

## **NATIONAL INFRASTRUCTURE ADVISORY COUNCIL**

**March 13, 2024, NIAC Meeting**

10:45 AM – 1:00 PM ET

### **CALL TO ORDER AND OPENING REMARKS**

Ms. Leilani Coates, Cybersecurity and Infrastructure Security Agency (CISA) and Alternate Designated Federal Officer (ADFO) for the National Infrastructure Advisory Council (NIAC), called the March 13, 2024, NIAC Quarterly Business Meeting (QBM) to order. She informed attendees that the meeting was starting fifteen minutes early. Ms. Coates stated the NIAC is registered under the Federal Register docket number CISA-2023-0012 and is a federal advisory committee, governed by the *Federal Advisory Committee Act* (FACA). As such, the meeting was open to the public and would be recorded. She confirmed that the NIAC received one request for public comment. Following the roll call of both in-person members, and those participating virtually via WebEx, Ms. Coates turned the meeting over to NIAC Chair, Mr. Adebayo Ogunlesi, Global Infrastructure Partners, who shared a brief welcome to all of the meeting participants. Mr. Ogunlesi and NIAC Vice Chair, Ms. Maria Lehman, GHD, thanked the NIAC members for their work in 2023 and expressed their optimism for the four reports coming in 2024.

Mr. Nitin Natarajan, Deputy Director, CISA, congratulated the NIAC on the success of their 2023 reports and expressed his excitement about the taskings in 2024. Mr. Natarajan shared that he looks forward to continued conversations on how to build and raise resilience across the nation, as the NIAC and CISA focus on the risks from both physical and cyber threats, in nation states, as well as from cyber-criminal organizations across the nation.

Dr. Liz Sherwood-Randall, Assistant to the President and Homeland Security Advisor, congratulated the NIAC on their effective discussion with President Biden in December 2023, and expressed President Biden's commitment to follow up on everything that was discussed in the meeting. Dr. Sherwood-Randall welcomed and swore in three new NIAC members: General Mark A. Milley, USA Retired, Joint Chiefs of Staff (former); Mr. Martin Adams, Los Angeles Department of Water and Power; and Mr. David Grain, Grain Management LLC. Following the swearing-in, each new member shared brief remarks on their backgrounds.

Dr. Sherwood-Randall expressed the importance of all the report topics that were tasked to the NIAC and mentioned that President Biden currently has a particularly intense focus on disaster response. One of the most difficult challenges after a disaster is gaining access to the residents quickly to help them recover and rebuild, which she hopes will be astutely addressed in the NIAC's future recommendations. She added that the White House also considers how technology innovations can help in the process of rebuilding. Ultimately, the goal is to shorten the timeline from the time of incident to recovery.

She cited the recent efforts to rebuild in Hawaii, after the devastating wildfires in 2023, and the efforts to provide housing in an area that was already experiencing a housing shortage before the disaster occurred. The growing frequency of disasters and increased effort for rebuilding creates enormous demands on the country, especially since they will only continue to grow due to climate change.

## **The National Infrastructure Advisory Council**

*Minutes for the March 13, 2024, NIAC Meeting*

Dr. Sherwood-Randall also emphasized President Biden's commitment to address the country's workforce challenges. The White House will be looking to the NIAC for recommendations on how to be more effective at bringing together the public and private sector, while meeting the needs of the nation. She added that this is acutely seen in the cyber space, where much of the threat responsibility is in private hands. Although the government can encourage, and in some cases mandate, ultimately the responsibility lies with the private sector to fortify the networks and ensure a speedier recovery time for those who depend on critical infrastructure sectors.

Dr. Sherwood-Randall then discussed private capital investments and shared the initiative that the Biden Administration recently launched on port security. There was a vulnerability identified in critical infrastructure – adversaries had a grip on the manufacturing of the cranes used to move cargo from a container ship to a port environment. To address the vulnerability, the administration will invest over \$20 billion in ports over the next five years and has issued directives through the United States Coast Guard (USCG) to improve cybersecurity posture at the ports. Mitsui, a Japanese company, announced their plans to renew onshore, United States (U.S.) manufacturing capacity for crane production, creating jobs in the U.S. and increasing U.S.-based industrial capacity, in the process. This successful partnership would have been impossible without the Made in America policies, and the investments that are being made as a public-private endeavor.

