

Cybersecurity Governance in the Commonwealth of Virginia

A CASE STUDY

December 2017



**Homeland
Security**



Virginia Fast Facts^{1,2}

ELECTED OFFICIALS:

- Governor Terry McAuliffe
- Virginia House of Delegates: 100 Delegates
- Senate of Virginia: 40 Senators

EDUCATION:

- Public with a high school diploma: 45.3%
- Public with an advanced degree: 42.2%

STATE CYBERSECURITY EXECUTIVES:

- Secretary of Technology Karen Jackson
- Chief Information Officer (CIO) Nelson Moe
- Chief Information Security Officer (CISO) Mike Watson³

COLLEGES AND UNIVERSITIES:

- 23 community colleges
- 16 public universities
- 96 private or out-of-state institutions certified to operate in Virginia

STATE DEMOGRAPHICS:

- Population: 8,100,653
- Workforce in “computers and math” occupations: 4.8%

KEY INDUSTRIES:

- Food Processing
- Aerospace
- Plastics and Advanced Materials
- Data Centers
- Information Technology
- Cybersecurity
- Life Sciences
- Automotive
- Energy

Executive Summary

The Overall Challenge:

How to address a range of cybersecurity challenges that cut across multiple government, public, and private sector organizations?



Overall Lessons Learned from Virginia's Governance Approach:

- **Leadership Matters.** Leaders across multiple government, public, and private organizations make cybersecurity, and cybersecurity governance, a priority.
- **Leadership Is Not Everything.** Laws, policies, structures, and processes instantiate and align cybersecurity governance with the cybersecurity priority so that focus does not change as personalities change.
- **Governance Crosses Organizational Boundaries.** The distributed nature of cybersecurity requires a range of governance mechanisms that connect across multiple organizations and sectors.

This case study describes how the Commonwealth of Virginia (the Commonwealth) has used laws, policies, structures, and processes to help govern cybersecurity as an enterprise-wide, strategic issue across state government and other public and private sector stakeholders. It explores cross-enterprise governance mechanisms used by Virginia across a range of common cybersecurity areas—strategy and planning, budget and acquisition, risk identification and mitigation, incident response, information sharing, and workforce and education.⁴

This case study is part of a pilot project intended to demonstrate how states use governance mechanisms to help prioritize, plan, and make cross-enterprise decisions about cybersecurity. It offers concepts and approaches to other states and organizations that face similar challenges. As this case covers a broad range of

areas, each related section provides an overview of the Commonwealth's governance approach, rather than a detailed exploration. Individual states and organizations seeking greater detail would likely need to engage directly with the Commonwealth to better understand how to tailor solutions to their specific circumstances.

In recent years, the Virginia executive and legislative branches have taken a series of deliberate steps to govern cybersecurity as an enterprise-wide strategic issue across both state government and a diverse set of private and public sector organizations. (In this case study, "agency" refers to executive branch agencies.)

In 2003, the General Assembly passed major legislation consolidating information technology (IT) services from across the Commonwealth into one agency—the Virginia Information Technology Agency (VITA).⁵ VITA is led by the Chief Information Officer (CIO), who works with

a Chief Information Security Officer (CISO) to address cybersecurity issues.⁶ VITA is charged with overseeing the Commonwealth's IT infrastructure, including establishing information security programs, for the executive branch departments and agencies. VITA also oversees IT investments and acquisitions on behalf of state departments, agencies, and institutions of higher learning.

The Commonwealth also utilizes a range of governance structures and processes to address a variety of cybersecurity challenges that require collaboration and coordination across public and private stakeholders. For example, the Commonwealth approached cybersecurity strategic planning in a collaborative manner, inviting public and private stakeholders together in two different structures created by law. In 2014, Governor Terry McAuliffe created the first structure, called the Virginia Cyber Security Commission (the Commission), via Executive Order 8.⁷ The Commission, co-chaired by Richard Clarke and Secretary of Technology Karen Jackson, was comprised of public and private sector experts, including the Secretaries of Commerce and Trade, Public Safety and Homeland Security, Education, Health and Human Resources, Veterans and Defense Affairs, and 11 citizens appointed by the Governor. The citizens represented private industries such as a global credit card company, a large law firm, and defense and aerospace companies. The Commission members developed a set of 29 recommendations: to improve the resilience and protection of the Commonwealth's information systems; invest in cyber education and workforce development; increase public awareness of cybersecurity as an issue worthy of prioritization and investment; sustain and expand economic development of cyber-related industries; and modernize state laws to address cybercrimes (see Section VII for more details).⁸ These policy recommendations have influenced a range of investment and programmatic priorities for the state.

The Commonwealth also utilizes several intra-governmental, cross-agency advisory groups, councils, and working groups to identify laws and policies that may need to change to align with the Commonwealth's cybersecurity risk management approach. For example, the Cyber Response Working Group (CRWG) is a cross-agency working group focused on planning and preparation for cyber incidents that could negatively impact the public's safety. Originally formed by the Virginia National Guard (VANG) to examine how the Guard could support Virginia's cybersecurity efforts, the CRWG has since expanded in scope to oversee initiatives such as the creation of Virginia's first Cyber Incident Response Plan. Members of the CRWG include the Office of Public Safety and Homeland Security, VANG, Virginia Department of Emergency Management (VDEM), VITA, the Virginia State Police (VSP), and the Virginia Fusion Center (VFC).

To facilitate information sharing with the private sector, the Virginia Cyber Security Partnership (VCSP), a partnership between VITA and the Federal Bureau of Investigation (FBI) with approximately 220 private sector entities (such as major critical infrastructure owner/operators, retailers, and healthcare providers, among others), and the public sector (see Figure 3 in Section V for an overview of membership).⁹ The purpose of the VCSP, created in March 2012, is to establish a trusted environment where public and private entities can share cyber threat information. The VCSP gathers cyber professionals from across industries in a trusted environment to share information and lessons learned about topics such as threat intelligence, credential management, and supply chain security.¹⁰ The VCSP includes three advisors/liaisons: the FBI, the VITA CISO, and a representative from a large power company.¹¹

To address the need for a skilled, cyber-ready workforce, the Commonwealth initiated a partnership between the state, academia, and the private sector to develop the Virginia Cyber

Range (Cyber Range). The Cyber Range is a virtual, cloud-based environment designed to enhance cybersecurity education in Virginia's high schools, colleges, and universities.¹² The Cyber Range is operated within Virginia Polytechnic Institute and State University (Virginia Tech) and is "led by an executive committee representing public institutions that are nationally recognized centers of academic excellence in cybersecurity within the Commonwealth of Virginia."¹³

Cybersecurity is a challenge that cuts across many issues and many interdependent

stakeholders. The Commonwealth uses a range of governance mechanisms to work across different public, private, academic, and nonprofit organizations. Leadership on the part of individuals, including the Governor and the legislature, who made cybersecurity and cybersecurity governance a priority across government, public, and private organizations was very important. However, leadership was not everything. As the Commonwealth illustrates, the priority was translated into tangible laws, policies, structures, and processes that aligned cybersecurity governance with broader cybersecurity priorities.

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Background & Methodology

This case study was developed as part of a pilot project to identify how states have used laws, policies, structures, and processes to help better govern cybersecurity as an enterprise-wide, strategic issue across state government and other public and private sector stakeholders. This project emerged as a result of the *Department of Homeland Security (DHS) Advisory Council Final Report of the Cybersecurity Subcommittee, Part II – State, Local, Tribal & Territorial (SLTT)*, which recognized the importance of governance in addressing a range of cybersecurity technology and operational challenges.¹⁴

The case study explores cross-enterprise governance mechanisms used by Virginia across a range of common cybersecurity areas—strategy and planning, budget and acquisition, risk identification and mitigation, incident response, information sharing, and workforce and education. It is not intended to serve as a formal evaluation. Instead, the case offers concepts and approaches that may be useful to other states and organizations that face similar challenges. As this case covers a broad range of areas, each related section provides an overview of Virginia’s governance approach, rather than a detailed exploration. Individual states and organizations seeking greater detail would likely need to engage directly with Virginia to better

understand how to tailor solutions to their specific circumstances.

DHS’ Office of (CS&C) Cybersecurity and Communications initiated and leads the project in partnership with the National Association of State Chief Information Officers (NASCIO). NASCIO is a nonprofit association “representing state chief information officers and information technology executives and managers from the states, territories, and the District of Columbia.”¹⁵ The Homeland Security Systems Engineering and Development Institute (HSEDI), a DHS owned Federally Funded Research and Development Center (FFRDC), developed the case studies.

Candidate states were identified to participate in the pilot project based on:

- analysis of third party sources,
- diversity of geographic region, and
- recommendations from DHS and NASCIO with awareness of SLTT cybersecurity practices.

Candidate states that agreed to participate in the DHS-led pilot project did so on a voluntary basis. Researchers used open source material and conducted a series of interviews to gather the necessary information to develop each state case study.

