

JOSH GREEN
GOVERNOR
KE KIA'ĀINA



STATE OF HAWAII
DEPARTMENT OF DEFENSE
KA 'OIHANA PILI KAUA
OFFICE OF THE ADJUTANT GENERAL
3949 DIAMOND HEAD ROAD
HONOLULU, HAWAII 96816-4495

KENNETH S. HARA
MAJOR GENERAL
ADJUTANT GENERAL
KA 'AKUKANA KENELALA

STEPHEN F. LOGAN
BRIGADIER GENERAL
DEPUTY ADJUTANT GENERAL
KA HOPE 'AKUKANA KENELALA

STATE OF HAWAII
DEPARTMENT OF DEFENSE
HAWAII OFFICE OF HOMELAND SECURITY

TESTIMONY ON HOUSE BILL 1035
RELATING TO HOMELAND SECURITY
BEFORE THE HOUSE COMMITTEE ON WATER AND LAND

BY

FRANK J. PACE
ADMINISTRATOR
HAWAII OFFICE OF HOMELAND SECURITY

FEBRUARY 09, 2023

Aloha Chair Ichiyama, Vice-Chair Poepoe, and members of the committee:

I am Frank Pace, Administrator for the Hawaii Office of Homeland Security. Thank you for the opportunity to submit testimony in **SUPPORT** of HB1035.

This bill would establish protections for critical infrastructure information that is received or maintained by the Office of Homeland Security (OHS) – on behalf of the State of Hawaii - for use regarding the security of critical infrastructure and protected systems, analysis, warning, interdependency study, recovery, reconstitution, or other informational purposes.

To succeed in the legislated responsibilities of the State regarding protection of critical infrastructure under chapter 128A, Hawaii Revised Statutes, it is necessary to establish state-based protections for critical infrastructure information.

The protections offered by this bill will enhance sharing of critical infrastructure information between infrastructure owners and operators and the state government. Critical infrastructure information protected under the bill is crucial for OHS for direct support of the security and resilience of the State of Hawaii. The protections will provide homeland security partners reassurance that their proprietary information provided to the State of Hawaii government will be protected.

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If passed, this measure would establish protections for the critical infrastructure information that is received and/or maintained by OHS on par with the protections that our federal counterpart, the Department of Homeland Security, can afford to those entities under the Critical Infrastructure Information Act of 2002. With ever-increasing threats across all the critical infrastructure sectors nationwide, the ability to offer commiserate protections to those entities within the state is paramount. The protections give the Office of Homeland Security added ability to truly partner with the critical infrastructure entities within the state crucial to the security and resilience of the State of Hawaii.

Thank you for the opportunity to provide testimony in SUPPORT of HB1035.

Frank Pace, Administrator: frank.j.pace@hawaii.gov, 808-369-3570

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STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON HOUSE BILL 1035
RELATING TO HOMELAND SECURITY
BEFORE THE HOUSE COMMITTEE ON WATER AND LAND

BY

MAJOR GENERAL KENNETH S. HARA
ADJUTANT GENERAL
DIRECTOR OF HAWAII EMERGENCY MANAGEMENT AGENCY
AND HOMELAND SECURITY ADVISOR

FEBRUARY 09, 2023

Aloha Chair Ichiyama, Vice-Chair Poepoe, and members of the committee:

I am Major General Kenneth Hara, Adjutant General, Director of Hawaii Emergency Management Agency, and Homeland Security Advisor, State of Hawaii, Department of Defense.

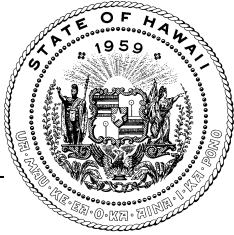
The Department of Defense (DEF) provides written testimony in **SUPPORT** of HB1035.

This measure would establish protections for critical infrastructure information that is received or maintained by the Hawaii Office of Homeland Security (OHS). The proposed protections are aligned with those under the Critical Infrastructure Information Act of 2002 and would enhance the sharing of critical infrastructure information between owners and operators and the State of Hawaii. Providing homeland security partners additional reassurance that their shared proprietary information will be protected.

The holding and protection of this information is crucial for OHS in supporting the security and resilience of the State of Hawaii.