Lastly, Dr. Sherwood-Randall noted that the U.S. faces significant strategic competition with nation-state actors that target American critical infrastructure. She emphasized the need for faster work in this area, following results of the annual threat report that the Director of National Intelligence presents to Congress, specifically targeting the nation's critical infrastructure. She emphasized the need to fortify the country against this targeting, particularly in the cybersecurity space. The government will do everything it can, but it needs private partnership to be successful.

### **KEYNOTE SPEAKER**

Dr. Sherwood-Randall introduced Maryland Governor, Wes Moore. Governor Moore expressed his appreciation to the NIAC for the opportunity to speak and thanked the council for their ongoing work to strengthen public-private partnerships, since public-private partnerships are essential to achieving long-term success.

Governor Moore gave a brief background on his career before he ran for office as governor. From his experience, he learned that partnership is the key to progress. Without the partnership of the federal government and the private sector, his goals and aspirations for the state would be unsuccessful. He noted that the government by itself can bring people together, across society, but solving problems is a collaborative effort.

Governor Moore spoke to the momentum he has witnessed in the state of Maryland, from economic growth, legislative policies, and state and local collaboration. He expressed his gratitude for the Biden Administration's policies such as the Bipartisan Infrastructure Law and the Inflation Reduction Act, which together, brought over \$450 million to Maryland to bolster resilience. That investment is already being used to build stronger communities that can stand firm across the impact of climate change through projects like building seawalls to combat rising sea levels and addressing the impacts of extreme heat in Baltimore City on the health of its

## **The National Infrastructure Advisory Council**

*Minutes for the March 13, 2024, NIAC Meeting*

residents. He shared that he recently attended the opening of a new factory that will manufacture electric vehicle charging stations. This project will not only create good-paying jobs, but will also help reduce emissions, meet climate energy goals, and combat the impact of climate change.

In November 2023, Governor Moore signed an [Executive Order](#) (E.O.) to enhance coordination in advance of emergencies. The E.O. directs the Maryland Department of Emergency Management (MDEM) to coordinate the necessary preparation, ahead of potential impacts from hazards or threats, to provide a vital layer of protection for Maryland residents, and potentially avoid a State of Emergency. The E.O. establishes a state of preparedness for both the public and private sector, which Governor Moore believes can be a model for other jurisdictions across the nation to mobilize all local resources. He cited a recent storm in Westminster, Maryland, where 30 utility poles fell and trapped 33 adults and 14 children under live wires. Thanks to the collaborative efforts of private partners, local leadership, electricity companies, and the MDEM, all 47 individuals safely returned home. Governor Moore highlighted the importance of partnership and cross-sector collaboration to secure our infrastructure and expressed his gratitude to the NIAC and the White House for their joint effort to involve state and local governments in the dialogue.

Dr. Sherwood-Randall thanked Governor Moore for his remarks and agreed with the importance of having state executives lead the responses to prepare for, increase resilience to, and respond to disasters. She looks forward to the partnership with the state of Maryland as the NIAC works on the various studies charged by the President.

Mr. Ogunlesi introduced Governor Moore to the Chair of the Reimagining the Federal Government's Approach to Disaster Response (Disaster Response) subcommittee, Ms. Madhu Beriwal, Innovative Emergency Management. Ms. Beriwal asked Governor Moore if he could brief the subcommittee about the Maryland E.O. to see how it may apply to other states, to which Governor Moore agreed.

### **PUBLIC COMMENT**

Mr. Kevin Morley, American Water Works Association (AWWA), discussed the AWWA's cybersecurity collaboration with CISA and his hope for collaboration with the NIAC. Mr. Morley requested the NIAC consider the agreement on several cybersecurity principles that the AWWA, the Association of Metropolitan Water Agencies, the National Association of Water Companies, and the National Rural Water Association have agreed to and recently testified on for the House Energy and Commerce Committee. It regards the need for, and the reality of, the cyber threat that faces critical infrastructure and most specifically opportunities to take actions to ensure continuity of operations for drinking water and wastewater utilities.