I. Strategy & Planning

The Challenge:

How to set direction and prioritize cybersecurity initiatives across multiple organizations?



Features of Virginia's Governance Approach:

- The Commonwealth centralizes cybersecurity strategy and planning activities under the Secretary of Technology and the state Chief Information Officer (CIO).
- The Commonwealth uses intra-agency working groups and councils as well as private sector advisory groups to help prioritize actions to address cybersecurity risks.
- The Governor created a temporary structure via executive order—the Virginia Cyber Security Commission—comprised of public and private stakeholders to study and make recommendations to improve the Commonwealth's overall cybersecurity posture.

The Commonwealth uses several governance mechanisms to bring multiple public and private stakeholders into the strategy and planning process and drive cross-enterprise strategy. Commonwealth government cybersecurity strategy and planning activities are centralized by law under the Secretary of Technology, who oversees VITA, and to whom the state's CIO reports.¹⁶ The law directs the Secretary of Technology to “review and approve the Commonwealth strategic plan for information technology,” which is developed and recommended by the CIO and includes cybersecurity activities.¹⁷ The CIO collaborates with and collects inputs from the CIO Council's Customer Advisory Council, “a workgroup of agency technology representatives, and IT subject matter experts,” to draft the strategic plan.¹⁸

The 2014-2016 strategic plan sets the overall direction and “establishes the basis for the

scoring, ranking and evaluation process to ensure alignment of proposed IT investments to the Commonwealth vision” which, in turn, “determines whether the commonwealth CIO approves or disapproves the IT investments.”¹⁹ The Commonwealth's vision is to leverage technology to enable “far-reaching business solutions that benefit all constituents.”²⁰ In the CY2017 update to the 2014-2016 strategic plan, cybersecurity is reflected in two of the six priorities:

1. Move to cloud application hosting,
2. Provide secure wireless access within state office buildings for employees and the public,
3. Provide greater internet access and bandwidth to meet demand,
4. Support delivery of critical digital services to agencies and constituents,

5. Implement IT infrastructure transition successfully, and
6. Implement shared security services (assist agencies with identifying and managing security needs via shared services such as Centralized Information Security Officer, Centralized IT Security Audit, and the Security Incident Management).²¹

The CIO considers these six priorities when evaluating IT investment requests from the Commonwealth's agencies and departments. Investment proposals need to align with the strategic plan's vision and stated IT priorities to obtain CIO approval.

The Commonwealth also uses advisory councils and commissions to inform cybersecurity priorities. The law directs the Secretary of Technology to engage with a variety of agencies, councils, and boards in setting strategy and direction. They include the Information Technology Advisory Council (ITAC).²² The ITAC is an advisory council within the executive branch of state government and is "responsible for advising the CIO and the Secretary of Technology on the planning, budgeting, acquiring, using, disposing, managing, and administering of information technology in the Commonwealth."²³ The ITAC, which includes membership from across government and the private sector, advises and influences the Commonwealth's strategy to address cybersecurity issues.

In 2014, the Commonwealth approached cybersecurity strategic planning in a collaborative manner, inviting public and private stakeholders together in two different structures created by law. The Governor created the Virginia Cyber Security Commission (the

Commission), via Executive Order 8.²⁴ The Commission, co-chaired by Richard Clarke and Secretary of Technology Karen Jackson, was comprised of public and private sector experts, including the Secretaries of Commerce and Trade, Public Safety and Homeland Security, Education, Health and Human Resources, Veterans and Defense Affairs, and 11 citizens appointed by the Governor. The citizens represented private industries such as a global credit card company, a large law firm, and defense and aerospace companies.

The Commission members developed a set of recommendations to improve the resilience and protection of the Commonwealth's information systems; invest in cyber education and workforce development; increase public awareness of cybersecurity as an issue worthy of prioritization and investment; sustain and expand economic development of cyber-related industries; and modernize state laws to address cyber crimes.²⁵ Secretary of Technology Karen Jackson characterized the Commission's recommendations and report as a "game changer" for those advocating for changes in law to support cybersecurity-related investments, describing it as a "grounding document" that influenced decisions on budget, policy, and the law.²⁶ For example, recommendations related to education and workforce development led directly to the creation of the Cyber Range and the Virginia Cybersecurity Public Service Scholarship Program, which awards \$20,000 per year, for up to two years, to eligible Virginia students studying cybersecurity.²⁷ The Commission has seen many of its recommendations implemented since 2016 and continues to influence executive and legislative actions today.

II. Budget & Acquisition

The Challenge:

How to manage investments in strategic cybersecurity priorities as part of budget and acquisition processes across multiple organizations?



Features of Virginia's Governance Approach:

- IT budget requests from state departments and agencies are reviewed and approved by the CIO and Chief Information Security Officer (CISO) to ensure adherence to cybersecurity priorities, policies, and standards.
- Central acquisition processes are used to manage cybersecurity risks and ensure that cybersecurity requirements are adopted across government agencies.
- Standard vendor contract language is used to ensure adherence to information security standards.

The Commonwealth uses its budget and acquisition governance processes to drive cross-government implementation of cybersecurity standards and priorities. The Commonwealth provides state funding through the annual budget process (called the Governor's budget bill). While departments and agencies each receive their own IT budget on an annual basis, budget requests for IT projects, including those that may introduce cyber risks to the

Commonwealth's enterprise, are overseen by the CIO, with consultation from the CISO. The CIO ensures that budget requests and acquisitions are aligned with the Commonwealth's IT strategic direction and with cybersecurity policies and standards developed by the CISO.

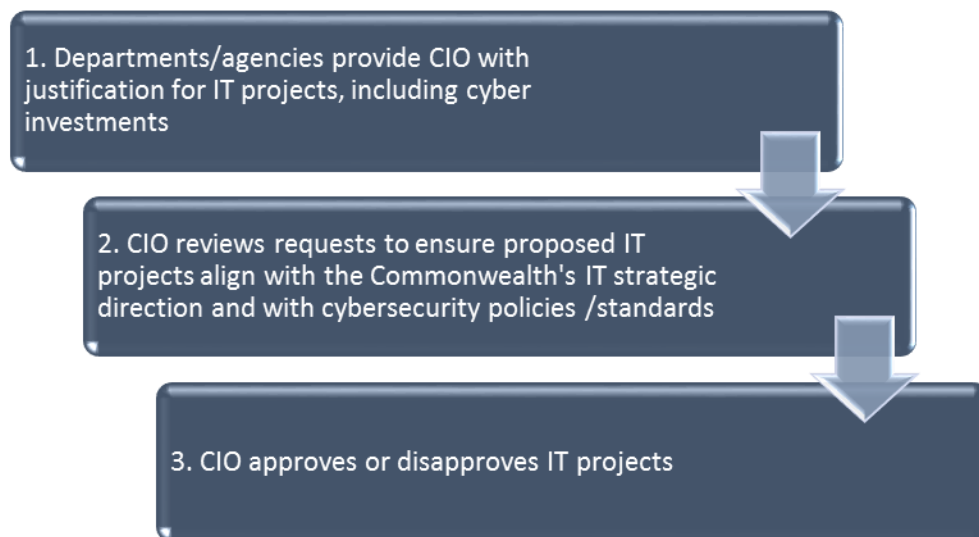


Figure 1. High-Level Overview of Annual Commonwealth Budget Processes Related to Cybersecurity Funding

As shown in Figure 1, the law directs departments and agencies to provide the CIO with justification for IT projects, including cyber investments, as part of the Governor’s budget bill.²⁸ The CIO reviews agency requests for cyber investments as part of the annual budget process and has the authority to approve or disapprove them. This means that agency and department requests for IT projects, including proposed acquisitions for products/services from outside vendors, must adhere to IT security standards set by the CISO. And the CIO reviews proposed projects to ensure adherence to current IT policies and standards. According to CIO Nelson Moe, “the advantage in Virginia is that the state is consolidated”—all agency procurement comes through VITA, which, in turn, allows the CIO to manage cybersecurity risks associated with vendor products and services.²⁹

The Commonwealth intentionally designed the acquisition process to ensure that all outside vendors adhere to cybersecurity standards. First, the Commonwealth has a single vendor contract in place with Northrop Grumman to provide the bulk of IT products and services, including cybersecurity services, for all state departments and agencies. Most IT services and

products for the Commonwealth’s IT infrastructure are provided through this contract, allowing the CIO to enforce and manage cybersecurity standards across the Commonwealth’s enterprise. The CIO manages the vendor contract and requests to purchase goods and services outside of the contract. If a department or agency requests a product or service outside of the contract, there is an extensive process to vet vendors to ensure that cybersecurity standards are met. Before an IT product or service is acquired, “we have a list of 150–200 questions we ask vendors to respond to,” said Commonwealth CISO Mike Watson.³⁰ All acquisition exception requests must meet cybersecurity protocols and be approved by the CIO.

