

Presidential Documents

Title 3—

Executive Order 13010 of July 15, 1996

The President

Critical Infrastructure Protection

Certain national infrastructures are so vital that their incapacity or destruction would have a debilitating impact on the defense or economic security of the United States. These critical infrastructures include telecommunications, electrical power systems, gas and oil storage and transportation, banking and finance, transportation, water supply systems, emergency services (including medical, police, fire, and rescue), and continuity of government. Threats to these critical infrastructures fall into two categories: physical threats to tangible property (“physical threats”), and threats of electronic, radio-frequency, or computer-based attacks on the information or communications components that control critical infrastructures (“cyber threats”). Because many of these critical infrastructures are owned and operated by the private sector, it is essential that the government and private sector work together to develop a strategy for protecting them and assuring their continued operation.

NOW, THEREFORE, by the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. *Establishment.* There is hereby established the President’s Commission on Critical Infrastructure Protection (“Commission”).

(a) *Chair.* A qualified individual from outside the Federal Government shall be appointed by the President to serve as Chair of the Commission. The Commission Chair shall be employed on a full-time basis.

(b) *Members.* The head of each of the following executive branch departments and agencies shall nominate not more than two full-time members of the Commission:

- (i) Department of the Treasury;
- (ii) Department of Justice;
- (iii) Department of Defense;
- (iv) Department of Commerce;
- (v) Department of Transportation;
- (vi) Department of Energy;
- (vii) Central Intelligence Agency;
- (viii) Federal Emergency Management Agency;
- (ix) Federal Bureau of Investigation;
- (x) National Security Agency.

One of the nominees of each agency may be an individual from outside the Federal Government who shall be employed by the agency on a full-time basis. Each nominee must be approved by the Steering Committee.

Sec. 2. *The Principals Committee.* The Commission shall report to the President through a Principals Committee (“Principals Committee”), which shall review any reports or recommendations before submission to the President. The Principals Committee shall comprise the:

- (i) Secretary of the Treasury;
- (ii) Secretary of Defense;

- (iii) Attorney General;
- (iv) Secretary of Commerce;
- (v) Secretary of Transportation;
- (vi) Secretary of Energy;
- (vii) Director of Central Intelligence;
- (viii) Director of the Office of Management and Budget;
- (ix) Director of the Federal Emergency Management Agency;
- (x) Assistant to the President for National Security Affairs;
- (xi) Assistant to the Vice President for National Security Affairs.

Sec. 3. *The Steering Committee of the President's Commission on Critical Infrastructure Protection.* A Steering Committee ("Steering Committee") shall oversee the work of the Commission on behalf of the Principals Committee. The Steering Committee shall comprise four members appointed by the President. One of the members shall be the Chair of the Commission and one shall be an employee of the Executive Office of the President. The Steering Committee will receive regular reports on the progress of the Commission's work and approve the submission of reports to the Principals Committee.

Sec. 4. *Mission.* The Commission shall: (a) within 30 days of this order, produce a statement of its mission objectives, which will elaborate the general objectives set forth in this order, and a detailed schedule for addressing each mission objective, for approval by the Steering Committee;

(b) identify and consult with: (i) elements of the public and private sectors that conduct, support, or contribute to infrastructure assurance; (ii) owners and operators of the critical infrastructures; and (iii) other elements of the public and private sectors, including the Congress, that have an interest in critical infrastructure assurance issues and that may have differing perspectives on these issues;

(c) assess the scope and nature of the vulnerabilities of, and threats to, critical infrastructures;

(d) determine what legal and policy issues are raised by efforts to protect critical infrastructures and assess how these issues should be addressed;

(e) recommend a comprehensive national policy and implementation strategy for protecting critical infrastructures from physical and cyber threats and assuring their continued operation;

(f) propose any statutory or regulatory changes necessary to effect its recommendations; and

(g) produce reports and recommendations to the Steering Committee as they become available; it shall not limit itself to producing one final report.

