

From: Espey, Peter [<mailto:pespey@mail.smu.edu>]  
Sent: Thursday, April 08, 2004 3:16 PM  
To: RegComments, CII  
Subject: Re: comment on Critical Infrastructure Information Rule

To whom it may concern,

I have taken an interest in the Homeland Security Department's Procedures for Handling Critical Infrastructure Information Interim Rule, docket number 04-3641 and wish to make some comments about it.

Overall I think the rule makes a great deal of sense and it is good to see the government and private sector cooperate for their mutual goals. I am curious as to whether the criminal penalty for unauthorized disclosure of CII of one year in prison and fines discussed under section 29.9 D would apply to the state and local officials in 29.1A. Hopefully it does, since these private industries should be protected for voluntarily sharing this vital information. It seems quite possible that some local official who received information about some critical infrastructure for terrorism protection purposes would then break the law and sell that information to competing firms. That is why these criminal penalties as proscribed by Congress and this rule are proper.

My only other question is what is meant in section 29.7B where it says "when Protected CII is in the physical possession of a person, reasonable steps shall be taken to minimize the risk of access to Protected CII by unauthorized persons." What are reasonable steps I wonder. Otherwise this rule is a very good one and hopefully a standard for cooperation between government and the private sector.

Thank you for your time.

Pete Espey  
13 Londonderry Drive  
Flemington, NJ 08822