Second, standard information security contract language is included in the terms and conditions of all vendor contracts, including the single vendor contract. This contract feature ensures that the Commonwealth works only with vendors that can provide products and services that meet the cybersecurity policies and standards put forth by VITA. The acquisition process “works well and is flexible to meet emerging demands for new products or services, such as cloud services,” Watson said.³¹

III. Risk Identification & Mitigation

The Challenge:

How to identify and mitigate cybersecurity risks across multiple public and private organizations?



Features of Virginia's Governance Approach:

- Risk identification and mitigation functions are centralized in the Commonwealth through the CIO and CISO, who develop policies, standards, and guidelines to identify and address cyber risks in state departments and agencies.
- Smaller departments and agencies can access CISO expertise through a shared services model offered by VITA.
- Standing advisory councils that include public and private representation identify and address cyber risks that go beyond the state government.

The VITA CIO and CISO lead cyber risk identification and mitigation functions across Commonwealth government departments and agencies. The Commonwealth also utilizes intra-governmental, cross-agency advisory groups, councils, and working groups to evaluate laws and policies that may need to change to align with the Commonwealth's risk management posture.

In 2003, the General Assembly passed major legislation reorganizing nearly all IT infrastructure and telecommunications services across the Commonwealth into one agency—VITA. The Commonwealth Security and Risk Management (CSRM) Directorate, a unit within VITA, is led by the Commonwealth's CISO.³² The CSRM executes many CIO-related risk identification and audit activities.³³ For example, the CSRM assesses the strength of Commonwealth agency and department IT

security programs through regular security audits. Results of the audits are compiled and published in an annual Commonwealth of Virginia Information Security Report. If an information security audit finds inadequate security, the CISO discourages the agency/department from beginning new IT investments until the information security issues and risks are remedied.³⁴ This process helps ensure that agencies prioritize funds to mitigate risks prior to receiving additional resources.

In 2014, the Commonwealth adopted the National Institute of Standards and Technology Cybersecurity Framework to "enhance the systematic process for identifying, assessing, prioritizing and communicating cybersecurity risks, efforts to address risks, and, steps needed to reduce risks as part of the state's broader priorities."³⁵ The Commission (described in Sections I and V) called on VITA to "evaluate the

maturity level of state agencies cyber security programs and practices by leveraging the Framework as a means of assessment” on an annual basis.³⁶

As part of VITA’s ongoing risk identification and mitigation responsibilities, the CIO must “identify annually those agencies that have not implemented acceptable policies, procedures, and standards to control unauthorized uses, intrusions or other security threats.”³⁷ Noncompliant agencies are identified by evaluating information security audit, risk, and threat management programs.³⁸ CISO Mike Watson noted, “We have a risk database of all our findings” detailing the agencies/departments that fail to meet security standards.³⁹ The CISO performs a mid-year preliminary assessment before the end-of-year audit, which allows agencies that may not be in compliance mid-year approximately six months to address security issues. Lee Tinsley, CIO of the Department of Veterans Services, said, “Agencies get on the wall of shame because they fall out of compliance.”⁴⁰ The CISO, agency head, and agency Information Security Officer (ISO) then work together to address the issues.⁴¹ The risk database helps the CISO and CIO track the risks and ensure that they are remediated over time. This, in turn, provides the CIO and CISO situational awareness to ensure compliance across the state government enterprise.

In addition to ongoing risk management activities, VITA has undertaken some important one-time actions. In August 2015, the Governor signed Executive Directive 6 furthering the Commonwealth’s risk management of protected, sensitive data from potential data breach. The Directive was intended to “strengthen the Commonwealth’s cybersecurity measures to protect personal information and sensitive data” and decrease the risk of data breach.⁴² Per the Directive, VITA conducted an inventory of Commonwealth data and computer systems to determine their sensitivity and criticality and recommended “strategies to

strengthen and modernize agencies’ cyber security profiles.”⁴³ The VITA data inventory revealed that the Commonwealth processes billions of records each year that contain sensitive data, such as personally identifiable information, federal tax information, and payment card industry data. Moreover, VITA found that more than 1,000 IT systems across the Commonwealth’s agencies and departments store sensitive data. The results of the VITA data inventory led to several risk management recommendations to strengthen controls to protect sensitive data stored on Commonwealth IT systems and networks. Many of the recommendations have been, or are in the process of being, adopted.

Recognizing that not all departments and agencies are large enough to support a full-time CISO, VITA offers smaller agencies and departments access to CISO expertise through a shared services model. Agencies and departments can contract with VITA as needed to obtain assistance with cyber-related administrative, technical, and/or operational matters. This service provides needed assistance without the cost of keeping a full-time CISO on staff. The shared CISO services model was a recommendation from the Commission and was implemented by the VITA.

Standing intra-governmental working groups are also used to identify cyber risks. The Secure Commonwealth Panel (SCP), for example, is a legislatively created standing advisory group tasked with reviewing and identifying laws and policies that may need to change to address public safety and homeland security issues in the Commonwealth. By statute, the SCP consists of 36 members from the legislative and executive branches as well as private citizens and is chaired by the Secretary of Public Safety and Homeland Security.⁴⁴ Recognizing the threat cyber poses to public safety, the SCP formed the Cyber Security Sub-Panel to evaluate whether to amend Virginia’s laws and policies regarding cyber crime, critical infrastructure, and law

enforcement. The Cyber Security Sub-Panel meets quarterly and is comprised of members of the Governor's Cabinet, Virginia's Legislature, representatives from a variety of state agencies, and private citizens.⁴⁵ Recommendations are passed to the Secretary of Public Safety and Homeland Security and the SCP, who shares them with the Governor and, where appropriate, the General Assembly.

As mentioned earlier, the CRWG is a multi-agency working group focused on planning and preparation for cyber incidents that could

negatively impact the public's safety. Originally formed by the Virginia National Guard (VANG) to examine how the Guard could support Virginia's cybersecurity efforts, the CRWG has since expanded in scope to oversee initiatives such as the creation of Virginia's first Cyber Incident Response Plan. Members of the CRWG include the Office of Public Safety and Homeland Security, VANG, Virginia Department of Emergency Management (VDEM), VITA, the Virginia State Police (VSP), and the Virginia Fusion Center (VFC).

IV. Incident Response

The Challenge:

How to prepare for and respond to cyber incidents that require coordinated action across multiple organizations?



Features of Virginia's Governance Approach:

- VITA leads non-emergency cyber incident response.
- A unified command (UC) structure integrates cyber emergency response with the existing emergency management response.
- The cyber UC structure includes VITA, Virginia Department of Emergency Management (VDEM), Virginia State Police (VSP), and the affected entity to manage emergency cyber incident response.
- The Commonwealth uses an advisory panel of public and private stakeholders to regularly assess emergency response activities, including cybersecurity.

The Commonwealth utilizes laws and policies to clarify incident response governance. The laws establish foundational roles, responsibilities, and processes that all Commonwealth agencies and departments must follow to report non-emergency and emergency incidents. These laws and supporting policies describe what constitutes a cyber incident, what criteria is used to evaluate the severity of an incident and defines the roles and responsibilities of agencies tasked with responding to an incident.

VITA defines a cyber incident as an event that threatens to do harm, attempts to do harm, or does harm to the system and/or network.⁴⁶ A cyber event “is any observable occurrence in a system, network, and/or workstation.”⁴⁷ Example events include a system crashing and rebooting, unwanted emails bypassing firewalls and being delivered, and packets flooding the network. VITA directs agencies and departments to record events to determine “the baseline for normal activity on systems/networks” so that if

events rise to an incident, “corroborating evidence is available” for investigative and possible law enforcement purposes to understand the deviation from the norm. For example, malware and denial-of-service attacks are characterized as incidents.

If the cyber incident occurs on the state network, VITA is the lead agency that manages the response. The Commonwealth’s IT Incident Response Policy, which is drafted by VITA, specifies that all agencies “document and implement threat detection practices; information security monitoring and logging practices; and information security incident handling practices.”⁴⁸ VITA incident response policy instructs departments and agencies to conduct incident response tests/exercises at least once a year “to determine the incident response effectiveness and document the results.”⁴⁹ VITA also reviews and approves IT disaster recovery and continuity plans

developed and maintained by all executive agencies.

When cyber incidents occur, agency directors must, by law, report them to VITA within 24 hours “from when the department discovered or should have discovered their occurrence.”⁵⁰ While department or agency directors track events to identify the “norm,” there are specific conditions that trigger an incident that should be reported to the VITA CIO. VITA specifies that agencies report incidents that “have a real impact on your organization” such as “detection of something noteworthy or unusual (new traffic pattern, new type of malicious code, specific IP as source of persistent attacks).”⁵¹ VITA incident response guidelines specify reportable incidents to include:⁵²

- An adverse event to an information system, network, and/or workstation; OR
- Exposure, or increase risk of exposure, of Commonwealth data; OR
- Threat of the occurrence of such an event or exposure.

