

Our Nation cannot be secure without sufficient understanding of the infrastructures that undergrid our economy and facilitate modern life. The unintentional or overt disruption of any one of these infrastructures could have a cascading effect on other areas. In a worst case scenario, such mass disruption could have a severe economic or national security impact.

I ask my colleagues for their support in ensuring we immediately apply the best available means to addressing these threats. NISAC can offer the appropriate analytical tools to support the President's Critical Infrastructure Board. This bill will position and fund NISAC in the forthcoming year to fulfill this mission.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1407

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Critical Infrastructures Protection Act of 2001".

#### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The Information revolution has transformed the conduct of business and the operations of government as well as the infrastructure relied upon for the defense and national security of the United States.

(2) Private business, government, and the national security apparatus increasingly depend on an interdependent network of critical physical and information infrastructures, including telecommunications, energy, financial services, water, and transportation sectors.

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

(4) This national effort requires extensive modeling and analytic capabilities for purposes of evaluating appropriate mechanisms to ensure the stability of these complex and interdependent systems, and to underpin policy recommendations, so as to achieve the continuous viability and adequate protection of the critical infrastructure of the nation.

#### SEC. 3. POLICY OF THE UNITED STATES.

It is the policy of the United States—

(1) that any physical or virtual disruption of the operation of the critical infrastructures of the United States be rare, brief, geographically limited in effect, manageable, and minimally detrimental to the economy, essential human and government services, and national security of the United States;

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

(3) to have in place a comprehensive and effective program to ensure the continuity of essential Federal Government functions under all circumstances.

#### SEC. 4. ESTABLISHMENT OF NATIONAL COMPETENCE FOR CRITICAL INFRASTRUCTURE PROTECTION.

(a) SUPPORT OF CRITICAL INFRASTRUCTURE PROTECTION AND CONTINUITY BY NATIONAL IN-

#### FRASTRUCTURE SIMULATION AND ANALYSIS CENTER.—

(1) IN GENERAL.—The National Infrastructure Simulation and Analysis Center (NISAC) shall provide support for the activities of the President's Critical Infrastructure Protection and Continuity Board under Executive Order \_\_\_\_.

(2) PARTICULAR SUPPORT.—The support provided for the Board under paragraph (1) shall include the following:

(A) Modeling, simulation, and analysis of the systems comprising critical infrastructures, including cyber infrastructure, telecommunications infrastructure, and physical infrastructure, in order to enhance understanding of the large-scale complexity of such systems and to facilitate modification of such systems to mitigate the threats to such systems and to critical infrastructures generally.

(B) Acquisition from State and local governments and the private sector of data necessary to create and maintain models of such systems and of critical infrastructures generally.

(C) Utilization of modeling, simulation, and analysis under subparagraph (A) to provide education and training to members of the Board, and other policymakers, on matters relating to—

(i) the analysis conducted under that subparagraph;

(ii) the implications of unintended or unintentional disturbances to critical infrastructures; and

(iii) responses to incidents or crises involving critical infrastructures, including the continuity of government and private sector activities through and after such incidents or crises.

(D) Utilization of modeling, simulation, and analysis under subparagraph (A) to provide recommendations to members of the Board and other policymakers, and to departments and agencies of the Federal Government and private sector persons and entities upon request, regarding means of enhancing the stability of, and preserving, critical infrastructures.

(3) RECIPIENT OF CERTAIN SUPPORT.—Modeling, simulation, and analysis provided under this subsection to the Board shall be provided, in particular, to the Infrastructure Interdependencies committee of the Board under section 9(c)(8) of the Executive Order referred to in paragraph (1).

(b) ACTIVITIES OF PRESIDENT'S CRITICAL INFRASTRUCTURE PROTECTION AND CONTINUITY BOARD.—The Board shall provide to the Center appropriate information on the critical infrastructure requirements of each Federal agency for purposes of facilitating the provision of support by the Center for the Board under subsection (a).

#### SEC. 5. CRITICAL INFRASTRUCTURE DEFINED.

In this Act, the term "critical infrastructure" means systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on national security, national economic security, national public health or safety, or any combination of those matters.

#### SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There is hereby authorized for the Department of Defense for fiscal year 2002, \$8,000,000 for the Defense Threat Reduction Agency for activities of the National Infrastructure Simulation and Analysis Center under section 4 in that fiscal year.

#### NOTICES OF HEARINGS/MEETINGS

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

##### COMMITTEE ON INDIAN AFFAIRS

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that the Committee on Energy and Natural Resources and the Committee on Indian Affairs have scheduled a joint hearing to receive testimony on legislative proposals relating to the development of energy resources on Indian and Alaska Native lands, including the generation and transmission of electricity.

The hearing will take place on September 12 at 2:30 p.m., in room 366 of the Dirksen Senate Office Building.

Those wishing to submit written statements should address them to the Committee on Energy and Natural Resources, Attn. Patty Beneke, United States Senate, Washington, D.C. 20510.

For further information, please call Patty Beneke of the Committee on Energy and Natural Resources (202/224-5451) or Karen Atkinson of the Committee on Indian Affairs (202/224-2251).

