



3/24/20 OFW Law Second CISA Broad Stakeholder Conference Call Summary

On Tuesday, March 24, the Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (CISA) hosted a second broad stakeholder conference call to provide an update regarding current activities related to Novel Coronavirus (COVID-19). A question and answer session followed. These broad stakeholder calls will continue each Tuesday and Thursday at 3:00 PM until further notice. OFW will provide a summary of each call moving forward.

The call began with a broad overview of COVID-19 in the United States as well as actions taken by the Federal government and State governments to combat the virus. An overview of the Emergency Support Functions (ESFs) in the Federal Emergency Management Agency (FEMA) was then given. The ESFs provide the structure for coordinating federal interagency support for a federal response to an incident. There are mechanisms for grouping functions most frequently used to provide federal support to states and federal-to-federal support, both for declared disasters and emergencies under the Stafford Act and for non-Stafford Act incidents. They are focusing on engaging infrastructure owners and operators, as well as the private sector. Their cross-sector analysis helps FEMA with decision making. For any questions regarding the ESF, email ESF14@CISA.DHS.gov.

Rob Glenn, Director of the Office of Business, Industry, and Infrastructure Integration at FEMA said the National Business Emergency Operation Center is working with the Department of Health and Human Services (HHS) to make sure systemic private sector issues are identified and proper support is given. He also said that they are working with governors, asking them to keep roads open for essential businesses to function. A significant challenge they are facing is filling the Personal Protective Equipment (PPE) gap. If anyone has PPE products to sell, they can contact COVIDSupplies@FEMA.DHS.gov.

Christopher Kerbs, Director of CISA, is pleased with the amount of coordination that has happened in the last several weeks to keep critical infrastructure functioning. The most up to date information from their agency can be found at [CISA.gov/coronavirus](https://www.cisa.gov/coronavirus).

For CISA, access to PPE is top of mind as they recognize there is a supply shortage. Once supplies are available, they are also considering how to prioritize who gets the supplies. They are working at the state and local level on these decisions. Mr. Kerbs referenced resources for businesses to draw upon, saying that a significant amount of guidance for business and employers is being updated by the CDC on a near daily basis. In the remainder of his discussion, Mr. Kerbs addressed:

1. **Cybercrime** – He stressed that in this time where employees are using new tools, we are facing a new reality of cybercrime. People are finding that systems need to be patched or updated. The CISA webpage has some resources to protect against cybercrime, such as vulnerability scanning.
2. **Disinformation** – Mass text messages or viral tweets continue to be a problem, and he stressed the need to remain vigilant. He dispelled a rumor of a national lockdown. He also mentioned that FEMA has a page on their website dedicated to dispelling COVID-19 rumors.
3. **National Critical Infrastructure Guidance** – The guidance was written intentionally to be broad, and was developed alongside state and local partners. CISA will continue to update the guidance on a regular basis. A technical update was made yesterday, and another update will come later this week. They did not give a specific timeline on how often they would update the guidance. He stressed again that the guidance is not a federal mandate.

Any questions on the guidance can be sent to CISA.CAT@CISA.DHS.gov. The email portal has been staffed up in order to make sure that all input from stakeholders is taken into consideration. It was stressed that this is the most effective way to provide feedback on the guidance. There was no timeline on how long they would accept feedback.

Question & Answer

There are reports of a few commissions contacting Netflix and others, urging them to reduce bandwidth to keep essential services online. Is this something CISA is considering?

- CISA has been coordinating with the telecommunications network and it is their understanding that the capacity in the system is sufficient right now. Appropriate measures will be taken if this becomes an issue, which they are already monitoring.

Local suppliers/vendors of PPE have claimed that there are federal restrictions on selling PPE to anyone other than those who work on the “front lines.” However, manufactures and others also require PPE to do their jobs. Is there something the industries that need PPE can point to in order to dispel this rumor?

- There is no restriction in place by the federal government at this time, it is a supply and demand issue. They will suggest to FEMA that this myth be added to their myth-busting page.

Is there any official paperwork that proves that we are part of the critical infrastructure?

- CISA does not have the authority to issue a letter like that, the authority would need to come from a state or local level. They are working with state and local partners on getting a common national approach. More guidance will come out in the next day or so. Showing a letter on company letterhead or even carrying the guidelines around is not sufficient, as the guidelines are not a federal mandate.

Is there any other forum for industry specific sectors to collaborate?

- Several different coordinating councils exist. They believe there is one for each of the industries deemed as critical.

Now that the president is “restarting the economy” in 2.5 weeks, has CISA considered the challenge of restarting?

- The White House Task Force speaks on a regular basis with governors and mayors regarding these sort of “restart” questions. That concern is being taken seriously.

If you are deemed critical infrastructure, is there a method for them to get testing kits to your site?

- At this point there is no priority que for tests or PPE but CISA is looking at it for once those additional resources come online. They suggest that companies work with state and local public health departments.

Where can trucking companies go if they’d like to offer their services to transport PPE?

- Carriers who are able to offer services should email nbeoc@max.gov.

Has FEMA begun using the Defense Production Authority?

- Yes, it has been activated and FEMA is using in certain cases.

Grocery suppliers are seeing some burdensome requests from small municipalities. While they can meet some requests right now, they can’t meet it on a large scale if they continue. Is there any help from FEMA on this?

- Send CISA an email outlining this issue in a bit more detail as they’d like to track these events. FEMA likely have local advisors that can help with these issues.