VITA provides agencies and departments with an online Information Security Incident Reporting Form to capture, organize, and analyze reported incidents from across the enterprise.⁵³ The VITA Commonwealth’s Security Incident Response Team (CSIRT) categorizes each security incident based on the type of activity.⁵⁴

The VITA Computer Incident Response Team (CIRT) coordinates all reported incidents from across the Commonwealth’s agencies and departments.⁵⁵ The CIRT is comprised of the agency/department ISO and the VITA CSRM incident management staff. The CIRT, agency management, and the ISO determine whether the incident requires an immediate response.

If the cyber incident is deemed an emergency or impacts local or private critical infrastructure, the incident is managed through a Unified Command (UC) structure (see Figure 2 below),

which “is scalable and may be adjusted to accommodate unique requirements or incident complexity.”⁵⁶ An emergency is defined by law as “any occurrence, or threat thereof, whether natural or man-made, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property or natural resources.”⁵⁷

The UC structure is led by the VDEM Virginia Emergency Support Team (VEST), which “coordinates the response to and recovery from the overall emergency and any cascading effects of the incident” within the UC.⁵⁸ VDEM also provides resources and emergency management expertise for local and state governments to prevent, prepare for, and respond to incidents. The cyber-specific response is led by a Cyber Unified Coordination Group (Cyber-UCG), which aligns with the overall emergency management VEST (see Figure 2 below).⁵⁹

The Cyber-UCG is composed of five entities: VITA, VDEM, VSP, VFC, and the affected entity. Roles and responsibilities for cyber incident response are broken down by agency. The VITA CISO oversees the protection of Commonwealth networks and lends its technical expertise to the Cyber-UCG during response operations. VSP is the lead agency for threat response, “overseeing and coordinating” cyber criminal investigations.⁶⁰ VDEM manages asset response, or the coordination or resources to support cyber incident response. The VFC coordinates and disseminates non-sensitive/non-identifying information to Cyber-UCG agencies, federal agencies and/or private CI partners to ensure the response is timely and effective.

The VFC also collects and analyzes law enforcement information at the conclusion of an incident.⁶¹ Finally, a representative from the affected entity, such as local government or a private sector organization, provides information regarding impacted systems. The Cyber-UCG structure is scalable and applicable to both small- and large-scale incidents.

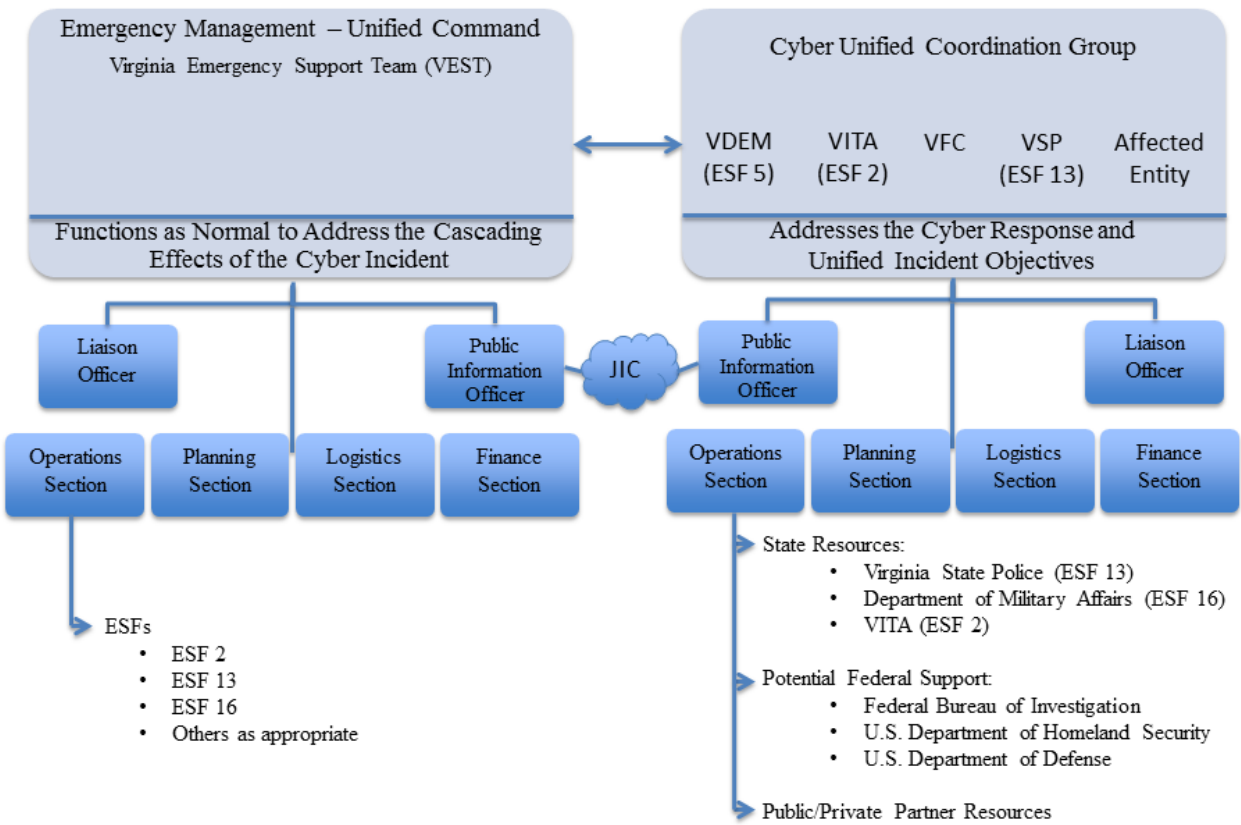


Figure 2. Virginia Unified Command Structure (DRAFT)

(Taken from the 2017 Commonwealth of Virginia, Department of Emergency Management “Cyber Incident Response Plan”)

To manage an emergency response, local government officials and private companies may request state or federal assistance. To this end, the Governor may call on the Secretary of Public Safety and Homeland Security (PSHS) to provide additional resources, such as expertise housed within the Department of Military Affairs. PSHS serves as the Governor’s Homeland Security Advisor and oversees 11 agencies, including VSP and the Department of Military Affairs, which includes VANG.⁶² VANG can leverage cyber-trained personnel to help respond to an emergency cyber incident.⁶³ In addition, the VSP High-Tech Crimes (HTC) division may play a role in cyber-crime incident response by providing digital forensic analysis and investigative services to local, state, and federal law enforcement agencies.

The Commonwealth regularly assesses emergency response activities, including cyber incident response. The SCP, created by law in 2016, is an advisory body within PSHS and is chaired by the Secretary of Public Safety and Homeland Security. The 34-member SCP is charged with assessing “the implementation of statewide prevention, preparedness, response, and recovery initiatives” and making recommendations to the Governor to address emergency preparedness.⁶⁴ Members include representatives from the House and Senate, executive branch, and local governments; private citizens; the Attorney General; and the Lt. Governor. The SCP submits annual reports to the Governor outlining the Commonwealth’s emergency preparedness efforts, including cybersecurity.

V. Information Sharing

The Challenge:

How to engage across multiple public and private organizations to share cybersecurity-related information?



Features of Virginia’s Governance Approach:

- The VITA CSRSM provides the bulk of information sharing about operational issues to government departments and agencies.
- The VITA CSIRT distributes cyber intelligence to Commonwealth agencies and law enforcement.
- The VFC shares information about cyber threats across state, federal, and local governments.
- To facilitate information sharing about a broad range of cybersecurity topics with the private sector, the Commonwealth established the VCSP.

The Commonwealth utilizes an array of governance mechanisms to share different types of information across government, public, and private organizations (see Table 1 below for a summary of various information sharing entities).

Table 1. Summary of Information Sharing Entities

Information Sharing Entities	Type of Information Shared	Target Audience
VITA CSRSM	Cybersecurity operational information	Departments and agencies
VITA CSIRT	Information security information	Agencies and state law enforcement
PSHS VFC	Cyber threat intelligence	State, local, and federal governments
VCSP	A broad range of cybersecurity information	Private sector

To support information sharing at the department and agency levels about a broad range of cybersecurity operational issues, the VITA CSRSM conducts monthly Information Security Officers Advisory Group (ISOAG) meetings, which provide security training and facilitate knowledge exchange. “In 2015, more than 1,700 security professionals attended the

ISOAG meetings.”⁶⁵ The ISOAG meetings allow ISOs to “talk about the issues that are facing state agencies such as cloud security, lockdown of computers, lockdown of servers, compliance, latest security patches, and other day-to-day topics that are of concern to ISOs,” said Lee Tinsley, CIO of the Department of Veterans Services.⁶⁶ In addition, the CSRSM used the ISO

Security Council as a resource to assist in sharing best practices between agencies.