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. SARBANES. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate Wednesday, September 5 at 7 p.m., in closed session to mark up the Department of Defense Authorization Act for fiscal year 2002.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FOREIGN RELATIONS

Mr. SARBANES Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, September 5, 2001 at 10 a.m., to hold a hearing titled, "The Threat of Bioterrorism and the Spread of Infectious Diseases".

##### WITNESSES

Panel 1: The U.S. Response to an Act of Bioterrorism:

The Honorable Sam Nunn, Co-Chair and Chief Executive Officer, Nuclear Threat Initiative, Washington, DC; The Honorable James R. Woolsey, Former Director of Central Intelligence, and Partner, Shea & Gardner, Washington, DC.

Panel 2: Strengthening the Domestic and International Capability To Prevent and Defend Against Intentional and Natural Disease Outbreaks:

Dr. D.A. Henderson, MD, MPH, Director, Center for Civilian Biodefense Studies, Johns Hopkins University, Baltimore, MD; Dr. David L. Heymann, MD, Executive Director, Communicable Diseases, World Health Organization, Geneva, Switzerland, Dr. Fred C. Iklé, Distinguished Scholar, Center for Strategic and International Studies, Washington, DC; Mr. Frank J.

Cilluffo, Senior Policy Analyst, Center for Strategic and International Studies, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR,  
AND PENSION

Mr. SARBANES. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on Stem Cell Research during the session of the Senate on Wednesday, September 5, 2001, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. SARBANES. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Wednesday, September 5, 2001 at 2:30 p.m., in Dirksen room 226.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND  
ENTREPRENEURSHIP

Mr. SARBANES. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate for a roundtable entitled "The 7(a) Program: A Look at SBA's Flagship Program's Fees and Subsidy Rate" on Wednesday, September 5, 2001, beginning at 9:45 a.m., in room 428 A of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AIRLAND

Mr. SARBANES. Mr. President, I ask unanimous consent that the Subcommittee on Airland of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, September 5, 2001 at 9 a.m., in closed session to mark up the Airland programs and provisions contained in the Department of Defense Authorization Act for fiscal year 2002.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CONSUMER AFFAIRS,  
FOREIGN COMMERCE AND TOURISM

Mr. SARBANES. Mr. President, I ask unanimous consent that the Subcommittee on Consumer Affairs, Foreign Commerce and Tourism of the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, September 5, at 9 a.m., on prescription drug pricing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMERGING THREATS AND  
CAPABILITIES

Mr. SARBANES. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, September 5, 2001, at 4:30

p.m., in closed session to mark up the Emerging Threats and Capabilities programs and provisions contained in the Department of Defense Authorization Act for fiscal year 2002.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PERSONNEL

Mr. SARBANES. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, September 5, 2001, at 11 a.m., in closed session to mark up the Personnel programs and provisions contained in the Department of Defense Authorization Act for fiscal year 2002.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON READINESS AND  
MANAGEMENT SUPPORT

Mr. SARBANES. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, September 5, 2001, at 10 a.m., in closed session to mark up the Readiness and Management programs and provisions contained in the Department of Defense Authorization Act for fiscal year 2002.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SEAPOWER

Mr. SARBANES. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, September 5, 2001, at 3 p.m., in closed session to mark up the Seapower programs and provisions contained in the Department of Defense Authorization Act for fiscal year 2002.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE READ THE FIRST  
TIME—H.R. 2563

Mr. REID. Mr. President, it is my understanding H.R. 2563, just received from the House, is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2563) to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage.

Mr. REID. Mr. President, I ask now for the second reading of the bill, and I object to my own request.

The PRESIDING OFFICER. The objection is heard.

The bill will be read the second time on the next legislative day.

UNANIMOUS CONSENT  
AGREEMENT—NOMINATIONS

Mr. REID. Mr. President, I ask unanimous consent that in any instance where unanimous consent was previously granted in the 107th Congress for the referral of a nomination to more than one committee, such unanimous consent agreement apply to a second nomination of that individual if a previous nomination was returned to the President under the provisions of rule XXXI, paragraph 6.

The PRESIDING OFFICER. Without objection, it is so ordered.

JOINT MEETING OF THE TWO  
HOUSES—ADDRESS BY THE  
PRESIDENT OF THE UNITED  
MEXICAN STATES

Mr. REID. Mr. President, I ask unanimous consent that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort the President of the United Mexican States into the House Chamber for the joint meeting on Thursday, September 6, 2001.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY,  
SEPTEMBER 6, 2001

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10:30 a.m., Thursday, September 6. I further ask consent that on Thursday, immediately following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate be in a period for morning business with Senators permitted to speak for up to 5 minutes each; further, that the Senate recess from 10:40 a.m. until 12 noon for the joint meeting with President Fox, and that when the Senate reconvenes at 12 noon, the Senate resume consideration of the Export Administration Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, we will convene at 10:30 a.m., as indicated earlier by Senator SARBANES. I hope to have a unanimous consent agreement for the purpose of disposing of S. 149. Senators should be in the Chamber by 10:40 to proceed to the House Chamber for a joint meeting with President Fox of Mexico. The Senate will recess from 10:40 until 12 noon for that joint meeting.

At 12 noon we will begin reconsideration of the Export Administration Act. There could be rollcall votes