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TO: The Honorable Shane E. Pendergrass
Chair, Health and Government Operations

FROM: The Office of the Attorney General

RE: HB 587 – Department of Information – Status of Information Technology and
Cybersecurity in State Agencies – Report – **Letter of Support**

The Office of Attorney General urges this Committee to favorably report HB 587, if passed, the bill will take effect on October 1, 2021. The legislation requires:

- By September 1 of each year, each unit of the State government shall report the current and previous fiscal years': (a) number of IT staffing positions, (b) budget broken down into "services, equipment, applications, personnel, software licensing, development, network projects, and maintenance," (c) modernization projects, (d) initiatives to test and improve security of systems and data, (e) investments to improve provision of services, and (f) plans for future fiscal years to achieve its IT goals; and
- By December 31 of each year, DoIT shall compile, analyze the information, and provide a report to each unit of the State government and the General Assembly. The report shall be broken down into unit, fiscal year, and the categories identified above. Also, the report shall include best practices recommendations to improve security and reduce costs.

House Bill 587 better positions DoIT to exercise an enterprise-wide cybersecurity risk management role within the State government. Unlike current law that limits DoIT's access to agencies' assets, budgets, plans, and practices,¹ HB 587 requires agencies to report their information to DoIT. Increased access to information would allow DoIT to better assist agencies

¹ See, e.g., Md. Exec. Order No. 01.01.2017.22. (Oct. 5, 2017), https://content.govdelivery.com/attachments/MDGOV/2017/10/05/file_attachments/891772/Executive%2BOrder%2B01.01.2017.22.pdf (limiting access to key information about agency's cybersecurity so risk was assessed based on voluntary responses of selected agencies).

through identifying, reducing their cybersecurity risks and advising to safely protect sensitive personal and business information.

Furthermore, better access to information will allow DoIT to make recommendations to reduce IT costs because DoIT can eliminate unnecessary duplicate protections and exploit economies of scale. For example, DoIT may recommend the most cost-effective software platforms, tools, and contracts for various IT services to state agencies.

House Bill 587 is consistent in part with a recommendation of the Maryland Cybersecurity Council (“Council”). The Council’s last two biennial activities reports recommended to include the NIST Cybersecurity Framework in the Statewide IT Master Plan.² Like other recognized cybersecurity frameworks, the NIST framework emphasizes visibility into organizational IT-related assets, budgets, plans, and security practices as a prerequisite for an effective enterprise cybersecurity governance and risk management.³

For the foregoing reasons, the Office of the Attorney General urges a favorable report of the House Bill 587.

cc: Members of the Health and Government Operations Committee

² See generally MD. CYBERSECURITY COUNCIL, MARYLAND CYBERSECURITY ACTIVITIES REPORT 8, 12 (July 1, 2017), <https://www.umgc.edu/documents/upload/maryland-cybersecurity-council-biennial-report-2015-2017.pdf>; see also MD. CYBERSECURITY COUNCIL, MARYLAND CYBERSECURITY ACTIVITIES REPORT 30 (July 1, 2019), <https://www.umgc.edu/documents/upload/maryland-cybersecurity-council-activities-report-2017-2019.pdf>.

³ See generally NAT. INST. OF STANDARDS AND TECH., FRAMEWORK FOR IMPROVING CRITICAL INFRASTRUCTURE CYBERSECURITY (Apr. 16, 2018), <https://nvlpubs.nist.gov/nistpubs/CSWP/NIST.CSWP.04162018.pdf>.