The CSIRT, also part of VITA, distributes “cyber intelligence information to both agencies and law enforcement within the commonwealth.”⁶⁷

The CSIRT “develops relationships with state, Federal, and local partners” and regularly exchanges information about information security issues with these entities.⁶⁸

The VFC also plays an important role by sharing information about cyber threats across state, federal, and local governments. Organized under PSHS, the VFC collects, analyzes, and shares “threat intelligence between the federal government and state, local, and private sector partners.”⁶⁹ The VFC is physically located within VSP headquarters and collaborates regularly with the HTC division and VITA. The close proximity of the VFC with the VSP allows for “quick, ready access to investigators,” which is a unique feature of state fusion centers. According to Rob Reese, manager of the Cyber Intelligence Unit at the VFC, this close collaboration improves the quality of threat analysis and allows law enforcement and prosecutors to work together more quickly at the inception of a suspected cyber crime, carefully collecting and inventorying evidence required to build a successful case.⁷⁰

Although the VFC cyber capability is new, established in late 2016 and fully staffed in the first quarter of 2017, leaders plan to provide additional resources in the coming years to

increase staff.⁷¹ Today, the VFC is focused on identifying cyber threats to the Commonwealth’s network, private companies doing business in the Commonwealth, localities, and private citizens, and sharing that information with VFC partners. As the VFC capability grows over the next several years, the focus will include “looking at the broader scope of what the state enterprise is experiencing in cyber-space,” analyzing that information, and sharing it with public and private infrastructure owner/operators, the VSP HTC division, and VITA.⁷²

To facilitate information sharing about a broad range of cybersecurity topics with the private sector, the Richmond FBI – in partnership with VITA and several private companies – formed the VCSP. The VCSP is a partnership of approximately 220 private sector entities (such as major critical infrastructure owner/operators, retailers, and healthcare providers), and the public sector (see Figure 3 below for an overview of membership). There are three VCSP advisors/liaisons: the FBI, the VITA CISO, and a representative from a large power company.⁷³ The VCSP gathers cyber professionals from across industries in a trusted environment to share information and lessons learned.⁷⁴ At the five meetings held each year, VCSP members collaborate to share threat intelligence and discuss credential management issues and risks associated with supply chain security.

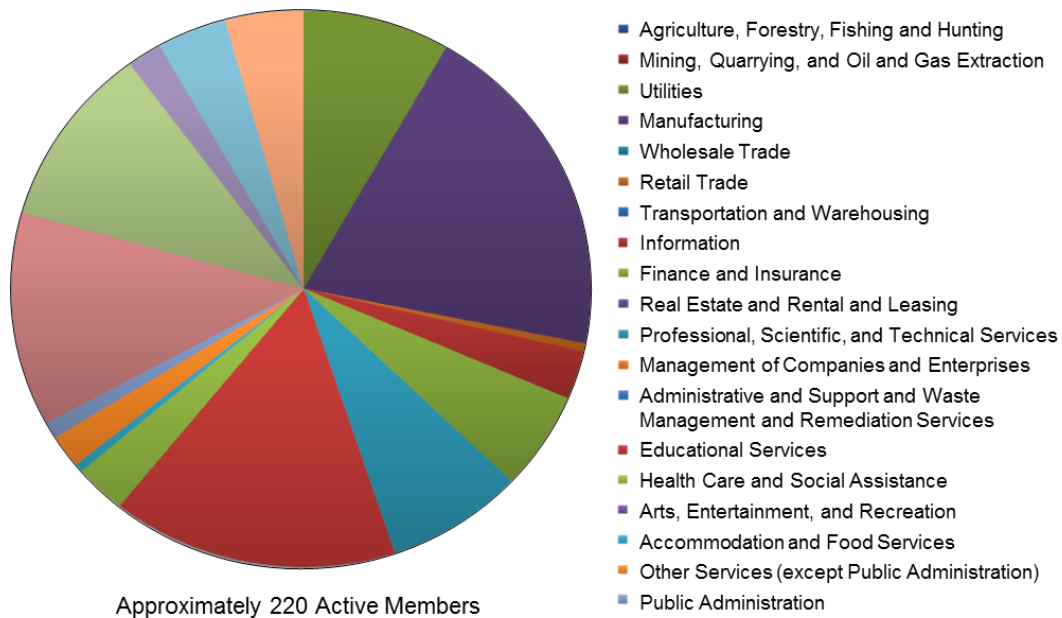


Figure 3. VCSP Membership Representation as of April 2016 ⁷⁵

In addition, the Commonwealth is in the process of expanding information sharing through an Information Sharing and Analysis Organization (ISAO).⁷⁶ In April 2015, the Governor signed an executive order “establishing the Nation’s first state-level Information Sharing and Analysis Organization (ISAO).”⁷⁷ The ISAO is “intended to

enhance the voluntary sharing of critical cybersecurity threat information in order to confront and prevent potential cyberattacks.”⁷⁸ ISAOs are designed to “complement existing structures and systems that are used to share critical cybersecurity threat information across levels of government and industry sectors.”⁷⁹

VI. Workforce & Education

The Challenge:

How to work across multiple public and private organizations to shape responses to cybersecurity workforce shortages and education needs?



Features of Virginia's Governance Approach:

- The Commonwealth utilized several governance mechanisms and developed programs to strengthen partnership between government, higher education, and industry.
- The Commonwealth collaborated with institutions of higher education to create the Virginia Cyber Range, a virtual, cloud-based environment to enhance cybersecurity education in Virginia's high schools, colleges, and universities.
- Virginia's community colleges and industry have collaborated to instantiate apprenticeship and credentialing programs.
- VITA has leveraged its role across government to provide certification programs for existing state workers.

To address a talent gap in cyber-skilled workers, the Commonwealth used several governance mechanisms, and developed programs to strengthen partnership between government, higher education, and industry.⁸⁰ Many of these efforts were the result of the Commission (see Sections I and V), which made several recommendations to improve the cyber workforce.

To strengthen cybersecurity education, the Commonwealth developed a partnership with higher education institutions and created the Virginia Cyber Range in 2016. The Cyber Range is a virtual, cloud-based environment designed to enhance cybersecurity education in Virginia's high schools, colleges, and universities.⁸¹ It was originally a recommendation put forth by the

Commission in 2015. The General Assembly provided \$4 million to support the Cyber Range and directed Virginia Tech to "serve as the coordinating entity."⁸² "The Virginia Cyber Range is led by an executive committee representing public institutions of higher education that are nationally recognized centers of academic excellence in cybersecurity within the Commonwealth of Virginia."⁸³

This education initiative includes teaching the teachers as well as the students. The Cyber Range offers two primary services: (1) a courseware repository providing teachers from high schools, colleges, and universities with access to standardized lessons to download and use in the classroom; and (2) access to the cloud (through Amazon Web Services) to host

cybersecurity labs and exercises for students.⁸⁴ The courses expose students to cybersecurity concepts, while the cloud-hosted lab environment allows students to practice those concepts in a hands-on environment. The goal is to provide teachers with courses and lessons contributed by any of the nine National Security Agency (NSA)/DHS Cybersecurity Centers of Academic Excellence (CAEs) in the Commonwealth to improve the quality and variety of cybersecurity education. Allowing teachers to share materials developed by CAEs reduces the amount of time and the associated cost to develop coursework. While the Cyber Range is currently only accessible to faculty members at Virginia public high schools and colleges, discussions are underway to determine whether materials could be made available to other states and interested parties on a fee basis.

The Commonwealth used governance mechanisms to promote collaboration between industry and higher education to support workforce development for new and existing workers. For new workers, in 2016 the General Assembly acted on a Commission recommendation and passed the New Economy Workforce Grant Program (NEWGP). The NEWGP allocates \$12 million over two years to a variety of Virginia's community colleges to provide direct subsidies to students to cover a portion of the cost of obtaining industry credentials.^{85,86} To implement this grant, "Virginia's Community Colleges consulted with Virginia businesses to develop the list of eligible credentials that can provide access to a wide variety of high-demand jobs, such as...computer network specialist..."^{87 88} In addition, there is a concerted effort to leverage the thousands of

military Veterans in the Commonwealth to address cyber workforce shortages. For example, in 2016 the Governor announced "Cyber Vets Virginia," an initiative designed to provide Veterans with access to cybersecurity training opportunities and resources to encourage Veterans to enter the cyber workforce.⁸⁹ Cyber Vets Virginia offers access to free cyber training via private sector partners for eligible Veterans living in Virginia and interested in working in the cyber industry.⁹⁰

To increase cyber skills across its government workforce, the Commonwealth leveraged the role of VITA. VITA instituted a policy requiring that all ISOs meet certification requirements and receive training to understand Virginia's information security policies and procedures. To help employees meet this requirement, the Commonwealth now offers an ISO Certification Program that is administered by the VITA CSRM. Since instituting the policy in 2015, the VITA CSRM has awarded 91 certifications, a 90 percent increase over 2013, before the policy was implemented.⁹¹ "ISO certification is an important element of the commonwealth information security program [because it] demonstrates an understanding of information security risks and commitment to promoting information security in the commonwealth."⁹²

Commission recommendations also led to a series of laws intended to help bring younger cyber-skilled employees into the state workforce. Specifically, the General Assembly passed a law establishing a scholarship program that provides two-year scholarships to college students who study cybersecurity in exchange for a commitment of two years of public service at a Virginia state agency.⁹³

VII. Deep Dive: Virginia Cybersecurity Commission

Introduction

The purpose of the “Deep Dive” is to provide a more in-depth look at how the Commonwealth applied a cross-sector solution to address a specific cyber governance challenge.

