

## **Putting government into your business continuity plan: Participating in a regional public/private partnership**

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Prior to joining ChicagoFIRST in 2004, Brian enjoyed a 19-year career at the United States Treasury Department in Washington, DC, during which he addressed a vast array of public policy issues affecting financial institutions, from the savings and loan crisis of the mid-1980s to the attacks of September 11<sup>th</sup>.

Following September 11<sup>th</sup>, Brian led Treasury's efforts to enhance the resiliency of financial institutions, establishing the Office of Critical Infrastructure Protection and Compliance Policy and serving as its Acting Director and Deputy Director. Focusing attention on financial institutions in other parts of the country, Brian initiated a Treasury outreach effort that both encouraged and facilitated cooperation among financial firms in Chicago, including the formation of ChicagoFIRST.

Brian has an undergraduate degree from Lawrence University in Appleton, Wisconsin; a masters degree in public policy from the University of Michigan; and a law degree from Georgetown University.

### **ABSTRACT**

An ongoing relationship with the government is essential to a robust and evolving business continuity plan. Each level of government plays an important role in handling a disaster, and private sector firms must understand those roles and what they can and cannot expect from the public sector in a time of crisis. Through a relationship with the public sector, firms may be able to obtain daily incident information, access to an operations center during an emergency, and cooperation in learning more about evacuations, credentialing, pandemic planning, and other critical issues.

In this article, readers will discover the value of forging such a relationship with government through a regional partnership. Government cannot coordinate with each individual firm, so a coalition works best. Through a regional partnership, firms can also

participate in the national public/private partnership on homeland security that has been established since 9/11. The information thus obtained will be most valuable to business continuity planners. Moreover, firms will have a voice in government emergency planning at all levels.

The first such partnership was established by ChicagoFIRST, and this organization serves as a case study about the methods by which firms benefit from participating in a partnership.

**Keywords: ChicagoFIRST, RPC FIRST, public/private partnership, business continuity planning, homeland security**

## **ENHANCING ORGANIZATIONAL RESILIENCE**

All disasters are local. Whether the event is natural or man-made, intentional or accidental, the first responders on the scene will come from local or county police, fire, and emergency management.

### **Gaps in Plans**

Do you know how your first responders prepare for and respond to various types of incidents? Do you know how they will conduct or when they will require evacuations, how well they interact with other jurisdictions, or whether they understand the importance of your line of business or the particular facility affected?

The effectiveness of your emergency plan and the safety of your employees depend upon the answers to such questions. For example, if you have taught your employees to evacuate in one direction, you do not want to find out in the middle of a disaster that the local responders had always planned to send your personnel in a different direction. Similarly, if your building is affected by an incident, you and your staff may be well situated to assist local responders. But if the emergency managers in charge of the scene do not know you, your assistance may be declined, or accepted only after precious time is spent checking your credentials.

### **Building Trusted Relationships**

A crisis is not the time to introduce yourself to the first responders and exchange business cards. This notion forms the basis of the ChicagoFIRST<sup>1</sup> motto<sup>2</sup> and highlights our mission. More than two dozen financial institutions in the Chicago area rely on ChicagoFIRST to collaborate with the City of Chicago on emergency management issues relevant to the financial community as a whole.

ABN AMRO/LaSalle Bank	Goldman Sachs
Allstate	Harris Bank
Aon	JP Morgan Chase
Ariel Capital Management	Man Financial
Bank of America	Mesirow Financial
Chicago Board of Trade	Mizuho Securities USA Inc.
Chicago Board Options Exchange	Northern Trust Bank
Chicago Mercantile Exchange	NYSE Group
Chicago Stock Exchange	The Options Clearing Corporation
CNA	PrivateBank and Trust
Federal Home Loan Bank of Chicago	UBS
Fidelity National Information Systems	Washington Mutual
Global Electronic Trading Company	William Blair & Company

Establishing such relationships with local emergency responders can be best accomplished through a regional public/private partnership like ChicagoFIRST.

Fire drills and exercises with local responders are important, but much more can be done, as will be outlined in this article. Moreover, through partnerships like ChicagoFIRST, you can tap into the national public/private partnership, which includes the U.S. Department of Homeland Security (DHS). It should not require much imagination to understand how better coordination among the three levels of government and between government and the private sector would have reduced the devastation of Katrina. It could prove invaluable in your area as well.

