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Talking Points

NOTE: These talking points are “For Official Use Only.”

CRITICAL INFRASTRUCTURE TALKING POINTS AND FAQs

The Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response

General Talking Points

- The Cybersecurity and Infrastructure Security Agency (CISA) recommends everyone follow guidance from the CDC and local government officials regarding strategies to limit disease spread related to COVID-19.
- As the Nation’s risk advisor, CISA is working closely with partners to share information on how to prepare for and mitigate possible impacts to essential workers and critical infrastructure services brought on by consequences of the COVID-19 outbreak.
- First, it’s important to understand what critical infrastructure is. The statutory definition of critical Infrastructure is defined by USA Patriot Act of 2001 (42 U.S.C. 5195c(e)), as “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 security, national economic security, national public health or safety, or any combination of those matters.”
- These critical functions include, but are not limited to, systems that support healthcare personnel (e.g., doctors, nurses, laboratory personnel, etc.), the food industry (e.g., retail groceries and pharmacies), communication providers (e.g., operator, call centers, IT data centers), defense systems support, law enforcement, public works, and other essential operations.
- To limit the spread of COVID-19, CISA is leveraging its analytic capabilities and partnership structures to develop risk management guidance for essential infrastructure workers to ensure our Nation’s critical functions continue to operate with as little interruption as possible.

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TALKING POINTS: CRITICAL INFRASTRUCTURE TALKING POINTS & FAQs

- The list of Essential Critical Infrastructure Workers provides guidance to state and local jurisdictions and the private sector in considering how to manage and continue access and re-entry for essential workers during periods when access restrictions are in-effect by public health authorities and other executive branch authorities related to quarantines, social-distancing, isolation, and/or shelter-in-place.
- To ensure the greater critical infrastructure community of owners and operators can continue to serve all stakeholders (e.g., customers, partners, etc.) of critical life-line and industry sectors, essential employees in the American workforce will need freedom of movement and access to business, industrial, commercial, and customer locations to conduct their duties.
- The intent of this guidance is to enable continued resilience for public community health and safety of government, economy, and society despite interruptions of normal operations.
- CISA urges all levels of government who may be considering access restrictions, shelter-in-place, quarantine, and non-essential-business-closure orders to consider reasonable accommodations for essential workers supporting critical infrastructure functions.
- Ultimately, governors and other state and local officials should feel appropriately empowered to use discretion and promulgate sensible guidance that ensures the resilience of critical infrastructure.
- Actions that can be taken today to reduce the spread of COVID-19 in your workplace and community includes:
 - Increasing your organization's telework policy or staggering work schedules to ensure social distancing,
 - Focusing on core business activities and delaying non-mandatory activities,
 - Confirming your employees know how to report an incident, and
 - Making sure your employees know where to receive the latest Federal, state, local, tribal and territorial COVID-19 updates.
- For more information, please visit www.coronavirus.gov. It remains the most trusted, accurate, and authoritative source of information needed during this pandemic.

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FAQs

- 1) **What is the purpose of the guidance CISA is issuing?**
 - a) As the Nation’s risk advisor, CISA developed this guidance to help state and local governments and the private sector ensure that employees essential to operations of critical infrastructure are able to continue working with as little interruption as possible. The purpose of this guidance is to enable continued resilience for public community health and safety of government, economy, and society despite possible impacts to the workforce and critical infrastructure workforce brought on by consequences of COVID-19.
 - b) State and local officials can use this guidance to help manage the response and harmonize guidance across jurisdictions. The guidance supports efforts to ease movement of critical infrastructure workers within and between jurisdictions.
- 2) **Who is this guidance intended for?**
 - a) CISA is issuing this guidance to help government and private sector partners clarify the scope of critical infrastructure and identify key personnel who are essential in operating critical systems and assets. To maintain the health and economic wellbeing of communities and the Nation, critical infrastructure requires continuity and resilience. This will require coordination between government and private sector to ensure key employees are able to get to work.
- 3) **How is this different than traditional disasters or emergencies impacting critical infrastructure?**
 - a) COVID-19 is different than any emergency the Nation has faced, especially considering the modern, tightly interconnected economy and American way of life. In traditional emergencies, government coordinates with the private sector to get businesses back to business. In this case, as the government works with partners to slow the spread of COVID-19, the economic goal is maintaining resilience of the Nation’s foundation—its critical infrastructure.
- 4) **What is critical infrastructure?**
 - a) As defined by USA Patriot Act of 2001 (42 U.S.C. 5195c(e)), critical infrastructure are any “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 security, national economic security, national public health or safety, or any combination of those matters.” This definition is appropriately broad to include a wide range of stakeholders who either directly or indirectly enable the functionality of infrastructure systems.