Mr. Morley underscored the importance of improving the collaboration between Federal and private partners on leveraging information sharing that is technically correct and contextually relevant. This will allow the identification of those that need government support to enhance critical infrastructure resilience across all sectors.

### **SUBCOMMITTEE UPDATES AND MEMBER DISCUSSION**

## **The National Infrastructure Advisory Council**

*Minutes for the March 13, 2024, NIAC Meeting*

Mr. Ogunlesi asked each of the four subcommittee chairs to provide an update on the progress of their respective subcommittee. He asked Ms. Connie Lau, Hawaiian Electric Industries (former), to speak first, on behalf of the Increasing Domestic Transformer Production (Transformer Production) subcommittee chair, Mr. Gil Quiniones, ComEd, who was unable to attend the meeting.

She began by reviewing highlights of the NIAC's *Managing the Infrastructure Challenges of Increasing Electrification* report, which was published in 2023. The Transformer Production subcommittee was created in response to President Biden's request for an implementation plan for the report's third recommendation on how to increase transformer production. The subcommittee will focus on the production of small transformers for the electric distribution system, as well as large transformers for substations.

The subcommittee will identify the most critical points in the supply chain and make recommendations on whether that production can occur domestically and/or in countries that are friendly with the U.S. The report deliverable also has the potential to promote a broader approach, to consider both transformers as well as a wider set of electrical equipment systems and components critical to supporting the nation's critical infrastructure and the national economy. She also expressed the subcommittee's plans to work with the Department of Energy. They hope to have the report ready by June of this year.

Dr. Sherwood-Randall thanked Ms. Lau and reiterated the urgency of the matter. In the context of the war that Russia is waging against Ukraine, there is an acute shortage of transformers in the U.S. and its allies. The U.S. has sought to provide the Ukrainians with transformers because the Russians have targeted their critical infrastructure, so there is insufficient supply and replenishment is slow.

Mr. Michael Hayford, NCR Corporation, shared the challenge manufacturers in the U.S. face to compete with Chinese manufacturing companies, even when considering the parts for products, because competitors like China do not have the same set of requirements that the U.S. has for manufacturing. He suggested that, if the subcommittee encourages private enterprises to deliver a product to their shareholders, private enterprises will need a promise of greater investment to be competitive with Chinese companies. Ms. Lau thanked Mr. Hayford for his comment and noted that his point is one of the major reasons why the issue is complicated. She hoped that, based on the successful model with port cranes, the government will consider other incentives and structures that will create a market that is economically feasible for manufacturers in the U.S. or in a friendly nation. Ms. Caitlin Durkovich, Deputy Assistant to the President and Deputy Homeland Security Advisor for Resilience and Response, National Security Council, commented that in the case of the ship-to-shore cranes that are made in America, policies are helping to make this environment more competitive for Mitsui. Ms. Durkovich also suggested the subcommittee receive briefings from the National Economic Council, as well as the implementation teams for the White House Bipartisan Infrastructure Law, Inflation Reduction Act, and Creating Helpful Incentives to Produce Semiconductors (CHIPS) Act.

Mr. Adams said that he and a California senator considered restarting manufacturing, in the Los Angeles region during the COVID-19 pandemic, to invigorate the economy and transformers. They found that, due to regulations, they would have to purchase the most economical option,

## **The National Infrastructure Advisory Council**

*Minutes for the March 13, 2024, NIAC Meeting*

which is not typically an American-manufactured option. Mr. Adams said there is a need to assess the actual cost and value of having American-made infrastructure versus foreign infrastructure. While it is more costly up-front, when considering the risks associated with foreign products, the value of American products outweighs the up-front costs. Dr. Norma Jean Mattei, University of New Orleans, urged the subcommittee to ensure all components of materials do not originate from an unfriendly country.

Dr. Sadek Wahba voiced a concern regarding the long-term sustainability of policies that eventually sunset. He expressed that the private sector is being encouraged to make long-term investments into projects that do not have clear long-term support. Mr. Ogunlesi responded that the Inflation Reduction Act and the CHIPS Act have not had any problems getting investors to make multi-billion-dollar long-term commitments. The goal is to build on the successful programs the administration has already put in place. Dr. Sherwood-Randall reiterated that the NIAC must look at lifecycle cost investments rather than up-front costs.