## **THE NATIONAL PARTNERSHIP**

Before describing ChicagoFIRST, a brief explanation of the national partnership and how ChicagoFIRST derived from it is in order. The national public/private partnership developed in two stages. First, the financial sector organized the financial regulators and private sector into two related committees. In the second stage, the DHS applied this structure to the other sectors of the economy.

### **The Partnership Model**

The concept of a partnership between the government and private firms on security and economic resilience can be traced to Presidential Decision Directive 63 (PDD 63), which was issued by the President of the United States in 1998.<sup>3</sup> PDD 63 sought to protect critical sectors of the U.S. economy from physical and cyber attack (*e.g.*, power, telecommunications, and banking and finance). Because the private sector owns a majority of the assets in these sectors<sup>4</sup> and the goal was to be achieved without regulatory requirements,<sup>5</sup> PDD 63 called for collaboration between the public and private sectors and referred to this as a partnership.<sup>6</sup>

## The Financial Sector Partnership

Prior to the terrorist attacks of 9/11, the White House prepared an executive order establishing an organizational structure for enhancing cyber security, which was published in October 2001.<sup>7</sup> The executive order directed the U.S. Department of Treasury to chair a new committee called the Financial and Banking Information Infrastructure Committee (FBIIC), which would consist of Treasury and the federal financial regulators.<sup>8</sup>

In light of the 9/11 attacks, Treasury broadened its membership to include state regulators, and altered its mission of the committee from focusing exclusively on cyber issues to enhancing the resilience of the financial sector in the event of physical attacks. With this new vision, FBIIC held its inaugural meeting on January 10, 2002.<sup>9</sup>

Commodity Futures Trading Commission Conference of State Bank Supervisors Department of the Treasury Farm Credit Administration Federal Deposit Insurance Corporation Federal Housing Finance Board Federal Reserve Bank of New York Federal Reserve Board National Association of Insurance Commissioners	National Association of State Credit Union Supervisors National Credit Union Administration North American Securities Administrators Association Office of the Comptroller of the Currency Office of Federal Housing Enterprise Oversight Office of Thrift Supervision Securities and Exchange Commission Securities Investor Protection Corporation
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In addition to placing all of the relevant federal and state financial regulators in FBIIC, Treasury orchestrated the establishment of a private sector corollary, the Financial Services Sector Coordinating Council (FSSCC).<sup>10</sup> FSSCC members include the major financial trade associations and what are termed financial utilities, namely, exchanges and clearing organizations. FSSCC held its inaugural meeting on June 19, 2002.

America's Community Bankers American Bankers Association American Council of Life Insurers American Insurance Association American Society for Industrial Security Int'l BAI BITS/The Financial Services Roundtable ChicagoFIRST Chicago Mercantile Exchange The Clearing House CLS Group Consumer Bankers Association Credit Union National Association The Depository Trust & Clearing Corporation Fannie Mae Financial Information Forum Financial Services Information Sharing and Analysis Center (FS-ISAC), LLC	Financial Services Technology Consortium Futures Industry Association Independent Community Bankers of America Investment Company Institute Managed Funds Association The NASDAQ Stock Market, Inc. National Association of Federal Credit Unions National Association of Securities Dealers National Futures Association NACHA — The Electronic Payments Association New York Board of Trade (NYBOT) The Options Clearing Corporation Securities Industry Automation Corporation Securities Industry and Financial Markets Association (SIFMA) VISA USA Inc.
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Since their inception, FBIIC and FSSCC have identified financial sector vulnerabilities and coordinated on methods of reducing those vulnerabilities, as well as on methods of promoting the resilience of the sector overall. These entities meet on a regular basis and have established working groups to address various issues, including pandemic influenza, secure communications, research and development needs, and methods of improving various information sharing channels.