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- 5) **Who are critical infrastructure employees?**
 - a) In the modern economy, there are many types of employees required to sustain normal day-to-day services that enable our economy and our way of life. This goes far beyond utilities and public works. This guidance offers an initial baseline for governments and industry to use when identifying key groups of employees that may require accommodation to ensure infrastructure functioning is not degraded during COVID response.
- 6) **What if this guidance differs from workers identified in Public Health Orders or other requirements issued by State and Local Jurisdictions?**
 - a) The attached guidance was provided to clarify the potential scope of critical infrastructure to help inform decisions by state and local jurisdictions, but does not compel any prescriptive action. Ultimately, those jurisdictions will need to issue guidance that importance of public health concerns with infrastructure resilience imperatives.
- 7) **Is this guidance binding?**
 - a) No. This guidance is not binding and is primarily a decision support construct to assist state and local officials. It should not be confused as official executive action by the United States Government.
- 8) **What are the next steps in this effort?**
 - a) This guidance will be broadly shared with government and business to foster engagement and coordination. Recognizing that the COVID-19 environment is fluid and unique in our history, CISA will continue to work with the critical infrastructure community to provide supportive tools and analysis to help operationalize this guidance. Future efforts will be responsive to the needs of CISA's partners across the country in both government and the private sector.
- 9) **What does it mean to be included on this list?**
 - a) The list of essential workers should be considered by state and local government officials as those with prioritized need for access and re-entry into, out of, and through areas where shelter-in-place, quarantine, cordons, and restricted areas. Different jurisdictions may come to different conclusions as to where essential worker accommodation is warranted based on the prevalence and density of certain infrastructure activity and assets in that area.
- 10) **My job/company is not listed; what now?**
 - a) The intricacies of different jurisdictions and industries means that it is impossible to identify every critical component of every industry across the country. Priorities will also change over time. This guidance is a starting point for jurisdictions to work with their local businesses and for businesses to communicate their needs to their partners in government.

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- b) There is a well-established critical infrastructure community managed by CISA and partner Sector-Specific Agencies that includes avenues for engagement for government and industry.

11) My company is not critical to the city where it is located, but interruptions to our services could be a crucial issue for other communities. How should I address this?

- a) It is important for governments to remember that the impacts of interruptions to critical infrastructure services may be felt far from your borders. The downstream impact of a restriction on workers in your community must be considered. Last
- b) Identify critical functions within your supply chain (e.g., third-party vendors, suppliers, service providers, and contractors) who are necessary to maintain critical operations and services, and solutions if possible interruptions occur to the supply chain.

12) How do I decide if a business or a business activity is critical?

- a) For governments, examine the key employers in your jurisdiction and the key enablers of your communities (e.g., utilities, internet providers, food and medical providers) and consider also what companies are key contributors to supply chains/distribution or the digital infrastructure.
- b) For businesses, the focus during this response is maintaining the businesses and services that enable continued economic and social vitality. It is not focused on maintaining business as usual nor is it trying to sustain the operating capacity of non-critical businesses and industries.

13) How does this guidance impact or relate to guidance regarding international travel and border restrictions?

- a) This guidance is non-binding and in no way changes any existing statutes or executive action around travel and border restrictions, or trade policy.

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