

Statement of

# **The Honorable Patrick Leahy**

United States Senator  
Vermont  
November 17, 2009

Statement Of Senator Patrick Leahy (D-Vt.),  
Chairman, Senate Judiciary Committee,  
On The Subcommittee On Terrorism And Homeland Security's Hearing On  
"Cybersecurity: Preventing Terrorist Attacks and Protecting Privacy in Cyberspace,"  
November 17, 2009

I commend Senator Cardin and the Subcommittee on Terrorism and Homeland Security for holding this timely hearing on "Cybersecurity: Preventing Terrorist Attacks and Protecting Privacy in Cyberspace." The troubling cyber attack on U.S. Government computers in July was an important reminder that developing a comprehensive national strategy for cybersecurity is one of the most challenging and important issues facing our Nation. Just last week, the Government Accountability Office released a report finding that the computer network at the Los Alamos National Laboratory remains vulnerable to cyber attack.

The Judiciary Committee has made improving the security of our Nation's computers one of its highest legislative priorities. Earlier this month, the Committee reported comprehensive data privacy legislation that will help to better secure the Nation's computer systems and to protect privacy. Today's hearing on cybersecurity builds upon the Committee's work in this area.

I am particularly pleased that this hearing will examine the need to balance the effort to improve cybersecurity with our obligation to protect the privacy rights and civil liberties of all Americans. I have long believed that national security and personal liberty are not mutually exclusive. We can -- and must -- have both in a vibrant Democracy.

A key tool put in place by the Congress to ensure both security and liberty is the Privacy and Civil Liberties Oversight Board - a critical board established by the Congress to ensure that privacy and civil liberties concerns are appropriately considered in developing and implementing the Nation's counterterrorism policies. In May, the President's report on Cyberspace Policy Review recommended that this Board be quickly reconstituted and that its work include cybersecurity-related issues.

Having a fully functional Privacy and Civil Liberties Oversight Board is vital to protecting the privacy and civil liberties of all Americans and to developing a comprehensive national cybersecurity strategy. That is why I have urged the President to promptly appoint qualified individuals to this Board.

The testimony offered today will help the Committee as it continues its oversight of emerging cybersecurity issues involving the Departments of Justice and Homeland Security and the

President's new cybersecurity initiative. I thank all of the witnesses for sharing their insights on this emerging issue with the Committee.

I also thank Senator Cardin for his leadership on the issue of cybersecurity. I look forward to a meaningful exchange.

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