



KANSAS ADJUTANT GENERAL'S DEPARTMENT
2800 SOUTHWEST TOPEKA BOULEVARD
TOPEKA, KANSAS 66611

Written Testimony on the Substitute for House Bill No. 2359
The Kansas Cybersecurity Act
March 21, 2018

Madam Chairman and Members of the Committee:

Thank you for the opportunity to submit written testimony regarding the substitute for HB 2359, the Kansas Cybersecurity Act. The capacity, capabilities, sophistication and persistence of cyber threats against our networks continue to trend upward and ensuring our information technology structure, systems and operations are strong is vitally important.

The Kansas Adjutant General's Department has no state network resources that are owned, operated or managed by the state of Kansas. All Department state employees utilize the federal Department of Defense (DoD) network infrastructure. This network and its security fall under United States Cyber Command (USCYBERCOM). USCYBERCOM policies and oversight ensure that all agency data and information technology resources are maintained in compliance with applicable state and federal laws, rules, regulations, and the National Institute of Standards Technology (NIST) cybersecurity framework. In addition to participating in annual cyber security self-inspections, the Department is subjected to Command Cyber Readiness Inspections (CCRI) from the Defense Information Systems Agency (DISA) on a three year lifecycle.

HB 2359 names the state Chief Information Security Officer (CISO) as the "authority on policies, compliance, procedures, guidance, and technologies impacting executive branch cybersecurity programs" and includes the Adjutant General's Department in the definition of an executive branch agency. These authorities are incompatible with the Department's operation on the federal DoD network infrastructure and related requirements under USCYBERCOM.

Subsequently, I oppose HB 2359 as currently written and request the Adjutant General's Department, and all divisions and subordinate organizations, be added to the list of agencies excluded from the bill's definition of an executive branch agency in Section 2, paragraph (g).

On behalf of the men and women of the Adjutant General's Department, thank you again for your time today and for your continued support.

Respectfully submitted by:

Maj Gen Lee E. Tafanelli
Kansas Adjutant General
19 March 2018