Ms. Lau asked the NIAC how to factor in the value of national security in private investments and whether that is an obligation of the private sector or the public sector. Mr. Hayford suggested that the government can take a stronger role by creating an environment where there will be buyers for an American-made product. Dr. Beverly Scott, Beverly Scott & Associates, suggested that the issue lies with procurement, and they must determine how to operationalize the best value, long-term. Dr. Conrad Vial, Sutter Health, spoke on the importance of identifying standards and outlining how companies can be efficient and impactful. Mr. Christopher Wiernicki, American Bureau of Shipping, added that standards will level the playing field in terms of addressing national security. But ultimately, he said scalability will be driven by markets. Market demand will then drive supply chain costs, which must be factored into the lifecycle cost perspective relative to ultimate sustainability over a longer period.

Mr. Ogunlesi asked Dr. Scott to provide an update on the Expanding the Workforce for Critical Infrastructure (Expanding Workforce) subcommittee, which she co-chairs with Mr. Ray Daddazio. She noted that one of the challenges that the NIAC's 2023 *Managing the Infrastructure Challenges of Increasing Electrification* report identified was in the workforce, which was why President Biden tasked the NIAC with revisiting this issue. The subcommittee will build off the previous work from NIAC's 2021 *Workforce and Talent Management Study*, as well as the recommendation provided in the *Electrification* report. Dr. Scott emphasized the importance of bringing in members or briefers who have experience with kindergarten through 12<sup>th</sup> grade (K-12) education policy. The subcommittee will also consider how the federal government can better incentivize public and private organizations to move programs forward. The subcommittee has a goal to complete the report by September of this year.

Mr. Daddazio, Thornton Tomasetti, was nominated to co-chair the subcommittee through his connections to Ms. Lehman via the American Society for Civil Engineers (ASCE). He echoed Dr. Scott's request for suggested briefers, and added that he hopes to have industry organizations, such as ASCE, the Semiconductor Foundation, and other professional societies, brief the subcommittee.

Mr. Hayford said that every corporate organization in the U.S. struggles with finding the right labor. He cited a summit he attended in Atlanta, Georgia, where he and a group of CEOs

## **The National Infrastructure Advisory Council**

*Minutes for the March 13, 2024, NIAC Meeting*

addressed infrastructure issues. At the Atlanta airport – the largest in the world – there were not enough trade workers to work on the aircrafts. The airport engaged corporate America, and Delta Airlines took the lead. Delta went to elementary, junior high, and high schools where they showed students the opportunities available for good-paying jobs in the fields of science, technology, engineering, and math (STEM). Delta also partnered with a two-year school in the state of Georgia, where students had the opportunity to go to the school for free. This created a pipeline where jobs were created/identified, companies committed to filling those positions, and then went to various schools to teach and recruit students. This program involved the City of Atlanta and private companies working together.

Mr. Daddazio praised the CHIPS Act and its attention to workforce issues. For example, a construction company that works on a CHIPS Act project must provide daycare for the construction worker's children, which he said is a great way to encourage women to join the construction workforce. Additionally, he mentioned that the company Intel partnered with a local community college to create a set of courses that, if a student completes those courses in one year, Intel will hire them. Intel subsidizes the students and gives them a job if they complete the courses. That kind of private partnership with local educational institutions is extremely successful.

Mr. Hayford suggested looking at Switzerland's model for workforce pipeline. The companies estimate how many workers for each job they will need ten years in advance, and they tell the schools how many workers of each job they will need: how many people to write code, how many salespeople, how many custodians, etc. The schools match students to job orders, so that there are no gaps in the workforce.

Mr. Wiernicki emphasized that the workforce development equation is changing. It used to be about age experience, training, and a functional mindset. Now, it's about skills, continuous learning, and a systems mindset. One challenge he faces in a large company is recognizing the shared responsibility of creating an environment where the employee and company are being brought together. He mentioned that he recently visited Singapore, which is currently reviewing and reinventing their workforce. Dr. Scott confirmed that the subcommittee will consider what is being done internationally. She reiterated the importance of the K-12 STEM education policy, since students begin to develop an idea of what they want to do by middle school.