The Challenge

Cybersecurity risks within a state are realized across multiple public and private organizations. Developing a comprehensive, cross-sector approach to addressing these risks requires mechanisms to incorporate these various perspectives.

The Solution

In 2014, the Governor used executive order authority to establish the Virginia Cybersecurity Commission, a temporary body of experts from across the executive and legislative branches of government and the private sector. The Commission developed cross-cutting recommendations to strengthen cybersecurity across the Commonwealth, many of which have been implemented.

The Background

The Commission’s objective was to create a list of actionable recommendations for the Governor and the General Assembly to consider to strengthen the Commonwealth’s cybersecurity posture. Membership reflected the Commonwealth’s understanding that cybersecurity is an issue that requires both public and private sector cooperation to

address. Co-chair and Secretary of Technology Karen Jackson called the Commission and the resulting list of recommendations a “game changer” for those advocating for changes in law to support cybersecurity-related investments, describing it as a “grounding document” that influenced decisions on budget, policy, and the law.⁹⁴

The Commission was comprised of the Secretaries of Technology, Commerce and Trade, Public Safety, Education, Health and Human Resources, Veterans Affairs, and Homeland Security, and 11 citizens appointed by the Governor. The latter represented private industries such as a global credit card company, a large law firm, and defense and aerospace companies, among others.⁹⁵

Over two years, the Commission held nine meetings, several Working Group sessions, and nine Town Hall events to develop a set of recommendations. “There were five subcommittees, each focusing on a specific area of interest to the Commission...: (1) Infrastructure; (2) Education and Workforce; (3) Public Awareness; (4) Economic Development; and (5) Cyber Crime.”⁹⁶ The Commission was charged to:⁹⁷

- Identify high-risk cybersecurity issues facing the Commonwealth,

- Provide advice and recommendations regarding how to secure state networks, systems, and data,
- Provide suggestions regarding how to include cybersecurity into the Commonwealth's emergency management and disaster response capabilities,
- Offer suggestions to promote cyber awareness among citizens, businesses, and government entities,
- Recommend changes to training and education programs (K-12 and beyond) to build a pipeline of cybersecurity professionals, and
- Offer strategies to improve economic development opportunities throughout the Commonwealth.

The members broke into working groups to study cybersecurity-related risks across the five areas.⁹⁸ For example, the Cyber Crime Work Group, which included Brian Moran, Secretary of Public Safety and Homeland Security, and Paul Tiao, private attorney and partner at Hunton and Williams, LLP, “reviewed existing statutes governing crimes in cyberspace” and studied how to improve “coordination between the private sector and law enforcement on information sharing and prosecuting cybercrimes.”⁹⁹ The Work Group reviewed Virginia statutes, such as the Computer Crimes Act and Data Breach Notification Act, with assistance from:

- Students from the George Washington University Trachtenberg School of Public Policy
- Virginia Attorney General's Office
- VSP
- Office of Public Safety and Homeland Security¹⁰⁰

“As a result of the group's research, the Work Group proposed, introduced (and successfully

passed in the 2015 General Assembly session) legislation to support law enforcement in its fight against cybercrime...”¹⁰¹

The Commission finalized its recommendations and, after two years, concluded activities on March 29, 2016. The Commission submitted a set of 29 recommendations to the Governor for consideration. Many of these recommendations required executive department and/or agency action, such as adoption of identity management and encryption standards for all Commonwealth departments and agencies. Other recommendations required coordination with and approval from the General Assembly. For example, in 2015, the General Assembly passed SB1307, which “clarifies language for search warrants for seizure, examination of computers, networks, and other electronic devices.”¹⁰² The Commission has seen many of its recommendations implemented and continues to influence executive and legislative actions today.

VIII. Acronyms

Acronym	Definition
CAE	Cybersecurity Center of Academic Excellence
CIO	Chief Information Officer
CIRT	Computer Incident Response Team
CISO	Chief Information Security Officer
CRWG	Cyber Response Working Group
CS&C	Office of Cybersecurity and Communications
CSIRT	Commonwealth Security Incident Response Team
CSRM	Commonwealth Security and Risk Management
Cyber-UCG	Cyber Unified Coordination Group
DHS	Department of Homeland Security
FBI	Federal Bureau of Investigation
FFRDC	Federally Funded Research and Development Center
HSSEDI	Homeland Security Systems Engineering and Development Institute
HTC	High Tech Crimes
ISAO	Information Sharing and Analysis Organization
ISO	Information Security Officer
ISOAG	Information Security Officers Advisory Group
IT	Information Technology
ITAC	Information Technology Advisory Council
NASCIO	National Association of State Chief Information Officers
NEWGP	New Economy Workforce Grant Program
NSA	National Security Agency
PSHS	Public Safety and Homeland Security
SCP	Secure Commonwealth Panel
SLTT	State, Local, Tribal and Territorial
UC	Unified Command
VANG	Virginia National Guard
VCSP	Virginia Cyber Security Partnership
VDEM	Virginia Department of Emergency Management
VEST	Virginia Emergency Support Team
VFC	Virginia Fusion Center
VITA	Virginia Information Technology Agency
VSP	Virginia State Police

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- ¹ Statistical Atlas, "Overview of Virginia." Data based on US Census Bureau 2010 census. Available: <http://statisticalatlas.com/state/Virginia/Overview>. Retrieved August 2017.
- ² Information regarding elected officials and state cybersecurity executives was validated in October 2017. "Fast Fact" details were collected in August 2017.
- ³ Virginia.gov, "VITA Organization." Available: <https://www.vita.virginia.gov/about/>.
- ⁴ For purposes of this case study, governance refers to the laws, policies, structures, and processes that enable people within and across organizations to address challenges in a coordinated manner through activities such as prioritization, planning, and decision making.
- ⁵ In 2003, the legislature passed House Bill 1926 (Nixon) and Senate Bill 1247 (Stosch) to establish VITA.
- ⁶ Virginia Information Technologies Agency, "ITRM Policies, Standards & Guidelines." <https://www.vita.virginia.gov/library/default.aspx?id=537#securityPSGs>.
- ⁷ Office of the Governor, Commonwealth of Virginia, Executive Order 8, "LAUNCHING "CYBER VIRGINIA" AND THE VIRGINIA CYBER SECURITY COMMISSION," February 25, 2014, <http://governor.virginia.gov/media/3036/eo-8-launching-cyber-virginia-and-the-virginia-cyber-security-commissionada.pdf>.
- ⁸ Commonwealth of Virginia, "Cyber Commission Final Report." (2016, March 29). Available: <https://cyberva.virginia.gov/media/8139/cyber-commission-final-report.pdf>.
- ⁹ "Virginia Cyber Security Partnership." (2016, April). Available: https://1pdf.net/download/virginia-cyber-security-partnership_591328a7f6065d001d719da3.
- ¹⁰ Virginia Final Cyber Security Report. (2016). Available: https://cyberva.virginia.gov/media/6424/virginiacybersecurity_printfinal-83116.pdf.
- ¹¹ Virginia Cyber Security Partnership," (2016, April). Available: https://1pdf.net/download/virginia-cyber-security-partnership_591328a7f6065d001d719da3.
- ¹² The Virginia Cyber Range. Available: <https://virginiacyberrange.org/>.
- ¹³ Ibid. The nine colleges and universities designated as NSA/DHS Cybersecurity CAEs) or Department of Defense (DoD) Cyber Crime Center (DC3) National Centers of Digital Forensics Academic Excellence (CDFAEs) are:
1. George Mason University – NSA/DHS CAE in Cyber Defense Education (CAE-CDE) and Research (CAE-R)
 2. James Madison University – NSA/DHS CAE-CDE
 3. Lord Fairfax Community College – NSA/DHS CAE -CDE 2-Year Education (CAE-CDE 2Y)
 4. Longwood University – DC3 CDFAE
 5. Norfolk State University – NSA/DHS CAE-CDE
 6. Northern Virginia Community College – NSA/DHS CAE-CDE 2Y
 7. Radford University – NSA/DHS CAE-CDE
 8. Tidewater Community College – NSA/DHS CAE-CDE 2Y
 9. Virginia Tech – NSA/DHS CAE-R, and CAE in Cyber Operations (CAE-O)
 10. Danville Community College – NSA/DHS CAE-CDE 2Y
- ¹⁴ Department of Homeland Security Advisory Council, "Final Report of the Cybersecurity Subcommittee, Part II – State, Local, Tribal & Territorial (SLTT)." (2016, June). Available: https://www.dhs.gov/sites/default/files/publications/HSAC_Cybersecurity_SLTT_FINAL_Report.pdf.
- ¹⁵ About NASCIO. Available: <https://www.nascio.org/AboutNASCIO>.
- ¹⁶ "The Commonwealth strategic plan for information technology shall be updated annually and submitted to the Secretary for approval," § 2.2-2007. Available: <https://lis.virginia.gov/cgi-bin/legp604.exe?151+ful+CHAP0768>.
- ¹⁷ Virginia code §2.2-225. Available: <https://law.lis.virginia.gov/vacode/title2.2/chapter2/section2.2-225>.
- ¹⁸ VITA, "CY 2017 Update to the Commonwealth Strategic Plan for Information Technology for 2017 – 2022." Available: <https://www.vita.virginia.gov/it-governance/cov-strategic-plan-for-it/itsp---2017-update/>.
- ¹⁹ Ibid.
- ²⁰ Ibid.
- ²¹ Ibid.
- ²² Va. Code Ann. [§2.2-225](#) (1999).
- ²³ Va. Code Ann. [§2.2-2100](#) (1985).
- ²⁴ Office of the Governor, Commonwealth of Virginia, Executive Order 8, "LAUNCHING "CYBER VIRGINIA" AND THE VIRGINIA CYBER SECURITY COMMISSION," February 25, 2014, <http://governor.virginia.gov/media/3036/eo-8-launching-cyber-virginia-and-the-virginia-cyber-security-commissionada.pdf>.
- ²⁵ Commonwealth of Virginia, "Cyber Commission Final Report." (2016, March 29). Available: <https://cyberva.virginia.gov/media/8139/cyber-commission-final-report.pdf>.
- ²⁶ Interview with Secretary of Technology Karen Jackson (2017, March 24).
- ²⁷ Ibid.
- ²⁸ The law directs executive branch agencies to "obtain CIO approval prior to the initiation of any Commonwealth information technology project or procurement [providing an] business case, outlining the business value of the investment, the proposed technology solution, if known, and an explanation of how the project will support the agency strategic plan, the agency's secretariat's strategic plan, and the

