

Manufacturing Division Meeting

Cyber and Supply Chain Policy Issues

Eisenhower School for National Security and Resource Strategy National Defense University Fort McNair, Washington, DC

February 21, 2013

Jamie Barnett Rear Admiral, USN (Retired) Attorney at Law Partner, Venable LLP Co-Chair, Telecom



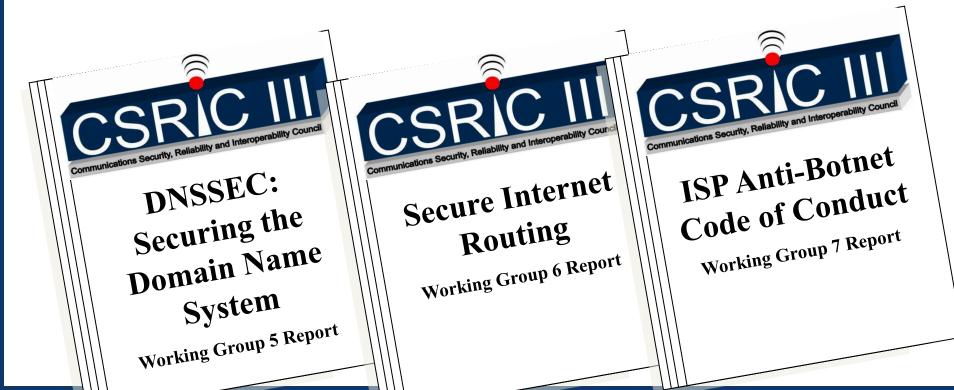


Federal Communications Commission

Communications Security, Reliability & Interoperability Council (CSRIC III)

Glen Post, CEO of CenturyLink, Chair of CSRIC III Cybersecurity Reports

Fighting Botnets, Securing the Domain Name System, & Securing Internet Routing







FCC Communications Security, Reliability & Interoperability Council

The FCC recruited top leaders in cybersecurity to serve on CSRIC III and its working groups, for example:





Rodney Joffe Mike O'Rierdan **CTO - Neustar** Chairman, MAAWG



Dr. Steve Crocker CEO Shikuro & Chair of ICANN



Ed Amoroso Danny McPherson CISO – AT&T



CSO - Verisign



Barry Greene President – Internet Systems Consortium



Prof. Jen Rexford Princeton University



Alan Paller Research Director SANS Institute

Rod Rasmussen **CTO** – Internet Identity





Information Sharing: streamline the government's sharing of crucial information (volume, quality, speed) - 120 days



<u>Privacy</u>: Agencies must use Fair Information Practice Principles, DHS assesses and consults with the Privacy and Civil Liberties Oversight Board (PCOB)



Michael Daniel White House Cyber Coordinator



<u>Standards</u>: NIST shall lead development of voluntary Cybersecurity Framework of standards, methods, procedures for critical infrastructure owners and operators

Cybersecurity Framework & Process



- Not performance standards per se: methods, best practices
- Consultative and participatory: NIST convenes, stakeholders decide
- Sector Coordinating Councils play big role
- 240 days to draft framework

RIF

- 1 year to publish final Cyber Framework
- 120 days DHS/DoC/Treasury recommend incentives to adopt framework
- 120 days DoD/GSA recommend incorporating security standards into acquisition/contracts



Dr. Pat Gallagher Under Secretary of Commerce Director of NIST

 150 days DHS identifies critical infrastructure at "greatest risk" (where cyber incident could have catastrophic regional or national effects)





- Presidential Policy Directive 21 replaces HSPD-7
- Government relies on the private sector for the input
- Voluntary, self-governed process and consensus-based
- Government will then set "performance goals"
- Companies will participate to certify that they are compliant
- So, voluntary, but incentives and comparisons may apply
- Lesson: participate in the process, monitor what is happening
- Consult your lawyer (you knew I would say it)

If you don't have a seat at the table, you may be on the menu





- As significant as cybersecurity
- All critical infrastructures, but esp. communications & energy
- Cannot be transactional or foreign versus domestic approach
- Recommended: Tiered system of supply chain risk management
- Incentives and best practices for industry
- Legal authorities for effective approach may not exist

Addressing the Supply Chain Threat Symposium, September 26, 2012 Potomac Institute for Policy Studies

- Dennis Bartko, Director's Special Assistant for Cyber, National Security Agency;
- Melissa Hathaway, former Senior Director for Cyberspace, National Security Council;
- Brett Lambert, Deputy Assistant Secretary of Defense for Manufacturing and the Industrial Base.
- Jamie Barnett, Moderator



http://www.potomacinstitute.org/index.php?option=com_content&view=article&id=12 82:special-event-addressing-the-supply-chain-threat-&catid=65:past-events&Itemid=94





- Legislation: Incentives, limitation of liability for information-sharing
- New organs of government
- Reconciliation of existing authorities and targeted expansion of new authorities (recognizing that the first line of cyber defense is in the commercial sector)
- National Critical Infrastructure Cyber Exercise Capability
- National Cyber Doctrine

Doctrine: (n.) a body of principles that is advocated and taught







Questions

Backup slides follow

Jamie Barnett jbarnett@venable.com (202) 344-4695







- Establish the National Cybersecurity Council: an interagency chaired by DHS to conduct risk assessments
- Create a Public-Private Partnership to Combat Cyber Threats: industry-led groups will develop voluntary outcome-based cybersecurity practices
- Incentivize the Adoption of Voluntary Cybersecurity Practices
- Improve Information Sharing While Protecting Privacy and Civil Liberties
- Improve the Security of the Federal Government's Networks:
 - ✓ federal government must develop a comprehensive acquisition risk management strategy
 - ✓ Move from culture of compliance to culture of security
 - ✓ Continuous monitoring of systems

NARI F

- ✓ Red team exercises and operational testing
- Strengthen the Cybersecurity Workforce
- Coordinate Cybersecurity Research and Development