

MEMORANDUM FOR THE RECORD

Event: First Meeting of ANSI Homeland Security Standards Panel on Emergency

Preparedness and Continuity of Business for the Private Sector

Type of event: Full day meeting

Date: Wed. January 28, 2004

Special Access Issues: NA

Prepared by: Emily Walker

Team Number: 8

Location: Hotel Pennsylvania, Madison Square Garden, New York City

Participants - Non-Commission: List Attached

Participants - Commission: Emily Walker, Mark Bittinger

Background:

The official summary of the meeting is attached. The opening of the meeting consisted of ANSI officials describing the history and role of the organization and its work on homeland security issues. ANSI staff made it clear that ANSI does NOT develop standards, industry experts develop the standards. However, ANSI does coordinate the experts and ensure that the standards are developed to a certifiable process that is nationally accepted. Emily Walker gave opening remarks second on the agenda (see attached). Bill Raisch, head of the Emergency Corps, and head of the working group on Incentives for Private Sector Preparedness, which will also work to make recommendations on incentives for consideration to the Commission, also spoke. His remarks are attached. He basically summarized the work that had been done all fall in round-tables with the Commission on this topic and outlined how he saw carrying this work forward to evolve recommendations for the Commission's consideration this spring.

The discussion opened with all participants introducing themselves. The group ranged from Government officials (GAO, DHS, Postal Service (anthrax), FEMA, Local fire chief), Associations (telecom, Security), to corporate representatives (Microsoft, IBM, Lehman, Goldman Sachs, Booz Allen, Lucent). The first question asked of the group was to discuss the existing standards for emergency preparedness of which they were aware. Bruce Aiken, President of Homeland Security Association said that state and local guidelines with four terrorist scenarios had been developed by their group and would soon be available. He said that the Emergency Interoperability Consortium had drafted guidelines on interoperability. And that his association had nine task forces that had written position papers on Homeland Security which were available on their website www.HSIANET.org

Defense Capital Advisors spoke about the model that the State of Colorado had adopted. They started a critical infrastructure committee for the state reporting to the Governor.

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They looked at businesses that need the discipline of preparedness and used the approach of TQMS TQSM (attached) as a standard process (similar to ISO) for this effort. This representative discussed the need to include a process that can be used for small businesses as well as large businesses that was not cumbersome. He said that they were looking to develop a process standard that eliminates security failures. They developed a program using the TSMQ TQSM methodology and tested it on small businesses and found that as companies began implementing this process, the incentives were built into the bottom line. This system has training, performance measures and is self-auditable.

The representative from a telecom association (of the telecom industry) (ADIS) (ATIS) said that for a number of years they had been prepared because of the nature of their business. They have an Emergency Services Forum that had a summit in 2003 that discussed issues of physical security and the role of central offices. They have a Network Reliability and Interoperability council where they form best practices and implement them. Bell Lab, among others, participates in a communications best practices standards group that meets and develops these standards that are used by the industry. They have mutual agreements and best practices which are enforced by peer pressure and the fear of legislation and liability.

Bill Raisch of the Emergency Corps said that a lot of critical infrastructure has robust emergency management. But that does not negate the need for an over-arching standard, a matrix of common reference, with some generality for the middle and smaller firms to be able to use it, but something fundamental could be implemented.

One comment made was that in the financial services sector, there is considerable action taken in this area. It is worth seeing what they have done in light of the Federal Reserve and SEC regulations and work with them in this area since 9-11. The market too is making demands of firms, through counter-parties and clients, to ensure that they are prepared. Clients are asking firms how prepared they are. In order to be competitive, firms have to develop plans that are detailed and explicit.

Goldman Sachs Rep, Randall Fort, said that he was confused about standards. Large firms own the infrastructure. He was not sure where the smaller firms fit in.

The representative from Colorado said that it is a process, a way to transfer best practices from one industry to another.

DRI International said that they have a business continuity planner on their website which is a guideline. They work jointly with the business continuity Institute in the UK and they certify business continuity planners. They felt that this is a possible candidate for the guideline. (Author note: This is very specific to one piece of what we are looking at).