### **Department of Homeland Security Partnership Structure**

The 9/11 attacks led to the formation of the Office of Homeland Security (OHS) within the White House.<sup>11</sup> This office interacted with FBIIC and FSSC until the Department of Homeland Security was created by legislation in 2002.<sup>12</sup>

In late 2003, the President updated PDD 63 with a homeland security document that extended the partnership structure of the financial sector to each of the other critical sectors.<sup>13</sup> Among other things, it called for the formation of government coordinating councils and sector coordinating councils that would collaborate in much the same fashion as FBIIC and FSSCC<sup>14</sup> in each of the 17 critical sectors identified by DHS, including energy, telecommunications, agriculture, water, emergency services, information technology, healthcare, transportation, and finance, among others.<sup>15</sup>

The actions of DHS, the various sector coordinating councils, and other components of the homeland security structure will very likely affect your industry, whether directly or indirectly, and whether or not those effects are apparent. Therefore, it is important to understand the policies being adopted by DHS, the activities of the sector you are in, and the activities of the sectors on which you rely.

### **THE REGIONAL PARTNERSHIP**

The most effective way to collaborate with local government and tap into the national partnership is to form a regional partnership, which will work directly with its national partnership counterpart. You will not only receive valuable information, but also a voice in a process that could have serious implications for your firm and your business continuity plans.

### **Why Participate in One?**

First and foremost, the government cannot possibly perform this function alone. The private sector owns most of the critical assets, and the federal government continues to believe that a heavy-handed regulatory approach would be economically counter-productive. Moreover, the federal government lacks the personnel and expertise to understand how various emergencies would affect the multiplicity of sectors; only the owners and operators within their respective sectors possess such knowledge.

Second, even if the federal government sought to protect critical infrastructure on its own, the result would be less than optimal. For obvious reasons, government tends to take a “one-size-fits-all” approach, which is not the best method of identifying and mitigating threats and vulnerabilities in highly specialized sectors. At the same time, such an approach will not mesh well with the regionally diverse emergency response structures established in various cities, counties, and states.

Third, if the federal government subsidized the cost of regional partnerships, the private sector may be more inclined to form them. However, the private sector would no longer be able to lead them; instead, the federal government would control the agenda and the partnerships would always be vulnerable to the federal budget process.

Fourth, as the owners of most of the critical infrastructure, the private sector bears a responsibility for protecting those assets. Whereas the government focuses on the enormous negative externalities that would result from the disruption of critical assets, the private sector owner is rightly concerned with generating profits with those assets. Thus, both parties want the critical assets to function without interruption, and both have a responsibility to see that they do. The regional partnership model affords an opportunity for the private sector to achieve its goals in the most efficient manner and with the least amount of government interference.

### **Replicating the Financial Sector Model**

The financial sector offers an example of how to form and benefit from a regional partnership. Following 9/11, companies revised their business continuity plans, various financial industries adopted and shared best practices, and, as noted above, the sector formed a national public/private partnership. In addition, the financial community in Chicago formed the first regional partnership aimed at achieving these goals and including all types of financial institutions within the city.<sup>16</sup>

ChicagoFIRST is a non-profit organization dedicated to addressing homeland security and emergency management issues affecting financial institutions and requiring a coordinated response. The members of ChicagoFIRST have put competition aside to promote employee safety and business continuity.

### **CHICAGOFIRST CASE STUDY**

The concept behind ChicagoFIRST is straightforward and may be replicated in any region, in any sector, and even among sectors. In fact, the model lends itself to membership from multiple sectors, and a few organizations that have followed in the wake of ChicagoFIRST have non-financial members. Although many organizations find filing for legal incorporation beneficial, it is neither necessary nor universally sought.

The key to the ChicagoFIRST model is bringing together the key firms within a local or regional economy to address common business continuity issues together, and then leveraging that relationship with government so as to better inform and coordinate

their respective business continuity plans. The ChicagoFIRST case study delineated below constitutes an illustrative example of how you could organize such an effort and the types of goals you could achieve that would otherwise not be feasible.

## **Leadership**

In late 2002, various members of the Chicago financial community began exploring ways to better coordinate around homeland security issues. At the same time, the U.S. Treasury Department began visiting Chicago to determine whether the financial community would be interested in forming a regional partnership. With the FBIIC and FSSCC established at the national level, the Treasury sought to begin in Chicago the process of establishing such partnerships within the financial sector.<sup>17</sup> Among other things, the Treasury met individually and collectively with Chicago financial firms, as well as with the Chicago Federal Reserve Bank and the City of Chicago's Office of Emergency Management and Communications.