Mr. Ogunlesi asked the Promoting Infrastructural Health subcommittee chair, Dr. Conrad Vial, to provide an update. Dr. Vial described the purpose of the subcommittee and thanked the subcommittee members. The subcommittee's approach to this topic is to analogize promoting the "health" of the nation's infrastructure, in the same way one should be proactive about their physical health. Dr. Vial described this as a pivot from a reactive posture, to one that is more predictive and preventative, through proactive changes (i.e., investment by public and private sector collaborations, etc.) that the subcommittee would recommend in a "playbook," or report.

Dr. Vial shared that the subcommittee would target focus areas in critical infrastructure to include water, health, energy, cyber, communications, and transportation, as well as the interdependencies between them. The subcommittee will seek to identify national standards that would promote the health of infrastructure sectors. They will also try to understand the goals and motivations of investors in the infrastructural space, like public-private partnership (P3)

## **The National Infrastructure Advisory Council**

*Minutes for the March 13, 2024, NIAC Meeting*

investors. The subcommittee would like to have an outline of the report by June and have a draft ready by September.

Dr. Sherwood-Randall applauded the subcommittee's rhetoric, replacing "resilience" with "health," which the public may be able to better understand. She mentioned that she often deals with "preventative defense" in the national security space. While prevention is a model in the healthcare sector, it is a whole-of-nation approach to preparing the nation by making investments in prevention. Dr. Vial added that the issue of equity must be considered by the subcommittee because of the sociocultural and geographic disparities in equity, as well as demographic vulnerabilities. He noted that even the most secure infrastructure is not secure unless the most vulnerable system in the network is secure (i.e., a system is only as strong as its weakest link). This concept must be communicated to the public and private investors so that the most vulnerable systems receive investments, to ensure the security of all systems.

Mr. Daddazio commented that investors will not invest in infrastructure for events that are not yet well-defined. He suggested finding a way to communicate a well-defined event so that investors feel more comfortable in infrastructure projects. He also suggested reading *The Ostrich Paradox* by Robert Meyer and Howard Kunreuther, about disaster preparedness.

Mr. Ogunlesi asked the Disaster Response subcommittee chair, Ms. Madhu Beriwal, to provide an update. Ms. Beriwal described the purpose for the subcommittee and thanked the subcommittee members. She shared that the subcommittee will address two separate topics: disaster response, as well as recovery and resilience. She said that the Federal Emergency Management Agency (FEMA) has been at 65% capacity since the start of the hurricane season in 2023, and there are too many disasters and too many people being called upon repeatedly. She explained that there are workforce issues concerning the federal workforce, but also workforce issues at state, local, tribal, and territorial (SLTT) levels that need to be addressed. She suggested collaborating with the Expanding Workforce subcommittee, accordingly.

Ms. Beriwal noted that there have been investments in disaster mitigation, but it's not nearly enough, compared to what is necessary to ensure the infrastructure is resilient. The subcommittee will consider how to get SLTT governments to accomplish what they need to do. In addition, 80% of the infrastructure is privately owned, so how can the government incentivize private infrastructure owners to invest in that infrastructure? On this topic, Ms. Beriwal would like to collaborate with the Promoting Infrastructural Health subcommittee. She mentioned that, though the Disaster Response subcommittee has a goal of completing the report in six months, they will likely need an extension. Mr. Ogunlesi suggested completing two reports sequentially: one focusing on disaster response and the second focusing on recovery and resilience. He also nominated GEN (Ret) Milley to serve on this subcommittee.

Ms. Durkovich thanked Ms. Beriwal for her leadership and for ensuring that there is state representation, either from the emergency management community or from talking directly to governors about the challenges they are facing. She suggested talking to the National Governors Association's Council of Governors and the Department of Defense's (DoD) National Guard and the Office of the Secretary of Defense, which recently published new homeland defense policy guidance that addresses the issue of national security emergencies and defining the core mission of the DoD. She said the challenge will be how this issue dovetails with workforce and cross-

## **The National Infrastructure Advisory Council**

*Minutes for the March 13, 2024, NIAC Meeting*

training, and what the responsibilities are for our communities and citizens for preparedness and resilience. She requested that the subcommittee consider how to revise the Stafford Act for President Biden's second term.

