

**NYC CYBER COMMAND TESTIMONY BEFORE THE CITY COUNCIL  
COMMITTEE ON CONSUMER AFFAIRS AND BUSINESS LICENSING**

**FRIDAY OCTOBER 22, 2021**

Good morning, Chair Ayala and members of the Committee on Consumer Affairs and Business Licensing. My name is Colin Ahern, and I am Deputy Chief Information Security Officer for the City of New York and I oversee Security Sciences at NYC Cyber Command. I am joined today by Rebecca Blatt, Senior Counsel for Legislative Affairs and Special Projects at the Mayor's Office of Information Privacy, and Steven Ettannani, Director of External Affairs for the Department of Consumer and Worker Protection. I am pleased to be here today to testify in support of Introduction 2410; legislation that will modernize the City's data breach notification law.

In 2004, this City Council was gravely concerned about the rise of identity theft, a relatively new criminal offense affecting New York City residents in higher numbers than most anywhere else in the United States.<sup>1</sup> In response to this crisis, the Council passed Local Laws 45 and 46 of 2005, requiring prompt notification from City agencies and then-Department of Consumer Affairs licensed businesses to individuals following security breaches involving their "personal identifying information." Through Local Laws 45 and 46, the Council sought to "inform would-be victims that the security of their sensitive personal information [had] been violated," finding it to be "one of the most effective ways to curtail identity thieves."<sup>2</sup> Those laws are the foundation of the City's current data breach notification law.

While protection against identity theft is still an important issue, technology, global connectivity through the Internet of Things, and attendant cybersecurity risks have all evolved beyond what might have been foreseeable or conceivable to the Council and the stakeholders testifying before it in 2004 and 2005. Today, adversaries – a diverse set of actors such as nation-states, advanced persistent threats, espionage actors, malicious groups and individuals – are increasingly turning to cyber strategies to advance their desired outcomes, the pursuit of which is causing increased data theft and manipulation, disruption to critical services, and untold societal and economic costs, often to our most vulnerable populations.

The Council's passage of legislation establishing the NYC Cyber Command and the Chief Privacy Officer in the City's Charter reflect its ongoing commitment advancing the City's information security and privacy protection missions in the face of modern threats. Introduction 2410 builds on this legislative foundation to make our local data breach notification law more protective and to ensure there is a roadmap enabling Cyber Command, the Chief Privacy Officer, DoITT, and partner agencies to continue our zealous collaborative efforts to protect from and respond to data security incidents and breaches together for years to come.

Also being heard today, Int. 2130 would require the Department of Citywide Administrative Services to prepare a notice for City employees and job applicants regarding the availability of federal and state student loan forgiveness programs. The Department of Consumer and Worker Protection would be required to make the notice available to employers in New York City to

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<sup>1</sup> Report of the City Council Committee on Consumer Affairs, Proceedings of the Council of the City of New York, Ints. 139-A, 140-A, and 141-A, March 5, 2005.

<sup>2</sup> Legislative Declaration, Local Law 45 of 2005, enacted May 19, 2005.

provide to employees and job applicants. The Administration supports the intent of the legislation and my colleague from DCWP can speak to this legislation.

Thank you again Chair Ayala and the members of the Committee on Consumer Affairs and Business Licensing for the opportunity to speak today. We look forward to working with Council on the legislation being heard today, and welcome any questions.