Two financial institutions joined forces in early 2003 to bring the community together: LaSalle Bank/ABN AMRO and The Options Clearing Corporation. Representatives of these firms met with the key financial firms and found much agreement about the need to coordinate activities. Fourteen firms formed ChicagoFIRST, and they immediately began working with the City of Chicago. A formal announcement of the alliance was made in July 2003, with participation from the City of Chicago and the U.S. Treasury Department, as well as ChicagoFIRST members.

## **Common Goals**

The original 14 members found agreement in working with the city to:

- Obtain a seat in the Chicago emergency operations center so that in an emergency the financial community would receive vital information in a timely fashion and could report to the city on the status of the financial community;
- Establish credentials for essential personnel to access business facilities in the event of an evacuation; and
- Develop and communicate standard procedures for employees who need to evacuate a building or a wider area.

In each case, business continuity plans depended upon information that only the city could provide, and the city was much more interested in working with one entity that could represent a sector.

ChicagoFIRST obtained its seat in the emergency operations center later in 2003. With this success, the members decided that the organization would be even more effective if the member-volunteers were complemented with a full-time employee. So,

they formed a corporation and agreed to pay dues so that they could hire and compensate a director.

**Organization Growth**

ChicagoFIRST has grown from 14 to 26 members. In addition, it interacts with a host of public sector partners. Members meet quarterly, while a board of directors meets monthly. In addition, the organization holds quarterly meetings with its strategic partners.

<b>Table 4: ChicagoFIRST Strategic Partners</b>	
American Red Cross of Greater Chicago	Illinois Department of Financial and Professional Regulation
Chicago Office of Emergency Management and Communications	Illinois Emergency Management Agency
Chicago Police Department	Illinois State Police
Commodity Futures Trading Commission	Illinois Terrorism Task Force
FBI InfraGard - Chicago Chapter	National Futures Association
Federal Deposit Insurance Corporation	Office of the Comptroller of the Currency
Federal Emergency Management Agency	Securities and Exchange Commission
Federal Reserve Bank of Chicago	Securities Industry & Financial Markets Association
FBIIC	U.S. Department of Homeland Security
FS-ISAC	U.S. Department of Treasury
Financial Services Roundtable/BITS	U.S. Secret Service
FSSCC	
Futures Industry Association	

Furthermore, working groups have been formed to address such issues of pandemic influenza, security, public relations, telecommunications, and best practices. The organization’s success led to a workload that resulted in the hiring of a deputy director in 2006.

**THE PARTNERSHIP BUSINESS CASE**

Forming and maintaining a partnership will require time and some funding, but it need only require as much of these as is deemed necessary. At whatever level of commitment, a regional partnership will yield tangible and intangible benefits that justify the resources. Below is a brief illustration of how ChicagoFIRST generates value in return for the dues its members pay.

**Trusted Information Streams**

The seat in the emergency operations center was an important milestone. ChicagoFIRST is assured of being able to be in the same room with the relevant city, state, and federal agencies, as well as the utility companies in the event of a crisis or event.

For example, during two immigrant marches in Chicago during 2006, ChicagoFIRST used that seat to post information about the marchers and their routes to the private side of its web site. This was done on a real time basis. In this way, the members were kept apprised of which streets were closing and which were opening by

pulling information from the web site. As the need for time-sensitive information, clarification, or rumor control arose, as it always does during a major event, such information was obtained from the parties in the room and were both posted to the web site and pushed out to ChicagoFIRST members via email advisories.

Although the formal seat is valuable, the informal relationships fostered as a result of having the seat have proven to be invaluable. The trust and credibility that ChicagoFIRST has established with the City of Chicago as a result of seeking, obtaining, and using its seat have led them to provide us with information on an informal basis.

For example, the Office of Emergency Management and the Chicago Police Department both informed ChicagoFIRST on the morning of August 1, 2004, about the threat against financial institutions that the U.S. Department of Homeland Security announced later that afternoon and coordinated their physical response to this threat with ChicagoFIRST. The city assured ChicagoFIRST that Chicago was not targeted, but, because financial institutions were, they would increase their vigilance within the financial district.

