

107TH CONGRESS
1ST SESSION

S. 1407

To establish a national competence for critical infrastructure protection, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 5, 2001

Mr. DOMENICI introduced the following bill; which was read twice and referred
to the Committee on Armed Services

A BILL

To establish a national competence for critical infrastructure
protection, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Critical Infrastructures
5 Protection Act of 2001”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) The Information revolution has transformed
9 the conduct of business and the operations of gov-
10 ernment as well as the infrastructure relied upon for

1 the defense and national security of the United
2 States.

3 (2) Private business, government, and the na-
4 tional security apparatus increasingly depend on an
5 interdependent network of critical physical and in-
6 formation infrastructures, including telecommuni-
7 cations, energy, financial services, water, and trans-
8 portation sectors.

9 (3) A continuous national effort is required to
10 ensure the reliable provision of cyber and physical
11 infrastructure services critical to maintaining the na-
12 tional defense, continuity of government, economic
13 prosperity, and quality of life in the United States.

14 (4) This national effort requires extensive mod-
15 eling and analytic capabilities for purposes of evalu-
16 ating appropriate mechanisms to ensure the stability
17 of these complex and interdependent systems, and to
18 underpin policy recommendations, so as to achieve
19 the continuous viability and adequate protection of
20 the critical infrastructure of the nation.

21 **SEC. 3. POLICY OF THE UNITED STATES.**

22 It is the policy of the United States—

23 (1) that any physical or virtual disruption of
24 the operation of the critical infrastructures of the
25 United States be rare, brief, geographically limited

1 in effect, manageable, and minimally detrimental to
2 the economy, essential human and government serv-
3 ices, and national security of the United States;

4 (2) that actions necessary to achieve the policy
5 stated in paragraph (1) be carried out in a public-
6 private partnership involving corporate and non-gov-
7 ernmental organizations; and

8 (3) to have in place a comprehensive and effec-
9 tive program to ensure the continuity of essential
10 Federal Government functions under all cir-
11 cumstances.

12 **SEC. 4. ESTABLISHMENT OF NATIONAL COMPETENCE FOR**
13 **CRITICAL INFRASTRUCTURE PROTECTION.**

14 (a) SUPPORT OF CRITICAL INFRASTRUCTURE PRO-
15 TECTION AND CONTINUITY BY NATIONAL INFRASTRUC-
16 TURE SIMULATION AND ANALYSIS CENTER.—

17 (1) IN GENERAL.—The National Infrastructure
18 Simulation and Analysis Center (NISAC) shall pro-
19 vide support for the activities of the President’s
20 Critical Infrastructure Protection and Continuity
21 Board under Executive Order ____.

22 (2) PARTICULAR SUPPORT.—The support pro-
23 vided for the Board under paragraph (1) shall in-
24 clude the following:

1 (A) Modeling, simulation, and analysis of
2 the systems comprising critical infrastructures,
3 including cyber infrastructure, telecommuni-
4 cations infrastructure, and physical infrastruc-
5 ture, in order to enhance understanding of the
6 large-scale complexity of such systems and to
7 facilitate modification of such systems to miti-
8 gate the threats to such systems and to critical
9 infrastructures generally.

10 (B) Acquisition from State and local gov-
11 ernments and the private sector of data nec-
12 essary to create and maintain models of such
13 systems and of critical infrastructures gen-
14 erally.

15 (C) Utilization of modeling, simulation,
16 and analysis under subparagraph (A) to provide
17 education and training to members of the
18 Board, and other policymakers, on matters re-
19 lating to—

20 (i) the analysis conducted under that
21 subparagraph;

22 (ii) the implications of unintended or
23 unintentional disturbances to critical infra-
24 structures; and

1 (iii) responses to incidents or crises
2 involving critical infrastructures, including
3 the continuity of government and private
4 sector activities through and after such in-
5 cidents or crises.

6 (D) Utilization of modeling, simulation,
7 and analysis under subparagraph (A) to provide
8 recommendations to members of the Board and
9 other policymakers, and to departments and
10 agencies of the Federal Government and private
11 sector persons and entities upon request, re-
12 garding means of enhancing the stability of,
13 and preserving, critical infrastructures.

14 (3) RECIPIENT OF CERTAIN SUPPORT.—Mod-
15 eling, simulation, and analysis provided under this
16 subsection to the Board shall be provided, in par-
17 ticular, to the Infrastructure Interdependencies com-
18 mittee of the Board under section 9(c)(8) of the Ex-
19 ecutive Order referred to in paragraph (1).

20 (b) ACTIVITIES OF PRESIDENT'S CRITICAL INFRA-
21 STRUCTURE PROTECTION AND CONTINUITY BOARD.—
22 The Board shall provide to the Center appropriate infor-
23 mation on the critical infrastructure requirements of each
24 Federal agency for purposes of facilitating the provision

1 of support by the Center for the Board under subsection
2 (a).

3 **SEC. 5. CRITICAL INFRASTRUCTURE DEFINED.**

4 In this Act, the term “critical infrastructure” means
5 systems and assets, whether physical or virtual, so vital
6 to the United States that the incapacity or destruction of
7 such systems and assets would have a debilitating impact
8 on national security, national economic security, national
9 public health or safety, or any combination of those mat-
10 ters.

11 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

12 There is hereby authorized for the Department of De-
13 fense for fiscal year 2002, \$8,000,000 for the Defense
14 Threat Reduction Agency for activities of the National In-
15 frastructure Simulation and Analysis Center under section
16 4 in that fiscal year.

○