



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE & FINANCIAL SERVICES
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SERVING THE PUBLIC AND DELIVERING ESSENTIAL SERVICES TO STATE GOVERNMENT

JANET T. MILLS
GOVERNOR

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*Testimony of Anya Trundy, Chief of Legislative and Strategic Operations
Department of Administrative and Financial Services
testifying neither for nor against*

LD 1007, An Act to Ban the Video Hosting Service TikTok on All State-owned Devices
Sponsored by Rep. Carlow

To the Joint Standing Committee on State and Local Government

Senator Nangle, Representative Stover, and members of the Joint Standing Committee on State and Local Government, I am Anya Trundy, Chief of Legislative and Strategic Operations for the Department of Administrative and Financial Services. I am providing testimony neither for nor against LD 1007.

The Maine Office of Information Technology issued the attached Directive to all Executive Branch employees on January 19, 2023 banning TikTok from all State-owned devices.

Maine IT is responsible for keeping pace with the rapidly evolving cyber threat landscape that poses significant risks to the security of the State's network infrastructure, including the sensitive and confidential data that we are entrusted to protect for our citizens. This Directive was in response to the well-documented national security risks posed by TikTok and recently enacted federal legislation that prohibited the use of the application on all federal government devices.

This legislation provides the Commissioner of Administrative and Financial Services with authority that the Chief Information Officer has already been vested with by 5 MRS §1973 to "set policies and standards for the implementation and use of information and telecommunications technologies, include privacy and security standards." This legislation relies upon the rulemaking process which is not nimble enough to respond to quickly changing cyber threats. Maine IT was able to respond to the risks posed by TikTok better and faster than this legislation allows.

Thank you for this opportunity to testify. I am happy to answer any questions.



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
MAINE OFFICE OF INFORMATION TECHNOLOGY (MaineIT)
CYBERSECURITY DIRECTIVE 2023-01

MaineIT has issued the following Directive to all executive branch State Agencies¹ for the purposes of safeguarding State of Maine (SOM) information systems and assets.

Summary:

The State of Maine must keep pace with a rapidly evolving cyber threat landscape that poses significant risks to the security of the State's network infrastructure, including the sensitive and confidential data that we are entrusted to protect for our citizens. This Directive is in response to well-documented national security risks posed by TikTok, a Chinese-owned video-sharing mobile application, and recently enacted federal legislation that prohibits the use of the application on all federal government devices.

Background:

MaineIT is responsible for maintaining the confidentiality, integrity and availability of the State's information systems and assets, while serving Executive Branch Agencies with efficient and secure network services. Federal Directives have been issued to prohibit the use of specific communications equipment, services and applications that are deemed to pose an unacceptable risk to the national security of the United States or the security and safety of United States persons (see Covered Technologies)². MaineIT has determined that the cybersecurity risks to the State associated with the use of such covered technologies warrants following the federal Directives to preserve the safety, security and privacy of the State's information systems and assets.

Required Actions:

Effective immediately, no new contracts, contract renewals, or purchases via any instrument for the procurement of covered technologies identified in this Directive on SOM information systems, or any vendor system, will be allowed. State agencies should not procure, obtain, extend or renew a contract to procure or obtain via any instrument any service, equipment or systems that use any such covered technology referenced within this Directive; or enter into a contract, or extend or renew a contract, with an entity that processes, transmits, or stores SOM data using any of the covered technologies referenced within this Directive. As of February 1st, 2023, the use of covered technologies is prohibited for use on any state-issued or personal Bring Your Own Device (BYOD) mobile devices connected to state equipment or systems. If previously installed, any covered technology must be immediately uninstalled to circumvent any exposure of sensitive information. Failure to meet the requirements of this directive may result in disciplinary action up to and including termination. As a reminder, only MaineIT-approved applications may be downloaded on state-issued or personal (BYOD) devices connected to state systems. Any current use of covered technologies must be reported promptly to the CISO and followed up with confirmation of its removal. A waiver process will be available for SOM agencies based on a risk assessment of the use case.

Covered Technologies:

In accordance with MaineIT Cybersecurity Directive 2023-01, the following covered technology is subject to the Directive: TikTok, which describes the social networking service TikTok or any successor application or

¹ This Directive is being issued to all SOM executive branch agencies, including all State agencies, departments, commissions, committees, authorities, divisions, boards or other administrative units of the executive branch that use the State network.

² See H.R. 2617, the "Consolidated Appropriations Act, 2023."

service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited.

Additional Information:

MaineIT is currently assessing other products, services and telecommunication equipment that may pose security risks to the State of Maine's network infrastructure and additional steps may need to be taken to strengthen our security posture. This Directive will be reviewed and revised, if necessary, at least annually. The internal point of contact for this Directive is Nathan Willigar, State of Maine Chief Information Security Officer, at Nathan.Willigar@maine.gov.

State of Maine Office of Information Security Cybersecurity Directive 2023-01
Enclosure