We were also informed about a leaning transmission tower that was to be taken out of service. This was deemed important, because it was thought that the power supply would have no backup as a result. Each member was alerted to this fact. As it turned out, another backup existed, but this type of information is vital to business operations. In fact, a third-party provider of information informed its clients that there would be rolling brownouts in the downtown area. That was never a possibility, and it highlights the value of a relationship with the government entities that have the most accurate information.

During the LaSalle Bank fire in 2004, its Chief Continuity Officer was able to access the scene and assist the first responders quickly, because the parties knew one another through ChicagoFIRST. The officer did not lose time explaining who he was and how he could help. (The LaSalle Bank fire case study was documented in a recent issue of this journal.<sup>18</sup>)

These informal exchanges continue to be invaluable, and they have been supplemented with more formal email alerting systems that the Chicago police and ChicagoFIRST continue to improve.

### **Credentialing and Evacuations**

ChicagoFIRST has made substantial progress on credentialing. Although reticent to develop a credentialing process, the city, at the urging of ChicagoFIRST, did just that in 2005. ChicagoFIRST has been piloting it since then.

With respect to evacuations, ChicagoFIRST has continuously urged the city to further develop and exercise its plans with the private sector, which was done in 2006. Assisting the city with planning and execution of the exercise, ChicagoFIRST

participated in an evacuation of four downtown skyscrapers during the beginning stages of the rush hour.

The credentialing system and evacuation procedures continue to be a work in progress, but far more has been accomplished as a result of having a partnership than ever would have been accomplished without it.

### **Pandemic Planning**

Our pandemic working group includes the City's public health department, the state public health department, and the office of emergency management. The members have discussed their plans candidly, with one member distributing copies of its plan. The local government has shared its draft planning assumptions and its trigger points for various actions. Through this process, the government has learned how serious the private sector is about preparing for this event and exactly why the information they possess should be shared.

The pandemic working group held its own tabletop exercise, and ChicagoFIRST planned and executed a pandemic tabletop with the support of the Treasury Department. A survey of our members also revealed how the financial community is preparing for a pandemic. One of the most interesting findings was that every respondent will implement some form of telecommuting if the pandemic occurs. In light of the Internet congestion expected in such a situation, ChicagoFIRST is leveraging its membership and relationship with FSSCC to work with the federal government on possible solutions.

### **Direct Business Continuity Plan Inputs**

ChicagoFIRST has established a system whereby alerts are provided to members via various communications devices. Some of our smaller members have incorporated these streams directly into their plans. In addition, all members expect to receive information from ChicagoFIRST during a crisis. Such a reliable and timely source of information is essential when executing a business continuity plan.

### **CHICAGOFIRST AS THE MODEL**

Many sources have identified ChicagoFIRST as a model to be emulated, including the United States Treasury Department,<sup>19</sup> the legislation creating the 9/11 Commission,<sup>20</sup> and a report on financial market preparedness by the Government Accountability Office.<sup>21</sup> More important than any governmental imprimatur, however, is the fact that ChicagoFIRST has successfully addressed the very issues that should concern any firm.

Obtaining a seat in your local or county emergency operations center should be high on your list of business continuity goals. Remember that the informal relationship will yield immediate benefits. Credentialing and better information about evacuations likely also rank high in importance for you and your organization. These can only be done in coordination with the government, and you will be far more successful through a

regional partnership. Government appreciates having a single point of contact, rather than a lengthy call tree that it cannot possibly implement during a crisis.

**OTHER CITIES ADOPTING CHICAGOFIRST MODEL**

Since 2003, the U.S. Treasury Department and the Federal Deposit Insurance Corporation have held conferences across the country to inform financial institutions about the national public/private partnership and to encourage other regions to form organizations like ChicagoFIRST. Various FBIIC and FSSCC members have supported these efforts.

The outreach has borne fruit, if measured by the number of partnerships that have followed in the wake of ChicagoFIRST. Nine regions have formed partnerships that are fairly well established, while another half dozen or more cities are moving towards forming such organizations.