American Management Services spoke. They develop programs for emergency management for the Navy. They have a set of standards of what they expect as well as best practices. They refrain from dictating the specifics. The advantage of a standard is

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that it "gives people room to think". The standard in the Navy is similar to NFPA 1600. It looks at functional areas and allows organizations to consider those germane to what they are doing through the lifespan of the event. It provides a mental rigor to press through the issues.

Following this discussion, the 9-11 Commission was asked to describe the vision it had for these standards and what it had learned from the 9-11 experience. Emily Walker spoke. She did not cover details of what the Commission had learned about the private sector experience except to say that there were weaknesses in evacuation, communication and continuity of business. Since that time, while much has been done, there remains as was seen at our public hearing, deficiencies in preparedness and some complacency, particularly outside NYC, on the issue. The Commission has a platform to make recommendations that can help the future of our country in terms of many issues, including preparedness both for a future potential terrorist attack as well as other hazards and is interested in the private sector views on this topic. She said that the Commission would be looking for a top-level framework, not specific criterion by industry or by code requirement, that would provide a basis to encourage the preparedness overall in the country.

One issue that immediately arose is the varied definitions and terms relating to emergency preparedness and continuity of business and the need to clarify the meaning of terms so that at least the country was speaking the same language. Batelle, a think-tank said that there are lots of standards in place and it was important to discuss what functions should be included and coordinate them into a package that the 5-man company as well as the 5000 man company could do.

The US Postal Service spoke. They used the ISO 14000 standard for Anthrax. They have also used NFPA 1600 and NIMS standards that DHS is working on version number eight.

Tom Cavanaugh from the Conference Board said that we would need a distinct approach to small businesses and we would have to handle that differently institutionally.

ASIS (the Association for Industry Security) asked how many companies were already compliant with NFPA 1600. The NFPA representatives said that they did not know. NFPA was only required when a state, local or other jurisdiction made it into law.

One example of an industry led standard was brought up. In the case of banks looking to secure their Electronic Funds Transfer, they felt it was in their interest so they developed standards. The FED and SEC participated and saw that these practices were good enough to use for the regulation.

One representative reminded the group of the standards for homeland security when the Soviet Missiles were the threat and how children were taught to get under their chairs at school. He felt that if the private sector is asked to undertake investment and activity for the homeland security beyond what is in their best interest, then the Government must

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create an infrastructure to do it. He felt this was the only way to get a high level standard widely adopted.

Lucent said that in the end we need a method to get standards effectively implemented. Their imagination took them two years hence where there is a program on the computer and you are asked a series of questions about your security and you answer that and based on your answer you can retrieve an entire library of information related to security with specific steps to undertake depending on your situation. This rep felt that standards/best practices vary by industry and must be tailored to size and functional requirements. It must be process oriented. It may need an audit. Education will be a large piece. It must be self-administering through phone and website. And there is a huge question as to how you will control changes to the standard. What is valid today will not necessarily be valid later. How do you keep it going? But in the end, this rep felt that a national framework allows us to implement standards and best practices by industry across the country. This allows each industry to deal with issues their own way. It would not encumber all industries with issues irrelevant to them. 1600 is high level, but it won't have teeth. Successful cases have teeth – market drivers—or fear of legislation that push them. If it's too high level, everyone will keep going where they are. It will also need certification and recertification.

The Homeland Security Association representative felt that incentives must be two-sided approach. Greater enforcement will be derived from whether or not the standards are meaningful to companies. You need more than insurance incentives. You need Congressional support. You need to make a good marketing program where the public sees value. Patriotic motivation may be good enough, particularly since this is a political issue. Framework is more palatable than a guideline. It permits a company to take piece parts, some regulatory, some from the industry, and develop best practices versus hitting the bulls eye or being out of compliance. Flexibility was key. It also must be experienced based.

GAO said that they supported a framework that assists the management process and puts goals in place in the private sector. A discussion on the possibility of a DHS seal of approval for the standards, that resulted in publicity and approval from employees as well as the corporation. With interdependence, once some companies picked up on the standards, there would be a ripple and then a flood.