Ms. Beriwal agreed that the subcommittee will review the Stafford Act to determine what it addresses and what it does not address in today's climate. She also emphasized that with the number of yearly disasters rising, it is urgent to ensure resilience actions are in place before continuously trying to play catchup. Lastly, she stressed that disaster response includes the entire community: federal government, SLTT governments, private industries, nonprofits, as well as individuals and their families. As it pertains to individuals and families, there are vulnerable communities and people with disabilities that need more assistance, so disaster response must be inclusive.

Dr. Mattei provided her experience in the aftermath of Hurricane Katrina, in New Orleans, Louisiana. She said that it was faith-based organizations that arrived the quickest and provided residents with water and food. She suggested factoring in how organizations like that could be of assistance. Secondly, Dr. Mattei wanted the subcommittee to consider how to help the immigrants who often come across the border to help after disasters and sometimes stay in the communities after recovery. Ms. Beriwal replied that the second suggestion has created workforce issues in other situations (e.g., many construction workers come from the Dominican Republic to Puerto Rico because they need work permits and workforce housing).

Mr. Ogunlesi reminded the new NIAC members to volunteer for the subcommittees to which they would be most useful, given their expertise. He specifically suggested Martin Adams join the Transformer Production Subcommittee since he is a consumer of the output.

### **CLOSING REMARKS**

Ms. Durkovich thanked all participants for the enriching and gratifying NIAC meeting. She expressed her appreciation to all the members who have committed to the endeavor of ensuring the legacy of President Biden's commitment to infrastructure and how we can continue to ensure its security and resilience. She expressed her excitement for the recommendations coming in 2024 and offered her help in connecting briefers with the subcommittees. Ms. Lehman and Mr. Ogunlesi echoed Ms. Durkovich's appreciation to the NIAC members, and that they look forward to the next NIAC meeting in June. The meeting was adjourned.



**The National Infrastructure Advisory Council**  
*Minutes for the March 13, 2024, NIAC Meeting*

**MARCH 13, 2024, NIAC MEETING PARTICIPANTS LIST**

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Ms. Camille Batiste	Archer Daniels Midland
Ms. Madhu Beriwal	Innovative Emergency Management
Ms. Deneen DeFiore	United Airlines
Mr. Joshua Descant	REV
Ms. Christine Fox	Johns Hopkins University APL
Mr. David Gadis	DC Water
Mr. David Grain	Grain Management LLC
Mr. Michael Hayford	NCR Corporation (Former)
Ms. Connie Lau	Hawaii Electric Industries (Former)
Dr. Norma Jean Mattei	University of New Orleans
GEN (Ret) Mark A. Milley	Joint Chiefs of Staff (Former)
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Mr. Jorge Ramirez	GCM Grosvenor
Mr. Pasquale Romano	ChargePoint
Dr. Beverly Scott	Beverly Scott & Associates
Dr. Patricia Sims	Drake State Community and Technical College
Mr. Kurt Summers	Blackstone
Mr. Luis Vance Taylor	California Governor's Office of Emergency Services
Mr. Anthony Thomas	Shinall Advisors
Dr. Conrad Vial	Sutter Health
Dr. Sadek Wahba	I Squared Capital
Mr. Christopher Wiernicki	American Bureau of Shipping
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Dr. Liz Sherwood-Randall	The White House
Ms. Caitlin Durkovich	National Security Council
Mr. Robert Obayda	National Security Council
Mr. Nitin Natarajan	Cybersecurity and Infrastructure Security Agency
Ms. Alaina Clark	Cybersecurity and Infrastructure Security Agency
Ms. Helen Jackson	Cybersecurity and Infrastructure Security Agency
Mr. William Rybczynski	Cybersecurity and Infrastructure Security Agency
Mr. Jonathan Dunn	Cybersecurity and Infrastructure Security Agency
Ms. Celinda Moening	Cybersecurity and Infrastructure Security Agency

## The National Infrastructure Advisory Council

*Minutes for the March 13, 2024, NIAC Meeting*

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**The National Infrastructure Advisory Council**  
*Minutes for the March 13, 2024, NIAC Meeting*

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