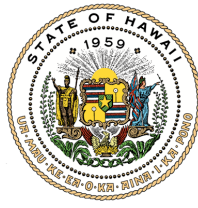


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TESTIMONY ON HOUSE BILL 2460
RELATING TO HOMELAND SECURITY
Before the House Committee on Finance
Monday, February 26, 2024; 2:00 p.m.

State Capitol Conference Room 308, Via Videoconference

Testifiers: Michael Vincent, or Jared Redulla

Chair Yamashita, Vice Chair Kitagawa, and members of the Committee:

The Department of Law Enforcement (DLE) **strongly supports**, House Bill 2460.

This administration bill establishes protections for critical infrastructure information that is received or maintained by the Office of Homeland Security for use regarding the security of critical infrastructure in Hawai'i.

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 Hawai'i. For the Office of Homeland Security (OHS) and the Hawaii State Fusion Center to maintain trusted partnerships with owners and operators, it must be able to assure them that sensitive and proprietary information relating to the security of critical infrastructure is protected from public disclosure.

The retention and assured protection of this information is crucial for OHS in supporting the security and resilience of the State of Hawai'i.

Thank you for the opportunity to testify in support of this bill.

OFFICE OF INFORMATION PRACTICES

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To: House Committee on Finance

From: Cheryl Kakazu Park, Director

Date: February 26, 2024, 2:00 p.m.
State Capitol, Conference Room 308

Re: Testimony on H.B. No. 2460, H.D. 1
Relating to Homeland Security

Thank you for the opportunity to submit testimony on this bill, which would provide confidentiality for critical infrastructure information maintained by the Office of Homeland Security's Hawaii State Critical Infrastructure Security and Resilience Program (Program). The Office of Information Practices (OIP) **supports** this bill.

OIP had concerns about a similar bill introduced last year. OIP worked with the Office of Homeland Security (OHS) over the interim to reach agreement on language to address both OHS's and OIP's concerns. OIP understands that the Program collects information about critical infrastructure and its vulnerabilities from other government agencies and from private parties such as utilities, and OHS was concerned that the Program should not become a one-stop-shop for people seeking information about such vulnerabilities. At the same time, OIP's concern has been to ensure that information about infrastructure, including potential problems with that infrastructure, should remain public to the extent that it previously has been. Although the UIPA's frustration exception would allow an agency to withhold specific information and especially detailed technical

information that could be used to exploit vulnerabilities in either government or private infrastructure, more general information should remain available from the government agency maintaining it to the extent it traditionally has been, so as to **not deny the public access** to important public safety information, such as government reports on dam safety, information about the Red Hill water contamination, or information about the potential for the power grid to contribute to a future wildfire.

OIP believes this bill strikes an appropriate balance between protection of the sensitive critical infrastructure information collected by the Program and ensuring continued public access to more general information maintained by the various agencies about infrastructure, including information that discusses potential problems. **OIP therefore supports this bill** and recommends the Legislature use it as the vehicle to address protection of critical infrastructure information within the Program.

Thank you for considering OIP's testimony.