



Secure Commonwealth Panel

June 19, 2017

West Reading Room- Patrick Henry Building

1111 East Broad Street

Richmond, Virginia 23219

1:00 p.m. – 3:00 p.m.

Attendees:

Brian Moran, Chairman and Secretary of Public Safety and Homeland Security

Curtis Brown, Deputy Secretary of Public Safety and Homeland Security

Hayes Framme, Designee of Secretary of Commerce and Trade Todd Haymore

Marissa Levine, Designee of Secretary of Health and Human Resources Bill Hazel

Alexis Rodgers, Designee of Lt. Governor Ralph Northam

Cathie Hutchins, Designee of Attorney General Mark Herring

Patricia Davis, Designee of Executive Secretary of the Supreme Court of Virginia Karl Hade

Walt Mercer, National Guard

Bryce Reeves, Virginia Senate

Jeremy McPike, Virginia Senate

Tracy Russillo, Virginia State Police

James Horton, Horton Consulting

Sean Cushing, Hazon Solutions

Kirby Felts, Emergency Management Coordinator Charlottesville

Reuben Varghese, Public Health Director, Arlington County

Dario Marquez, MVM Inc.

James Redick, Director, Norfolk Office of Emergency Management

John Guevara, Independent IT & Security Consultant

John Bell, Jr., (Retired) Deputy Chief VA Beach Police Department

Michael Hamlar, Hamlar Enterprises

Megan Peterson, Homeland Security and Resilience Group Staff Director

Karen Lovely, Norfolk OEM

Shawn Rivard, Virginia State Police Aviation Unit

Alan Worsham, Virginia State Police

W. Payne Marks, Virginia State Police Fusion Center

Brett Burdick, Virginia Department of Emergency Management

Welcoming Remarks

Secretary Brian Moran opened the meeting and thanked all for their attendance. Secretary spoke on recent events, the shooting in Alexandria, the London attacks and the ongoing investigation in Sterling. Secretary thanked all for participating in the panel, said that there continue to be a number of areas that this panel continues to discuss.

Member Introductions

All panel members introduced themselves.

Adoption of Minutes

Minutes for the November, 2016 meeting were adopted with one amendment (to reflect Mr. Guevara's designation as an Independent IT & Security Consultant).

Homeland Security General Assembly 2017 Review

Megan Peterson, Homeland Security and Resilience Group Staff Director, Secretary of Public Safety and Homeland Security

Megan Peterson went over legislation from the 2017 session related to Homeland Security and Resilience. SB 873 authorizes the fire chief to regulate immediate airspace in the event of imminent danger, fire, explosion or the uncontrolled release of hazardous materials. HB 2350 punishes as a Class I misdemeanor the use of unmanned aircraft systems to enter private property to spy or attempt to spy into an occupied dwelling. HB1815 increases the Class I misdemeanor computer trespass crimes to a Class 6 felony if the computer affected is exclusively used for or by the Commonwealth or a local government within the Commonwealth. HB1815 was a recommendation from the Virginia Cyber Commission and responds to threats to critical infrastructure that are cause for great concern. HB 2410 passed and provides that any person who knowingly provides material support to an individual or organization whose primary objective is to commit an act of terrorism is guilty of a Class 3 felony (a Class 2 felony if death results). Curtis Brown thanked Senator Reeves for his work on HB 2410's companion bill SB 1154 and said that the legislature will continue to work with attorneys to understand how this bill has been used in other states. Deputy Secretary Brown said that this bill provides another tool for prosecuting these types of crimes. Ms. Peterson described SB1330, which includes communications to peer support officers for first responders regarding a critical incident as part of privileged critical incident stress management communications. Ms. Peterson stated that the General Assembly rejected several JLARC studies regarding coastal flooding; JLARC accepted no new studies last session, and the Office of the Secretary of Public Safety and Homeland Security is working on study legislation for the upcoming year. Lastly, Ms. Peterson stated that the timeline for legislative proposals for 2018 is quickly approaching, and if any representative or agency had questions regarding the legislative process she would be happy to discuss those (email: megan.peterson@governor.virginia.gov).

