Moving to comment on the CEO Working Group work with the financial sector, Mr. Carr stated that there are too many pieces to pull together and such pieces may cause more issues than solutions.

Ms. Grayson said she appreciated Mr. Carr's comments. She noted the working group recognizes the same issues and complexities.

Dr. Scott thanked Mr. Carr for his comment and asked him to leave his contact information at the end of the meeting.

Ms. Wong stated there were no more public comments and turned the meeting to Ms. Lau.

**IX. DISCUSSION AND
DELIBERATION ON WORKING
GROUP PRESENTATIONS AND
PATHS FORWARD**

Constance H. Lau, NIAC Chair

Ms. Lau initiated the deliberations on the Transportation Sector Resilience Working Group's recommendations. She asked if there were any comments about the process, schedule, or study approach. No questions or comments were offered. Ms. Lau requested the council to approve and reaffirm the revised schedule. She asked for a motion and a second. Both were given. She asked for a voice vote of ayes. She subsequently asked for voiced "noes". Hearing no oppositions, and only ayes, she noted that the recommendations were approved and that the working group move forward as recommended.

Ms. Lau turned to deliberations on the CEO Engagement Working Group recommendations. She asked if there were any comments. Ms. Lau commented that she has a similar comment to Mr. Carr's in that the working group may have to consider the financial services sector in smaller segments in order to address its diversity. She noted that size matters tremendously, and even in the banking sector, large banks are different than community banks. In fact, even trade associations find they have to break representation down even further by size because the interests differ so greatly. For the electricity sector, Ms. Lau noted that they are reaching out to National Security Telecommunications Advisory Council (NSTAC) to find out how the coordinating council for the communications sector is set up and how they relate to senior executives in that sector.

Dr. Scott stated sector segmentation broadens the family of CEOs because in many sectors that are privately owned and operated, you may see better longevity. In the public sector, appointees

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are going to be made by a governor for four to eight years. She noted that there are different rhythms of longevity across different sectors.

Ms. Lau commented that one of the deliverables was the NIPP 2013 CEO Summary. In the proposed revision, specifically in the task revision, there were implications that it will be a written summary. She asked if there were other modes to communicate besides the one written summary.

Mr. Keppler said that there would be other modes for communication, but they wanted to do it in writing to show how the NIPP could be communicated at the CEO level as a general model. Currently, the working group has the intent to develop a practical tool to take to the private sector. Ms. Lau asked if this tool could be used as a presentation tool for senior leadership. Mr. Kepler affirmed that intent.

Ms. Grayson joined the conversation to say the working group is looking at providing a tool that would be broad enough to be adapted to the specific needs of the sectors. She noted they do realize that it may not be appropriate towards all sectors, but to find a common framework that is applicable, yet customizable.

Ms. Lau asked for other comments or questions; and hearing none, moved to request a decision by the council on the working group's recommendations.

Ms. Lau asked for a motion and a second. She asked for voiced "ayes", followed by voiced "nes". As "ayes" were voiced by the members present and as no oppositions were voiced, the working group recommendations were approved by the Council.

X. CLOSING REMARKS

Constance H. Lau, NIAC Chair

*Caitlin Durkovich, Assistant Secretary for
Infrastructure Protection, DHS*

Ms. Lau again noted that the Council has received a short-term tasking to look at the National Research and Development Priorities. If anyone is interested, please contact Ms. Wong.

Ms. Lau moved to closing remarks and asked Dr. Scott if she had any further comments.

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Dr. Scott thanked each member and noted the meeting was very productive. She further thanked Ms. Durkovich and the Department of Homeland Security, stating she will volunteer on the new research and development tasking.

Ms. Durkovich expressed her pleasure at participating in these meetings. She thanked the members' participation and dedication to Critical Infrastructure and Resilience. She reiterated that the discussions from this group will continue to guide how the Department of Homeland Security thinks about Critical Infrastructure and Resilience and she looks forward to the continuing partnership.

Ms. Lau asked other members for closing remarks, but no other remarks were offered.

Ms. Lau announced that the next meeting is scheduled for November 14th at the US Access Board. The Transportation Resilience Working Group will again hold briefings that morning and Ms. Lau encouraged members interested to attend.

Ms. Lau thanked all members and adjourned the meeting.