

## **Statement for Sen. Jon Kyl**

*Subcommittee on Crime and Terrorism – Hearing on Cyber Crime (4/12/2011)*

Thank you, Mr. Chairman, for holding this hearing today. As one former member of the Intelligence Committee to another, I have been deeply impressed by your commitment to cyber security and your command of the associated issues, and I look forward to what will be the first of many hearings on this subject before this subcommittee.

I am also pleased to have been able to work with you to draft our forthcoming cyber security awareness legislation. While this bill is chiefly a placeholder for things to come, I think it is an important step because of the multitude of topics it covers.

And that multitude speaks to a larger point and problem. I know of your frustration that Congress has waited for so long to get cyber security legislative proposals from the White House. This delay has complicated the Congress's task of passing comprehensive cyber security legislation. By my count, there are more than seven full committees on the Senate side alone, including the Judiciary Committee, which will be involved in drafting a comprehensive bill. This will take time and we are long overdue for the President to share his proposals for cyber security legislation with the Congress so that we can get started.

I am eager to hear from our expert witnesses about how they think Congress should differentiate cyber crime and cyber warfare directed by a state or terrorist group, especially since, I would argue, it doesn't much matter if a crippling attack on our electric grid, banking system, or other critical infrastructure or the wholesale theft of billions of dollars of U.S. intellectual property (defense related or purely commercial) is being directed by a cyber mafia or a cyber army. It is the responsibility of this government to stop an attack either way. If we are focusing on prosecuting these attacks as cyber crime, I'd say we've failed.

I look forward to the testimony of our witnesses, Mr. Chairman, and to what I hope will be stimulating and informative rounds of questions.