John Deere said that national guidelines were palatable as long as it remains voluntary and a guideline and there is no punitive action. They did not want "big brother" down their throat. They felt they had done a good job in this area for their entire 100 years as a company or they wouldn't still be in existence. They support a framework.

DILM Global engineering has done a lot of work in Australia. The bombing in BALI was their equivalent of 9-11. The States took their own steps. The State of Victoria mandated that the equivalent of NFPA 1600 be implemented. The companies in the state said they would not implement it unless the state paid for it and nothing has been done.

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It was discussed that we need a common set of terminology and standard format across the industries. The committee will revisit the issue of common terminology.

Questions arose as to who would do the audit to see whether companies were in compliance? Who would accredit the auditors?

DHS rep said he saw merit in starting with high order of national standard.

Others thought that 1600 may have to be expanded and concern was expressed that any expansion not take 3-5 years, the normal NFPA process. Speed seemed to be important to many.

Some felt that the return on investment in this process must be addressed and marketed. Using the conference of Mayors to get the message out was offered as an idea.

Building on NFPA as a best practice and focus on communities was discussed. Using it as a point of departure for this group to identify which pieces of it should be included in the final standard. It provided the core of what the group ultimately produces, a baseline way to go. Any new document that is derived from this people felt should include best practices within each industry and sector specifically. One person asked if the new document would be NFPA or a different name? This was left open for future discussion (I believe that it should be 9-11 Standards).

A communications plan around the adoption as well as an education component was stressed.

ConEdison felt it should be a "cookbook", and "user-friendly". ConEd is doing general guidelines themselves

Lehman felt we were going in a good direction and should keep the momentum going. They agreed to use NFPA as a baseline and want the group to agree on an ANSI driven timeline for drafting enhancements, prioritizing infrastructure and best practices. They felt it was important to have a date specific to review a draft.

BONY felt that guidelines, not standards, and that a matrix of terminology was important because it could only be usable if everyone knows what the words mean. They also wanted to be sure the technology piece was covered.

GAO concurred with the approach. They felt that prevention and mitigation were important. They felt a balance needed to be set between imposing standards versus erring too much on the side of caution. They felt that a best practices database should be built with a menu of things to look at and implement depending on the size of the organization and the sector (e.g. the standard would be tailorable).

American Mgt. Systems felt that this was appropriate but certain implementation issues needed to be addressed. Also for example, 1600 calls for risk assessment, hazards ID and

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MEMORANDUM FOR THE RECORD

Event: ~~First~~ Meeting of ANSI Homeland Security Standards Panel on Emergency Preparedness and Continuity of Business for the Private Sector

Type of event: Full day meeting

Date: February 27, 2004

Special Access Issues: NA

Prepared by: Emily Walker

Team Number: 8

Location: American Management Association, New York City

Participants - Non-Commission: List Attached

Participants - Commission: Emily Walker, Mark Bittinger

Background:

This was the second meeting of the ANSI Homeland Security Panel on National Standards on Emergency Management and Continuity of Business which was set up to make recommendations to the 9-11 Commission. The official summary of the meeting and presentations are attached. Two key positive elements to this meeting were higher level participation by NFPA officials so that they could make policy decisions internally based on the results of the discussions and the participation of a senior DHS official, Rich Cooper, from the DHS Office of Private Sector Liaison.

NFPA had previously send staff from headquarters who were defensive about the Standards and really not in a position to see the need for changes or be able to comment on them. The participation of senior committee members showed their interest in the usage of NFPA as a standard and their willingness to consider changes/amendments to the standards that this group may propose. NFPA has invited me to a follow-up meeting in Quincy, MA at their headquarters on March 12.