Thank you for the opportunity to provide testimony in **SUPPORT** of HB1035.

MG Kenneth S. Hara, Kenneth.s.hara@hawaii.gov; 808-672-1001
Frank Pace, Administrator: frank.j.pace@hawaii.gov, 808-369-3570



HAWAII STATE ENERGY OFFICE STATE OF HAWAII

JOSH GREEN, M.D.
GOVERNOR

MARK B. GLICK
CHIEF ENERGY OFFICER

235 South Beretania Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-3807
Web: energy.hawaii.gov

Testimony of
MARK B. GLICK, Chief Energy Officer

before the
HOUSE COMMITTEE ON WATER & LAND

Thursday, February 9, 2023
9:30 AM
State Capitol, Conference Room 430 and Videoconference

In SUPPORT of
HB 1035

RELATING TO HOMELAND SECURITY.

Chair Ichiyama, Vice Chair Poepoe, and Members of the Committee, the Hawaii State Energy Office (HSEO) supports HB 1035 which establishes protections for critical infrastructure information that is received or maintained by the Office of Homeland Security (OHS) for use regarding the security of critical infrastructure.

HSEO collaborates with OHS on planning activities related to the protection and resilience of critical energy infrastructure that often requires sensitive information and data from critical infrastructure owners and operators. This measure would offer strong reassurance that proprietary information and data shared with OHS will have statutory protection. Further, it is also important that confidentiality will be maintained and extended as OHS works closely with agencies such as HSEO.

Thank you for the opportunity to testify.

OFFICE OF INFORMATION PRACTICES

STATE OF HAWAII
NO. 1 CAPITOL DISTRICT BUILDING
250 SOUTH HOTEL STREET, SUITE 107
HONOLULU, HAWAII 96813
TELEPHONE: 808-586-1400 FAX: 808-586-1412
EMAIL: oip@hawaii.gov

To: House Committee on Water & Land

From: Cheryl Kakazu Park, Director

Date: February 9, 2023, 9:30 a.m.
State Capitol, Conference Room 430

Re: Testimony on H.B. No. 1035
Relating to Homeland Security

Thank you for the opportunity to submit testimony on this bill, which would create a confidentiality requirement for “critical infrastructure information” held by the Office of Homeland Security. “Critical infrastructure information” would be defined to include only “information not customarily in the public domain[.]” The Office of Information Practices (OIP) offers comments and an **amendment** of this measure.

Rather than leave open the question of what is and is not customarily in the public domain, OIP recommends that the definition should instead refer to the existing standard set by the Uniform Information Practices Act (UIPA), chapter 92F, HRS, for what government records are considered public. To amend the definition to include only information that is **not publicly available** under the UIPA, bill page 2, lines 13-15 should be amended so that the definition begins:

“Critical infrastructure information” means information not subject to public disclosure under chapter 92F and related to the security of critical infrastructure or protected systems. . . .

Thank you for considering OIP’s testimony.



**WRITTEN TESTIMONY BEFORE THE HOUSE COMMITTEE ON
WATER AND LAND**

HB 1035

Relating to Homeland Security

February 9, 2023
9:30 am, Agenda Item #17
State Capitol, Conference Room 430

Thao Tran
Director, Safety and Emergency Planning & Preparedness
Hawaiian Electric

Chair Ichiyama, Vice Chair Poepoe, and Members of the Committee:

I am testifying on behalf of Hawaiian Electric in support of H. B. No. 1035.

If enacted, this bill would provide assurances that information about our critical infrastructure shared during emergency events will be kept confidential. This would be useful when providing transmission system diagrams for emergency situations, when Hawaiian Electric is involved in discussing potential community impacts. For example, Hawaiian Electric shared critical infrastructure information with government entities when we were involved in considering the potential impact of the recent lava flow on the Big Island on the electric system. This type of shared information should remain confidential.

Accordingly, Hawaiian Electric supports H.B. No. 1035. Thank you for this opportunity to provide written testimony.

HB-1035

Submitted on: 2/8/2023 9:23:44 PM

Testimony for WAL on 2/9/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Alan Urasaki	Individual	Support	Written Testimony Only

Comments:

I stand in support. Mahalo