<b>Table 5: Established Regional Partnerships</b>
Alabama Recovery Coalition for the Financial Sector BARC <i>first</i> (San Francisco Bay area) FloridaFIRST (Miami and Tampa regions) HoustonFIRST Minnesota Information Sharing & Analysis Center Minnesota Security Board SoCalFIRST (Los Angeles area)
<b>Table 6: Developing Regional Partnerships</b>
Colorado Dallas/Ft. Worth Hawaii Philadelphia Washington, DC

To illustrate the flexibility of the model, the Minnesota Information Sharing and Analysis Center is being led by Wells Fargo, but includes Best Buy, Target, and 3M on its board. Whereas the Alabama Recovery Coalition for the Financial Sector covers the entire state with one organization, FloridaFIRST is establishing several regions within the state. Miami and Tampa have been formed, and Jacksonville is scheduled for 2007. BARC*first* (Bay Area Recovery Coalition) covers the broader San Francisco Bay Area, while SoCal FIRST reaches out to all of southern California, including Los Angeles. One size most assuredly does *not* fit all, and the diversity among these organizations illustrates it.

Like ChicagoFIRST, several have incorporated as 501(c)(6) entities under the U.S. tax code, where costs may be deducted for tax purposes as business expenses. Others have formed as 501(c)(3) organizations, payments to which may be deducted as charitable contributions. Still others are seeking to participate less formally in an existing structure.

## **PLUGGING REGIONAL INTO NATIONAL**

In addition to filling gaps in business continuity plans with information from local government, these organizations can plug into the national partnership and bring an even greater array of government planning and thinking to your plans. In the case of the financial sector, these partnerships are all working together through an organization of regional partnerships called RPC FIRST.<sup>22</sup> Through this organization, the partnerships share best practices about both the substantive issues they have in common as well as the finer points of establishing a legal entity, identifying members, drafting bylaws, *etc.* ChicagoFIRST took the lead in forming RPC FIRST in 2006.

Through ChicagoFIRST, RPC FIRST participates in FSSCC, which, in turn, interacts with Treasury, DHS, and all of the other critical sectors. National homeland security policy is being set at the national level, and participation in a sector coordinating council will give you a voice on matters that might otherwise be presented to you as a *fait accompli*.

For example, the National Infrastructure Protection Plan requires each critical sector to develop a plan for reducing vulnerabilities.<sup>23</sup> These plans must establish goals and metrics that DHS will evaluate and measure. Through FSSCC, ChicagoFIRST and the RPC FIRST members had an opportunity to review a draft and provide comments and suggested language. Perhaps more tangible was the opportunity to review a FSSCC comment letter on a request by the Department of Health and Human Services for guidance on prioritizing pre-pandemic and pandemic influenza vaccine. Through the FSSCC letter, the financial sector identified some of its critical operations and estimated the number of critical employees supporting those operations who would need to be vaccinated.

## **DON'T WAIT FOR A CRISIS**

Always remember a crisis is no time to exchange business cards. This should be a guiding principle in your business continuity planning. The discussion of the financial sector in this article should encourage you to reach out to your competitors and the firms on which you depend (*e.g.*, power, telecommunications, water, and finance) to discuss methods of coordinating with one another and as a group with the government.

The ChicagoFIRST model can be easily replicated. Interested firms should meet, identify the needs you share in common, and initiate discussions with the government about them. The important thing is simply to begin. If an organization already exists in your area, ask if you can join. Resources are too limited to reinvent the wheel.

Much of the work has been done, and it can easily be pulled off of the shelf. Feel free to contact the author if you have questions.

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<sup>1</sup> ChicagoFIRST stands for Chicago Financial Industry Resilience and Security through Teamwork.