- Commonwealth strategic plan for information technology.” Virginia code §2.2-2018.1. Available: <https://law.lis.virginia.gov/vacode/title2.2/chapter20.1/section2.2-2018.1/> See also Virginia code §2.2-2007. Available: <https://law.lis.virginia.gov/vacode/title2.2/chapter20.1/section2.2-2007/>.
- ²⁹ D. Verton, “Look Who’s MeriTalking: Virginia CIO Nelson P. Moe.” MeriTalk.com (2016, May 2). Available: <https://www.meritalk.com/look-whos-meritalking-virginia-cio-nelson-p-moe/>.
- ³⁰ Interview with CISO Mike Watson (2017, March 25).
- ³¹ Ibid.
- ³² The CIO established a CSRM directorate within VITA to fulfill his information security duties under §2.2-2009. The CSRM is led by the Commonwealth’s CISO.
- ³³ VITA, 2015 Commonwealth of Virginia Information Security Report. Available: <https://www.vita.virginia.gov/media/vitavirginiagov/uploadedpdfs/vitamainpublic/security/2015COVSecurityAnnualReport.pdf>.
- ³⁴ Ibid., pp. 3-4.
- ³⁵ Virginia.gov, Governor McAuliffe Announces Virginia Adopts National Cybersecurity Framework. (2014, February 12). Available: <https://governor.virginia.gov/newsroom/newsarticle?articleId=3284>. See also [NIST Framework for Improving Critical Infrastructure Cybersecurity, Version 1.0](https://www.nist.gov/sites/default/files/documents/cyberframework/cybersecurity-framework-021214.pdf), February 12, 2014, Available: <https://www.nist.gov/sites/default/files/documents/cyberframework/cybersecurity-framework-021214.pdf>.
- ³⁶ VITA, 2015 Commonwealth of Virginia Information Security Report, p. 16. Available: <https://www.vita.virginia.gov/media/vitavirginiagov/uploadedpdfs/vitamainpublic/security/2015COVSecurityAnnualReport.pdf>.
- ³⁷ Va. Code Ann. [§2.2-2009](#).
- ³⁸ VITA, 2015 Commonwealth of Virginia Information Security Report. Available: <https://www.vita.virginia.gov/media/vitavirginiagov/uploadedpdfs/vitamainpublic/security/2015COVSecurityAnnualReport.pdf>. Page 13 of the report lists evaluation criteria for each type of program.
- ³⁹ Interview with Mike Watson (2017, March 25).
- ⁴⁰ Interview with Lee Tinsley, CIO, Virginia Department of Veterans Services (2017, June 12).
- ⁴¹ Ibid.
- ⁴² Executive Directive 6, “Governor McAuliffe Signs Executive Directive to Strengthen Cybersecurity Protocol.” (2015, August 31). Available: <http://governor.virginia.gov/newsroom/newsarticle?articleId=12544>.
- ⁴³ Ibid.
- ⁴⁴ The Secure Commonwealth Panel (SCP) is established as an advisory board within the meaning of § 2.2-2100, in the executive branch of state government. The Panel consists of 36 members as follows: three members of the House of Delegates, one of whom shall be the Chairman of the House Committee on Militia, Police and Public Safety, and two non-legislative citizens to be appointed by the Speaker of the House of Delegates; three members of the Senate of Virginia, one of whom shall be the Chairman of the Senate Committee on General Laws and Technology, and two non-legislative citizens to be appointed by the Senate Committee on Rules; the Lieutenant Governor; the Attorney General; the Executive Secretary of the Supreme Court of Virginia; the Secretaries of Commerce and Trade, Health and Human Resources, Technology, Transportation, Public Safety and Homeland Security, and Veterans and Defense Affairs; the State Coordinator of Emergency Management; the Superintendent of State Police; the Adjutant General of the Virginia National Guard; and the State Health Commissioner, or their designees; two local first responders; two local government representatives; two physicians with knowledge of public health; five members from the business or industry sector; and two citizens from the Commonwealth at large. Except for appointments made by the Speaker of the House of Delegates and the Senate Committee on Rules, all appointments shall be made by the Governor.
- ⁴⁵ Interview with Isaac Janak, Cyber Security Program Manager, Office of Secretary of Public Safety and Homeland Security (2017, June 12).
- ⁴⁶ K. Bortle and A. Burge, Cyber Security Incident Response, VITA. (2016, April 7).
- ⁴⁷ K. Bortle and A. Burge, “Guidance on Reporting Information Technology Security Incidents,” VITA Commonwealth Security & Risk Management Incident Response Team. (2016, April 7). Available: <https://www.vita.virginia.gov/security/default.aspx?id=317>.
- ⁴⁸ VITA, IT Incident Response Policy. (2014, July 1). Available: https://www.vita.virginia.gov/media/vitavirginiagov/it-governance/psgs/sec501-pampp-templates/doc/VITA-CSRM-IT-Incident-Response-Policy-v1_0.docx.
- ⁴⁹ Ibid.
- ⁵⁰ Va. Code Ann. [§2.2-603\(G\)](#).
- ⁵¹ VITA Guidance on Reporting Information Technology Security Incidents. Available: <https://www.vita.virginia.gov/security/default.aspx?id=317>.
- ⁵² Ibid.
- ⁵³ VITA Information Security Incident Reporting Form. Available: <https://vita2.virginia.gov/security/incident/secureComplIncidentForm/threatReporting.cfm>.
- ⁵⁴ VITA, 2015 Commonwealth of Virginia Information Security Report, p. 7. Available: <https://www.vita.virginia.gov/media/vitavirginiagov/uploadedpdfs/vitamainpublic/security/2015COVSecurityAnnualReport.pdf>. “All executive branch agencies including institutions of higher education are required to report information security incidents to VITA except for the University of Virginia (UVA), Virginia Polytechnic Institute and State University (VPI), and the College of William and Mary.” See <https://www.vita.virginia.gov/security/default.aspx?id=317>.
- ⁵⁵ VITA, “CSRM Information Security Incident Response Procedure v6_0,” revised 2/3/2014. Available: <https://www.vita.virginia.gov/media/vitavirginiagov/resources/presentations/pdf/InformationSecurityIncidentResponseProcedure.pdf>.

