

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

House Bill 1588 (Delegate Shewell)
Environmental Matters

Critical Infrastructure Protection Task Force

This bill establishes a Critical Infrastructure Protection Task Force to study specified issues relating to critical infrastructure and protection from risks associated with electromagnetic pulses (EMP) and economic disruptions resulting from an EMP attack. The bill provides for the composition and duties of the task force. Task force members may not receive compensation but may be reimbursed for expenses.

The task force must make a preliminary report to the Governor and the General Assembly by December 31, 2008. A final report is due by June 30, 2009, including a recommendation as to whether the task force should be continued for another year. Staffing responsibilities are delegated to the Department of Legislative Services and the Department of Business and Economic Development.

The bill takes effect June 1, 2008 and terminates June 30, 2010.

Fiscal Summary

State Effect: Any expense reimbursements for task force members and staffing costs by DLS and DBED are assumed to be minimal and absorbable with existing resources. However, DBED advises that expertise on EMP and the technical aspects of infrastructure requirements to be addressed by the task force (including in such areas as electricity, communications, water and sewer, transportation, and health facilities) may have to be contracted for through consultant services at a cost of about \$100,000 over the two-year life of the task force – an issue that would have to be addressed by the task force.

Local Effect: None.

Small Business Effect: None.

Analysis

Background: The U.S. Congressional Commission to Assess the Threat to the United States from Electromagnetic Pulse (EMP) Attack reported in 1995 that, while it would “not be possible to reduce the incentives for an EMP attack to an acceptable level of risk through defensive protection measures alone,” an acceptable level of risk is possible with a reduced invitation to an EMP attack. An available strategy should include:

- pursuing intelligence, interdiction, and deterrence;
- protecting critical components of the infrastructure;
- maintaining a capability to monitor and evaluate the condition of critical infrastructures;
- recognizing an attack and understanding its differences from other forms disruption and damage;
- planning to carry out a systematic recovery;
- training, evaluating, “Red Teaming,” with periodic reports to the Congress;
- defining the federal government’s responsibility and authority to act;
- recognizing opportunities for shared benefits; and
- conducting research on infrastructure system effects and developing cost-effective solutions to manage those effects.

The National Fire Protection Association’s Committee on Cultural Resources issued a 2007 report that addressed, in part, issues related to EMP. The committee advised that, in addition to other effects, a nuclear weapon detonated in or above the earth’s atmosphere can create a high-density electrical field or EMP, which can seriously damage electronic devices connected to power sources or antennas. “These include communications systems, computers, electrical appliances, and automobile or aircraft ignition systems. The damage could range from a minor interruption to actual burnout of components. Most electronic equipment within 1,000 miles of a high-altitude nuclear detonation could be affected. Battery-powered radios with short antennas generally would not be affected. Although EMP is unlikely to harm most people, it could harm those with pacemakers or other implanted electronic devices.” The committee made nine specific recommendations for individuals and communities.

Additional Information

Prior Introductions: None.

Cross File: SB 806 (Senator Simonaire) – Finance.

Information Source(s): Department of Business and Economic Development,
Department of Legislative Services

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mll/jr

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