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- <sup>2</sup> The ChicagoFIRST motto: A crisis is no time to exchange business cards.
- <sup>3</sup> Presidential Decision Directive/NSC-63, “Critical Infrastructure Protection” (May 22, 1998), available at: <http://www.fas.org/irp/offdocs/pdd-63.htm>.
- <sup>4</sup> Ibid, p. 1. See also, Executive Order No. 13,010, “Critical Infrastructure Protection” (Jul. 15, 1996), published in the *Federal Register*, Vol. 61, No. 138, p. 37,347 (Jul. 17, 1996), available at: <http://www.fas.org/irp/offdocs/eo13010.htm>.
- <sup>5</sup> PDD 63, ref 3 above, pp. 3 and 5.
- <sup>6</sup> Ibid, pp. 3-5.
- <sup>7</sup> Executive Order No. 13,231, “Critical Infrastructure Protection in the Information Age” (Oct. 16, 2001), published in the *Federal Register*, Vol. 66, No. 202, p. 53,063 (Oct. 18, 2001), available at: <http://www.whitehouse.gov/news/releases/2001/10/20011016-12.html>.
- <sup>8</sup> Ibid, section 8(c)(x).
- <sup>9</sup> Information about FBIIC is available at: <http://www.fbiic.gov>.
- <sup>10</sup> Information about FSSCC is available at: <https://fsscc.org>.
- <sup>11</sup> Executive Order No. 13,228, “Establishing the Office of Homeland Security and the Homeland Security Council” (Oct. 8, 2001), published in the *Federal Register*, Vol. 66, No. 196, p. 51,812 (Oct. 10, 2001), available at: <http://www.whitehouse.gov/news/releases/2001/10/20011008-2.html>.
- <sup>12</sup> The Department of Homeland Security Act of 2002, Public Law No. 107-296, 116 Stat. 2135, available at: [http://www.dhs.gov/xlibrary/assets/hr\\_5005\\_enr.pdf](http://www.dhs.gov/xlibrary/assets/hr_5005_enr.pdf).
- <sup>13</sup> Homeland Security Presidential Directive 7, “Critical Infrastructure Identification, Prioritization, and Protection” (Dec. 17, 2003), available at: <http://www.whitehouse.gov/news/releases/2003/12/20031217-5.html>.
- <sup>14</sup> The Department of Homeland Security, *National Infrastructure Protection Plan*, pp. 52 and 54 (2006), available at: [http://www.dhs.gov/xlibrary/assets/NIPP\\_SectorPartnership.pdf](http://www.dhs.gov/xlibrary/assets/NIPP_SectorPartnership.pdf).
- <sup>15</sup> Ibid, p. 20.
- <sup>16</sup> The Securities Industry Association (SIA) in New York City has fostered a productive and well-established partnership between the securities industry and local, state, and federal government that pre-dates ChicagoFIRST. However, the SIA is a trade association, and the benefits of its relationships are not available to all New York City financial institutions regardless of charter. (Note: the SIA has merged with the Bond Market Association, and its new name is SIFMA, for the Securities Industry and Financial Markets Association. See <http://www.sifma.org>.)
- <sup>17</sup> Because of the well-established relationships between the securities industry and government in New York City, the Treasury Department turned its attention to the Chicago markets.
- <sup>18</sup> Smith, J., “The LaSalle Bank fire: How critical operations were available next day, strategic advantage leveraged and lessons learned,” *Journal of Business Continuity & Emergency Planning*, p. 55 (Sept. 2006).

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<sup>19</sup> “Improving Business Continuity in the Financial Services Sector: A Model for Starting Regional Coalitions” (Dec. 2004), available at: [http://www.ustreas.gov/press/releases/reports/chicagofirst\\_handbook.pdf](http://www.ustreas.gov/press/releases/reports/chicagofirst_handbook.pdf).

<sup>20</sup> Intelligence Reform and Terrorism Prevention Act of 2004, section 7802, Public Law No. 108-458, 118 Stat. 3861 (Dec. 17, 2004), available at: [https://www.chicagofirst.org/legislative/intel\\_reform\\_and\\_terrorism\\_prevention\\_act\\_2004.pdf](https://www.chicagofirst.org/legislative/intel_reform_and_terrorism_prevention_act_2004.pdf).

<sup>21</sup> “Financial Market Preparedness: Improvements Made, but More Action Needed to Prepare for Wide-Scale Disasters (Sept. 2004) (GAO-04-984), available at: <http://www.gao.gov/new.items/d04984.pdf>.

<sup>22</sup> RPC FIRST stands for Regional Partnership Council for Financial Industry Resilience, Security, and Teamwork.

<sup>23</sup> *National Infrastructure Protection Plan*, ref 14 above, pp. 75-76.