James Redick asked whether there was a better way to communicate resilience efforts that already exist. He stated that a structure for resilience might exist in some areas but there might be a lack of awareness about what exists. Secretary Moran stated that education efforts are ongoing. Deputy Secretary Hayes Framme stated that from a commerce and trade perspective, communication about who and what defines resilience is important. Deputy Secretary Framme mentioned that emergency management is certainly a part of resilience, but in the realm of climate change – particularly in terms of infrastructure hardening and economic assets – commerce and trade considers economic development a part of resilience. Deputy Secretary Framme added that there should perhaps be a more formalized relationship among various interests, maybe not to the level of a cabinet position but worth discussing with the Secure Commonwealth Panel. Dr. Marissa Levine stated that there is a lot of ongoing work on the ground in health-related resilience issues and that these efforts may benefit from integrating. Secretary Moran stated that the flooding sub-panel highlighted the need for integration to be more robust.

HB1998 Discussion

Deputy Secretary Curtis Brown

Deputy Secretary Brown reviewed the updates to the panel outlined in HB1998. Deputy Secretary Brown thanked Delegate Lingamfelter for his efforts to refresh the panel since its inception over a decade ago. Deputy Secretary Brown said that the name change to the Secure and Resilient Commonwealth Panel reflected the panel's focus on resilience and the ability of communities to "bounce back" from all hazards. Deputy Secretary Brown stated that the bill adds subject matter experts from the State Police, Commissioner of Health, State Coordinator of Emergency Management, the National Guard and key partners from the Emergency Management Response Council. Deputy Secretary Brown added that Delegate Lingamfelter focused on the mechanism of information sharing for high level Emergency Management (e.g. acts of terrorism, statewide storms) that designates specific General Assembly members to receive information and communicate it. Deputy Secretary Brown observed that developing this process is timely because the second half of hurricane season is approaching and is one of the most impactful times for the Commonwealth. Deputy Secretary Brown stated that the next steps will be to identify and coordinate this communication process with specific persons and phone numbers. Deputy Secretary Brown concluded by saying that the panel will be known as the Secure and Resilient Commonwealth Panel at the next meeting and will move forward with the changed terminology related to Emergency Management.

Secretary Moran asked who the advisory group and contact within the legislature would be. Deputy Secretary Brown said that the bill identifies a small group of contacts, including the Speaker and the Majority Leader and that this group would receive updates regarding emergency response. Deputy Secretary Brown added that this process would provide another avenue for the legislative branch to communicate with the executive branch.

Virginia Department of Emergency Management Update

Brett Burdick, Chief Deputy Coordinator

Mr. Burdick provided a briefing on VDEM's response to hurricanes. Mr. Burdick outlined the concept of evacuation, which covers flooding waters to storm surges. Mr. Burdick stated that the VDEM response is to evacuate for water and shelter for wind, since most fatalities in hurricanes come from water. Mr. Burdick emphasized that hurricane response is a multi-level, multi-agency task and that stakeholders like FEMA, the US Army Corps of Engineers and local governments are instrumental in this response. Mr. Burdick stated that VDEM has been working since 2013 to make zones better and simpler to communicate and understand. Historically, VDEM used a MOMs (Maximum of Maximums) approach to create zones; they have recently switched to a MEOWs system (Maximum Envelopment of Water). Mr. Burdick showed the four evacuation zones in Virginia (A-D) and noted that the zones are geographically complicated---for example, many people in Hampton Roads did not know what evacuation zone they lived in or were visiting. VDEM launched a website where people could look up and locate their zone on June 1st. The goal is for everyone to know their zone by September 1st, the start of the second half of hurricane season. Mr. Burdick stated that of category 1-4 hurricanes, Virginia typically sees categories 1 and 2. Additionally, Mr. Burdick said that VDEM will be meeting with North Carolina to see their evacuation plans, since storms typically hit North Carolina a day and a half before they hit Virginia. Mr. Burdick stated that there is a current goodwill agreement between North Carolina and Virginia that once the storm tracks into Virginia, North Carolina will close the highways into Virginia, preventing North Carolinians from driving into harms way and enabling Virginians to evacuate.

Sean Cushing mentioned that local weather channels could be a big partner in getting the Know Your Zone information out. Mr. Burdick agreed that weather channels have been a big partner and that the bigger obstacle is human nature: people will tend to not leave 48 hours before a storm if it is a beautiful day. Senator McPike asked whether VDEM was using cellular technology to alert people so that they knew when to evacuate. Mr. Burdick stated that historically, all who have had transport have been able to evacuate during a storm, but that dependent persons without transport have a more difficult time getting out. Mr. Burdick said that VDEM was working on bus systems and that this is an ongoing and complex problem.