DHS had been slow to come on board the train led by the Commission on the development of Standards for Emergency Preparedness, largely due to their internal issues of being a new Agency and the Commission's ill-fated efforts to reach them prior to the November hearing. In addition to having meetings with Under Secretary Libutti, Assistant Secretary Liscouski and Al Martinez-Fonts (Private Sector Liaison office) in December and January, I met with the Office of Private Sector Liaison just prior to the ANSI meeting on February 27, 2004 and was able to convince that office to participate in the ANSI meeting, which they did. Rich Cooper came and gave a very solid presentation and support for the work we were doing. He offered to contact more groups to engage in our process and to coordinate the efforts with DHS when the Standards are recommended by the Commission. We are having a follow up meeting on March 4 at DHS headquarters in DC.

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GAO was unable to attend this meeting, but they sent work they had done comparing NFPA 1600 with ISO 14000 (Standards on environment). They have created a new Draft Homeland Security Standard which they are encouraging DHS to be legislated. I am meeting with them March 4, 2004 in Washington, D.C. to discuss this further. They are not moving in the direction we had envisaged. We are working with GAO but there are significant differences of view at this time on the nature of the standards and the incentives to encourage their adoption by the private sector.

From the Commission's perspective, this second meeting reconfirmed the potential that the ANSI panel will be in the position to recommend Standards that will evolve over time but will provide us with a starting point for moving the private sector closer to preparedness than at the time of 9-11. The plan is to make recommendations to the Commission by mid-April 2004.

There is a great deal of work left to accomplish between now and mid-April. There are continual sub-groups meeting on topics related to this effort and the next meeting of the ANSI panel will be March 22, 2004 in NYC.

Attachments:

ANSI Summary of Meeting

List of Participants

ANSI Presentation at the Meeting

DHS Presentation at the Meeting

Sub-Group 1 Report Given at the Meeting

Sub-Group 2 Report Given at the Meeting

GAO Discussion Draft on NFPA 1600/ISO 14000/Draft Homeland Security Standards

MEMORANDUM FOR THE RECORD

Event: ~~First~~ Meeting of ANSI Homeland Security Standards Panel on Emergency

Preparedness and Continuity of Business for the Private Sector

Type of event: Full day meeting

Date: March 22, 2004

Special Access Issues: NA

Prepared by: Emily Walker

Team Number: 8

Location: Booz Allen Hamilton, New York City

Participants - Non-Commission: List Attached

Participants - Commission: Emily Walker, Mark Bittinger

Background:

This was the third meeting of the ANSI Homeland Security Panel on National Standards on Emergency Management and Continuity of Business which was set up to make recommendations to the 9-11 Commission. The official summary of the meeting and presentations are attached. The main focus of this meeting was to come to some agreement on the wording of the recommendations from the group to the Commission as well as finalize any issues with the subgroups and decide on the way forward with changes to the NFPA guidelines themselves.

From the Commission's perspective, this third meeting solidified the progress to date and moved the issue to recommendation stage.

NFPA discussed the fact that anyone can participate in their deliberations and gave out forms for people to sign up to be on the NFPA "Technical Committee". They said that they would provide the NFPA 1600 gratis on their website and it would be available by April 29 when the ANSI recommendation went forward to the Commission. They also agreed to provide a press kit and release for that event as well.

The meeting concentrated on a discussion of the recommendation to the Commission. It was largely agreed and ANSI returned to their office to finalize and send to the group for a vote.

ANSI is holding a workshop of its Homeland Security Panel on April 29, 2004 in Virginia and the Commission has been invited to speak as well as Vice-Chairman Hamilton has been invited to receive the official recommendations from the ANSI panel. In the interim, the draft recommendation is being sent to participants for their vote and the agenda and contents of the ANSI-HSSP meeting are being finalized. Drafts of both are attached to this MFR.

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Attachments:

Invitation to the Meeting

Agenda for the Meeting

ANSI Summary of Meeting

List of Participants

Sub-Group 2 Report Given at the Meeting – GAP Analysis Table

Strategies for Private Sector Preparedness by William G. Raisch

EMAP Standards used to evaluate NFPA 1600 for Public Sector

Agenda for ANSI-HSSP meeting as of April 1, 2004

Draft Recommendations for Commission as of April 1, 2004