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- ⁵⁶ Virginia Department of Emergency Management, "Draft Cyber Incident Response Plan." (2017, May), p. 2.
- ⁵⁷ Va. Code Ann. [§44-146.16](#).
- ⁵⁸ Virginia Department of Emergency Management, "Draft Cyber Incident Response Plan." (2017, May), p. 2.
- ⁵⁹ The UC structure includes reference to emergency support functions (ESFs). According to DHS Federal Emergency Management Agency (FEMA), "ESFs provide the structure for coordinating Federal interagency support for a Federal response to an incident. They are mechanisms for grouping functions most frequently used to provide Federal support to States..." See DHS, FEMA Emergency Support Function Annexes. Available: <https://www.fema.gov/media-library/assets/documents/25512>.
- ⁶⁰ Virginia Department of Emergency Management, "Draft Cyber Incident Response Plan." (2017, May), p. 2.
- ⁶¹ Ibid, p. 4.
- ⁶² Virginia Public Safety and Homeland Security, Cybersecurity, <https://pshs.virginia.gov/homeland-security/cyber-security/>.
- ⁶³ Ibid. Since 2011, the VANG has participated in National Level Cyber Exercises such as the US Cyber Command's Cyber Guard (focus on protection of critical infrastructure), DoD's Cyber Flag (focused on federal cyber National Mission Forces), and the National Guard's annual Cyber Shield exercise (focused on defense of military networks).
- ⁶⁴ Va. Code Ann. [§2.2-222.3](#).
- ⁶⁵ VITA, 2015 Commonwealth of Virginia Information Security Report, p. 4. Available: <https://www.vita.virginia.gov/media/vitavirginiagov/uploadedpdfs/vitamainpublic/security/2015COVSecurityAnnualReport.pdf>.
- ⁶⁶ Interview with Lee Tinsley, CIO, Virginia Department of Veterans Services (2017, June 12).
- ⁶⁷ VITA, 2015 Commonwealth of Virginia Information Security Report, p. 7. Available: <https://www.vita.virginia.gov/media/vitavirginiagov/uploadedpdfs/vitamainpublic/security/2015COVSecurityAnnualReport.pdf>.
- ⁶⁸ Ibid.
- ⁶⁹ Virginia Public Safety and Homeland Security, Cybersecurity, <https://pshs.virginia.gov/homeland-security/cyber-security/>.
- ⁷⁰ Interview with Rob Reese, Lead Analyst, Virginia Fusion Center (2017, June 28).
- ⁷¹ Interview with Captain Kevin M. Hood, Division Commander, Criminal Intelligence Division, Virginia State Police (2017, June 28).
- ⁷² Interview with Isaac Janak, Cyber Security Program Manager, Office of Secretary of Public Safety and Homeland Security (2017, June 12).
- ⁷³ Virginia Cyber Security Partnership (2016, April). Available: https://1pdf.net/download/virginia-cyber-security-partnership_591328a7f6065d001d719da3.
- ⁷⁴ Virginia Final Cyber Security Report, 2016. Available: https://cyberva.virginia.gov/media/6424/virginiacybersecurity_printfinal-83116.pdf.
- ⁷⁵ Virginia Cyber Security Partnership (2016, April), p. 3. Available: https://1pdf.net/download/virginia-cyber-security-partnership_591328a7f6065d001d719da3.
- ⁷⁶ Ibid, p. 7.
- ⁷⁷ Virginia.gov, Governor McAuliffe Announces State Action to Protect Against Cybersecurity Threats (2015, April 20). Available: <https://governor.virginia.gov/newsroom/newsarticle?articleId=8210>.
- ⁷⁸ ReedSmith, Technology Law Dispatch. Available: <https://www.technologylawdispatch.com/2015/04/data-cyber-security/virginia-launches-first-statelevel-information-sharing-and-analysis-organization/>.
- ⁷⁹ Virginia.gov, Governor McAuliffe Announces State Action to Protect Against Cybersecurity Threats (2015, April 20). Available: <https://governor.virginia.gov/newsroom/newsarticle?articleId=8210>.
- ⁸⁰ As of January 2017, according to Governor McAuliffe, "36,000 cyber jobs are open in the Commonwealth" and cannot be filled due to a lack of talent. YouTube video, "Governor Terry McAuliffe's DCC Press Conference on Cybersecurity" (2017, January 27). Available: <https://www.youtube.com/watch?v=OpVIWQJZN3U>.
- ⁸¹ Virginia Cyber Range. Available: <https://virginiacyberrange.org/>.
- ⁸² 2016 Virginia Acts of Assembly, Chapter 780, approved May 20, 2016. Available: <https://budget.lis.virginia.gov/get/budget/3039/>. "Out of this appropriation, \$2,000,000 the first year and \$2,000,000 the second year from the general fund is designated to support a cyber range platform to be used for cyber security training by students in Virginia's public high schools, community colleges, and four-year institutions. Virginia Tech shall form a consortium among participating institutions, and shall serve as the coordinating entity for use of the platform. The consortium should initially include all Virginia public institutions with a certification of academic excellence from the federal government."
- ⁸³ Virginia Cyber Range. Available: <https://virginiacyberrange.org/about/>.
- ⁸⁴ Ibid.
- ⁸⁵ State Council of Higher Education for Virginia, "New Economy Workforce Credential Grant Institution Information." Available: <http://www.schev.edu/index/institutional/grants/workforce-credential-grant>.
- ⁸⁶ VCCS, "Training Programs are Included in Virginia's New Economy Workforce Industry Credential Grants Program (Updated 6/20/17)." Available: http://cdn.vccs.edu/wp-content/uploads/2016/07/THE-LIST-new-version_updated6.20.17.pdf. Example industry certifications include CISCO Certified Entry Networking Technician, CISCO Certified Network Professional, and Microsoft MTA Networking Fundamentals, among others.
- ⁸⁷ C. P. Nuckols, Virginia Community Colleges, Press Release, "Governor McAuliffe Announces Workforce Grant Program" (2016, July 27). Available: <http://www.vccs.edu/newsroom-articles/governor-mcauliffe-announces-workforce-grant-program/>.
- ⁸⁸ Virginia.gov, "New Economy Workforce Credential Grant." Available: <http://www.schev.edu/index/institutional/grants/workforce-credential-grant>. Eligible students pay only one-third of the cost of the program, meaning the government subsidizes two-thirds of the cost if the student completes the program. "This grant program, the first of its kind, provides a pay-for-performance model for funding

noncredit workforce training that leads to a credential in a high demand field,” such as those related to computers.

⁸⁹ CyberVirginia, Cyber Veterans Initiative, <http://cybervets.virginia.gov/>

⁹⁰ Ibid.

⁹¹ VITA, 2015 Commonwealth of Virginia Information Security Report, p. 16. Available:

<https://www.vita.virginia.gov/media/vitavirginiagov/uploadedpdfs/vitamainpublic/security/2015COVSecurityAnnualReport.pdf>.

⁹² Ibid., p. 17.

⁹³ Office of the Governor, Commonwealth of Virginia, “Governor McAuliffe Announces \$1 Million in Cybersecurity Scholarships” (2016, August 10). Available: <https://governor.virginia.gov/newsroom/newsarticle?articleId=16192>.

⁹⁴ Interview with Secretary of Technology Karen Jackson (2017, March 24).

⁹⁵ For a complete list of members, see Cyber Virginia, “Commonwealth of Virginia Cyber Commission First Year Report” (2015). Available:

<https://cyberva.virginia.gov/media/5442/mary-washington-commission-presentation-2-24-2016.pdf>.

⁹⁶ Cyber Virginia, Cyber Commission Final Report (2016, March 29). Available: <https://cyberva.virginia.gov/media/8139/cyber-commission-final-report.pdf>.

⁹⁷ Cyber Virginia, “Commonwealth of Virginia Cyber Commission First Year Report” (2015). Available:

<https://cyberva.virginia.gov/media/5442/mary-washington-commission-presentation-2-24-2016.pdf>.

⁹⁸ Ibid, p. 4.

⁹⁹ VITA, 2015 Commonwealth of Virginia Information Security Report, p. 9. Available:

<https://www.vita.virginia.gov/media/vitavirginiagov/uploadedpdfs/vitamainpublic/security/2015COVSecurityAnnualReport.pdf>

¹⁰⁰ VITA, 2015 Commonwealth of Virginia Information Security Report, Available:

<https://www.vita.virginia.gov/media/vitavirginiagov/uploadedpdfs/vitamainpublic/security/2015COVSecurityAnnualReport.pdf>

¹⁰¹ Cyber Virginia, “Commonwealth of Virginia Cyber Commission First Year Report” (2015). Available:

<https://cyberva.virginia.gov/media/5442/mary-washington-commission-presentation-2-24-2016.pdf>.

¹⁰² In 2015, the General Assembly passed SB1307, which “clarifies language for search warrants for seizure, examination of computers, networks, and other electronic devices.” See Cyber Virginia, Cyber Commission Final Report (2016, March 29). Available:

<https://cyberva.virginia.gov/media/8139/cyber-commission-final-report.pdf>.