Virginia Department of Health Update

Bob Mauskopf, Director of Emergency Preparedness, VDH

Marissa Levine, Commissioner, VDH

Mr. Mauskopf provided an update on the Health and Human Resources sub-panel of the Secure Commonwealth Panel. Mr. Mauskopf went over current funding levels for the Hospital Preparedness Program (HPP) and Public Health Emergency Preparedness (PHEP), which receive funding from the Center for Disease Control and the Office of the Assistant Secretary for Preparedness and Response, respectively. Mr. Mauskopf noted that there has been a drop in funding from the Assistant Secretary's office since 2015,

which corresponded to a 25% decrease in PHEP funding. Mr. Mauskapf also observed that President Trump's current budget plan does not bode well for these programs because they are 100% federally funded. Mr. Mauskapf updated the panel on the Zika task force, which has been in continuous existence since February, 2016, but reduced its activity in October, 2016. The task force continued to track travelers from at risk areas until it resumed operations in May, 2017. The monthly situation report shows that Zika cases have dropped significantly from this time in 2016, and that the two areas of the country that had local cases (Texas and southern Florida) also experienced a drop, and there has been no local transmission of Zika in Virginia.

Dr. Levine went over opioid addiction in Virginia. The trend of neonatal abstinence shows a sharp increase in the number of babies born with addiction. Dr. Levine observed that Virginia may be approaching a bellwether of neonatal abstinence cases. Dr. Levine noted that opioid addiction has affected many if not all parts of Virginia to date, and has impacted the western and southwestern parts of the state particularly. Dr. Levine stated that there have been efforts in the legislature to disseminate opioid reports, which should lead to better information, but that even now the trend is clear. Dr. Levine reviewed the standards that Secretary Hazel (HHR) and Secretary Moran (PSHS) approved regarding need and readiness of localities. Dr. Levine said that criteria for need and readiness helped communities demonstrate a commitment to combating opioids and that there is a well-developed approach and reports back will help it improve moving forward. Dr. Levine also noted that opioid addiction will likely be a generational problem. Dr. Levine stated that while there is a standing order for Naloxone, there is still an accessibility issue in some parts of the Commonwealth that arises primarily from cost. There is a current program through the Health Department to increase accessibility and make sure that local entities can get naloxone. Secretary Moran asked whether there was data on Naloxone use to answer whether the accessibility issue is due to a lack of product or the escalating cost. Dr. Levine said that it is difficult to get data and that better situational awareness is required; the Health Department can determine how much Naloxone is issued to EMS but not how much is prescribed. Dr. Levine stated that an adequate supply of Naloxone is produced but it is not distributed to have the greatest impact. Dr. Levine stated that there are likely financial and neighborhood clusters that would benefit from Naloxone the most and that efforts are being made to coalesce that data. Dr. Levine said that the optimal outcome for opioid addiction would be to increase mental health admissions, and that those have increased from 2015 to 2016 due to ongoing community efforts. Dr. Levine concluded by saying that the panel should once again consider preparing for pandemic influenza; it has been eight years since the H1N1 outbreaks and there is a lot of avian flu around the world. Dr. Levine is particularly concerned about the H7 virus currently circulating and would like to put this on the table for the SCP.

John Bell addressed the need to expand the use of Naloxone and asked whether it was open to law enforcement. Dr. Levine stated that distribution was currently open only to non-profit EMS. Mr. Bell said that the panel should look into how to distribute Naloxone to law enforcement.

Cyber Sub-Panel and VSP Security Update

Brian Moran, Secretary of Public Safety and Homeland Security

Secretary Moran said that cyber security is a priority for Governor McAuliffe and was his issue area with the National Governor's Association. Governor McAuliffe has been working with other governors on cyber security since last year. Secretary Moran said that the Cyber Sub-Panel's focus has been on public safety; because cyber technology can be used for mischief, it is also a threat to public safety. Secretary Moran stated that the sub-panel discussed the formation of a Cyber Emergency Response Team (CERT) that would organize responding agencies in the event of a cyber threat. Secretary Moran said that the sub-panel was also exploring regional security operations and noted that localities vary in their info sharing mechanisms. Secretary Moran said that the National Guard has a cyber unit and mentioned how valuable this unit is. The National Guard's cyber unit is conducting 5-day systems assessments and has conducted 10 assessments so far. Secretary Moran said that Senator Warner had been briefed on this unit and was excited about the National Guard's capability. Secretary Moran also said that any are welcome to join the cyber sub-panel and that there is a need to figure out the sub-panel's role in the future.