Sec. 5. *Advisory Committee to the President's Commission on Critical Infrastructure Protection.* (a) The Commission shall receive advice from an advisory committee ("Advisory Committee") composed of no more than ten individuals appointed by the President from the private sector who are knowledgeable about critical infrastructures. The Advisory Committee shall advise the Commission on the subjects of the Commission's mission in whatever manner the Advisory Committee, the Commission Chair, and the Steering Committee deem appropriate.

(b) A Chair shall be designated by the President from among the members of the Advisory Committee.

(c) The Advisory Committee shall be established in compliance with the Federal Advisory Committee Act, as amended (5 U.S.C. App.). The Department of Defense shall perform the functions of the President under the Federal Advisory Committee Act for the Advisory Committee, except that of reporting to the Congress, in accordance with the guidelines and procedures established by the Administrator of General Services.

Sec. 6. *Administration.* (a) All executive departments and agencies shall cooperate with the Commission and provide such assistance, information, and advice to the Commission as it may request, to the extent permitted by law.

(b) The Commission and the Advisory Committee may hold open and closed hearings, conduct inquiries, and establish subcommittees, as necessary.

(c) Members of the Advisory Committee shall serve without compensation for their work on the Advisory Committee. While engaged in the work of the Advisory Committee, members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the government service.

(d) To the extent permitted by law, and subject to the availability of appropriations, the Department of Defense shall provide the Commission and the Advisory Committee with administrative services, staff, other support services, and such funds as may be necessary for the performance of its functions and shall reimburse the executive branch components that provide representatives to the Commission for the compensation of those representatives.

(e) In order to augment the expertise of the Commission, the Department of Defense may, at the Commission's request, contract for the services of nongovernmental consultants who may prepare analyses, reports, background papers, and other materials for consideration by the Commission. In addition, at the Commission's request, executive departments and agencies shall request that existing Federal advisory committees consider and provide advice on issues of critical infrastructure protection, to the extent permitted by law.

(f) The Commission, the Principals Committee, the Steering Committee, and the Advisory Committee shall terminate 1 year from the date of this order, unless extended by the President prior to that date.

Sec. 7. *Interim Coordinating Mission.* (a) While the Commission is conducting its analysis and until the President has an opportunity to consider and act on its recommendations, there is a need to increase coordination of existing infrastructure protection efforts in order to better address, and prevent, crises that would have a debilitating regional or national impact. There is hereby established an Infrastructure Protection Task Force ("IPTF") within the Department of Justice, chaired by the Federal Bureau of Investigation, to undertake this interim coordinating mission.

(b) The IPTF will not supplant any existing programs or organizations.

(c) The Steering Committee shall oversee the work of the IPTF.

(d) The IPTF shall include at least one full-time member each from the Federal Bureau of Investigation, the Department of Defense, and the National Security Agency. It shall also receive part-time assistance from other executive branch departments and agencies. Members shall be designated by their departments or agencies on the basis of their expertise in the protection of critical infrastructures. IPTF members' compensation shall be paid by their parent agency or department.

(e) The IPTF's function is to identify and coordinate existing expertise, inside and outside of the Federal Government, to:

(i) provide, or facilitate and coordinate the provision of, expert guidance to critical infrastructures to detect, prevent, halt, or confine an attack and to recover and restore service;

(ii) issue threat and warning notices in the event advance information is obtained about a threat;

(iii) provide training and education on methods of reducing vulnerabilities and responding to attacks on critical infrastructures;

(iv) conduct after-action analysis to determine possible future threats, targets, or methods of attack; and

(v) coordinate with the pertinent law enforcement authorities during or after an attack to facilitate any resulting criminal investigation.

(f) All executive departments and agencies shall cooperate with the IPTF and provide such assistance, information, and advice as the IPTF may request, to the extent permitted by law.

(g) All executive departments and agencies shall share with the IPTF information about threats and warning of attacks, and about actual attacks on critical infrastructures, to the extent permitted by law.

(h) The IPTF shall terminate no later than 180 days after the termination of the Commission, unless extended by the President prior to that date.

Sec. 8. *General.* (a) This order is not intended to change any existing statutes or Executive orders.

(b) This order is not intended to create any right, benefit, trust, or responsibility, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, or any person.



THE WHITE HOUSE,
July 15, 1996.