

DISTRICT ATTORNEY

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CYRUS R. VANCE, JR.

DISTRICT ATTORNEY

March 23, 2021

The Honorable Elissa Slotkin
Committee on Homeland Security
H2-176 Ford House Office Building
Washington, DC 20515

The Honorable August Pfluger
Committee on Homeland Security
H2-176 Ford House Office Building
Washington, DC 20515

Dear Chairperson Slotkin & Ranking Member Pfluger,

I submit this letter in support of your important efforts to combat domestic terrorism. I appreciate your understanding of the vital role state and local law enforcement play in combatting this ever-expanding threat to our nation.

As the District Attorney of New York County, I have witnessed firsthand the threat of domestic terrorism. Through our Counter Terrorism (CT) program which I formed in 2015, my Office investigates, disrupts, and prosecutes domestic and international terror threats. The cases that my Office has investigated and prosecuted illustrate the importance of state and local involvement in investigating and preventing domestic terror threats. For example, in 2019, my Office prosecuted a white supremacist named James Harris Jackson. Mr. Jackson sought to start a race war. He traveled to Manhattan to execute his plan. Mr. Jackson brutally murdered Timothy Caughman, a 66-year-old African American man, who was just walking on the street in the heart of New York City. The terrorist was sentenced to life in prison without the possibility of parole – the maximum sentence permitted under New York criminal law. More recently, we have worked with both our NYPD and JTTF partners on investigations and prosecutions related to ghost guns and ghost gun parts. Ghost guns are often found in the possession of individuals active in the domestic terror chat rooms online. Just a week ago our Office charged Samuel Fisher, an individual also charged in the assault on the U.S. Capitol, for local charges related to the possession of a loaded AR-15 assault rifle, a loaded pistol, a loaded shotgun, a bullet proof vest, and over 1,000 rounds of ammunition.

Our Office recognizes that domestic terrorism also includes cyber-based attacks. These cyber threats, especially those to our critical infrastructure, are incredibly concerning. Over the last several years, the number of cyber-attacks impacting state and local communities has escalated. These cyber-attacks are a threat to public safety and have caused significant disruption to sectors as diverse as healthcare, education, emergency services, and transportation, to name a few.

The proliferation of significant cyber events has underscored the need for better coordination and response capabilities at the state and local level, both to thwart attacks and to limit their impact. The bottom line is there must be dramatically enhanced coordination across sectors that protect our communities' critical infrastructure and provide essential services. The federal government

can assist state and local communities by financially supporting these communities' efforts at accomplishing three primary tasks: 1) sharing of real-time threat information across sectors; 2) training across sectors; and 3) developing volunteer response teams to assist sector(s) in need.

As to the sharing of real-time threat information, New York City and the State of Michigan provide two models of ensuring that indicators of compromise (IoCs) and other relevant cyber-attack information are moved, without delay, across sectors. The New York City Cyber Critical Services and Infrastructure (NYC CCSI), for example, includes cyber professionals from fourteen sectors who share such relevant data from their individual sector to their counterparts in other sectors. Those receiving this data can act upon it with dispatch to protect their individual entity. As to training across sectors, approximately twice a year NYC cyber professionals gather to develop and enhance the partnership's coordination skills – to conduct cyber emergency fire drills. The threat scenarios are not generic; rather, they are developed to closely emulate the most current cyber threat landscape facing New York City. As a result of the training, both the individual NYC CCSI participant and the City are better prepared for future attacks. Finally, as to developing cyber response capacity, trained NYC CCSI volunteers are prepared to respond to a given sector in crisis, usually following a crippling cyber-attack. For example, in November 2020, NYC CCSI volunteers were called upon and dispatched to a hospital whose servers had been locked in a ransomware attack. The NYC CCSI volunteers assisted the hospital personnel with getting patient information back on-line and accessible to doctors, nurses, and other medical professionals.

We respectfully request that Congress assist prosecutors and our law enforcement partners in this effort by dedicating funding and resources to strengthening technical assistance and training as we fight to end the spread of domestic terrorism. We are confident that directing additional resources and funding to combat domestic terrorism will strengthen relationships between Federal law enforcement and their State and local partners as we work together to stamp out domestic terror threats made to our country.

We stand ready to assist you in any way as you move forward with consideration of federal legislation to combat domestic terrorism.

Sincerely,



Cyrus R. Vance, Jr.