Secretary Moran updated the panel on the Virginia State Police (VSP) phishing attack in April 2017. A VSP staffer clicked a link from a phishing email which then downloaded malware onto VSP's internal system. Secretary Moran said that VSP immediately disconnected its computers from email and Internet. VSP's in-scope network provides 20% of its network and contains internal emails. VSP's out-of-scope network accounts for 80% of its network and includes mission support and Mobile Computer Terminals. Secretary Moran stated that as of June 8th, 130 computers needed to be cleaned. Secretary Moran asked Lieutenant Colonel Tracy Russillo how many computers had been cleaned. Lt. Col. Russillo said that zero have been cleaned so far and that a work order was required for the cleaning. Lt. Colonel Russillo said that the cost estimate last week reflected an estimate of \$1750 per computer for a total cost of around \$220,000. Secretary Moran stated that the VSP maintained full capacity after the attack. Secretary Moran stated that cyber security threats are real and that there is a parallel criminal investigation regarding the VSP incident.

Senator McPike stated that the transition of this issue between administrations is important and that he wants to move it forward and see it resolved. Dr. Levine added that we cannot do enough to ensure that people are prepared and thinking about cyber security. Dr. Levine said that the challenge will be to convince people to take a pause when they are checking emails; she added that there has been some resistance to this and that examples like the VSP incident can be used to make a point. Jim Horton asked whether the problem of hackers entering the system and not leaving or leaving malware to be activated later had been examined. Secretary Moran said that it is impossible to know until the computers have been totally cleaned but it was a real possibility. Mr. Horton commented that agencies should maintain an operational policy of clean internet standards. Mr. Bell asked what part of the VSP network was affected. Lt. Col. Russillo replied that only the in-scope VSP network had been affected.

Unmanned Aerial Systems: What's happening in Virginia

Charles Werner, Acting Deputy Coordinator of Disaster Services

Charles Werner updated the panel on Unmanned Aerial System(UAS) use. Chief Werner said that UAS use by public safety agencies has increased exponentially in the past year. Currently, around 40-50 public safety agencies use UAS and 150 remote pilots have been trained in those agencies. Chief Werner said that a UAS workshop was recently held and 21 agencies attended. Chief Werner stated that the Department of Corrections has its own UAS teams that can conduct facilities inspections or respond to events on site. The Virginia Department of Transportation is currently exploring using UAS in Fairfax. Chief Werner stated that if state agencies are interested in developing UAS teams there is help available to them. Chief Werner stated that VDEM is on the verge of creating UAS teams to respond to Hazmat and Search and Rescue events; they hope to have those teams up in September, 2017. VDEM has been working with York County and has flown four missions: two fires and two damage assessments after severe weather. Chief Werner said that an aerial view gives a third dimension. Chief Werner also said that in the future it will be important to set grant guidelines so that organizations are fully informed about UAS and are not just buying them and flying them. Chief Werner said that the first national UAS Conference made progress in setting technical standards for remote pilots and that the new response to UAS threats was to take over drones' control systems and safely land them rather than shoot them down.

Public Comment

Mr. Bell said that Virginia Beach flooding was a concern because there is one way in and one way out of the area. Mr. Redick thanked the National Guard for their ongoing youth program. Deputy Secretary Brown stated that the Joint Counterterrorism Awareness Workshop (JCTAWS) is held on June 20-21 and will discuss complex coordinated terror attacks. Deputy Secretary Brown also said that Hampton Roads has been listed as a target and that there will be continued collaboration with Hampton Roads, focusing on enhancing the area's capabilities to respond to a terrorism threat. Deputy Secretary Brown also said that the Urban Area Security Initiative grant (UASI) is designed to help Hampton Roads enhance these capabilities.

Closing Remarks

Secretary Moran invited everyone to attend the Resilient Virginia Conference on August 1-2 and thanked all for their participation. The meeting was then adjourned.