

# NIST PRIVACY WORKFORCE PUBLIC WORKING GROUP (PWWG)

Co-Chair: Dylan Gilbert, Privacy Policy Advisor, National Institute of Standards and Technology

## MEETING MINUTES

Wednesday, July 13, 2022

1:00 P.M. EDT – 2:00 P.M. EDT

### I. INTRODUCTION

The 15th meeting of the National Institute of Standards and Technology (NIST) Privacy Workforce Public Working Group (PWWG) convened on Wednesday, July 13th, 2022 from 1:00 P.M. - 2:00 P.M. EDT virtually via Microsoft Teams. There were 43 members on the call.

The PWWG provides a forum for participants from the general public, including private industry, the public sector, academia, and civil society, to create the content of the NIST Privacy Workforce Taxonomy. The PWWG is tasked with creating Task, Knowledge, and Skill (TKS) Statements aligned with the NIST Privacy Framework<sup>1</sup> and the National Initiative for Cybersecurity Education (NICE) Workforce Framework for Cybersecurity<sup>2</sup>.

Co-Chair, Dylan Gilbert, NIST Privacy Policy Advisor, welcomed the members and Project Teams Leads and thanked them for their participation. Dylan provided a brief overview of the meeting agenda.

### II. PWWG UPDATES

#### A. PROJECT TEAM TRANSITION: PROJECT TEAM 1 WRAP UP

Dylan announced that the work of Project Team 1 (PT1) is winding down. PT1 focused on the Risk Assessment Category of the Identify Function (ID-RA-P). Risk Assessment is a foundational component of a risk-based approach to privacy, yet there is not a lot of uniformity around how to perform a risk assessment. This was a challenge that the team willingly undertook, and they rose to the challenge.

In the coming weeks, the NIST Team will post the finalized PT1 Risk Assessment TKS Statements for PWWG members to view. As each of the Project Teams completes their work, their TKS Statements will be combined with those of other teams in a single inventory document. The TKS Statements from Project Team 2 (PT2), the Inventory and Mapping Category of the Identify Function (ID.IM-P), are available to view in the [PWWG Google drive "Reference Documents" folder](#). PT1's work product will be added to this inventory in the coming weeks.

Dylan reminded members that the Project Teams are leveraging work from the NICE Workforce Framework for Cybersecurity. The PWWG TKS model follows the NICE Framework model. The NICE team is currently updating their TKS Statements. When they have completed their updates, the PWWG will be able to leverage some of their work for some of the Subcategories in the Privacy Framework, many of which are in the Protect Function (PR-P).

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<sup>1</sup> <https://www.nist.gov/privacy-framework/privacy-framework>

<sup>2</sup> <https://www.nist.gov/itl/applied-cybersecurity/nice/nice-framework-resource-center>

Dylan encouraged everyone to review the TKS Inventory to get a sense of what the work product should look like, the number of TKS Statements required, and the level of granularity required in the TKS Statements.

## **B. NEW! PROJECT TEAM 5: BUSINESS ENVIRONMENT (ID-BE-P)**

With the close of PT1, the PWWG Team is ready to spin up Project Team 5 (PT5). PT5 will focus on the Business Environment Category of the Identify Function of the Privacy Framework (ID.BE-P).

**Function - Identify-P (ID-P):** Develop the organizational understanding to manage privacy risk for individuals arising from data processing.

**Category - Business Environment (ID.BE-P):** The organization's mission, objectives, stakeholders, and activities are understood and prioritized; this information is used to inform privacy roles, responsibilities, and risk management decisions.

### **Subcategories**

- **ID.BE-P1:** The organization's role(s) in the data processing ecosystem are identified and communicated.
- **ID.BE-P2:** Priorities for organizational mission, objectives, and activities are established and communicated.
- **ID.BE-P3:** Systems/products/services that support organizational priorities are identified and key requirements communicated.

The PT5 Co-Leads are Anshu Gupta, VP, Security and Privacy, CISO, Span.io, and Brandi Bennet, Data Privacy and Security Attorney. They bring a wealth of experience to this effort.

Dylan noted that he expects that the work of PT5 will go relatively quickly since there are only three Subcategories. This will wrap up all Categories of the Identify Function (ID-P).

The first PT5 meeting will convene on Tuesday, July 26 from 1:00 p.m. to 2:00 p.m. EDT. During this first meeting the team will choose their regular meeting cadence, and meeting day and time.

PT5 is now open and anyone who is interested can join by sending an email to the PT5 Google Group: [PrivacyWorkforcePT5+subscribe@list.nist.gov](mailto:PrivacyWorkforcePT5+subscribe@list.nist.gov).

## **III. PROJECT TEAM UPDATES**

### **A. PROJECT TEAM 1: RISK ASSESSMENT (ID.RA-P) ACTIVITIES**

**Category - Risk Assessment (ID.RA-P):** *The organization understands the privacy risks to individuals and how such privacy risks may create follow-on impacts on organizational operations, including mission, functions, other risk management priorities (e.g., compliance, financial), reputation, workforce, and culture.*

### **Subcategories –**

- **ID.RA-P1:** Contextual factors related to the systems/products/services and the data actions are identified (e.g., individuals' demographics and privacy interests or perceptions, data sensitivity and/or types, visibility of data processing to individuals and third parties).
- **ID.RA-P2:** Data analytic inputs and outputs are identified and evaluated for bias.

- **ID.RA-P3:** Potential problematic data actions and associated problems are identified.
- **ID.RA-P4:** Problematic data actions, likelihoods, and impacts are used to determine and prioritize risk.
- **ID.RA-P5:** Risk responses are identified, prioritized, and implemented.

Dylan gave an update of the work of PT1. The team is currently working thorough the final set of PWWG Co-Chair comments and recommendations on their TKS statements which should be finalized in the next week or two.

One of the challenges for this team is a lack of uniformity in how organizations conduct risk assessments, so trying to come up with TKS Statements that are broadly applicable and useful was a challenging endeavor. Dylan hopes that the team has hit the sweet spot with higher-level Task Statements and Knowledge and Skill Statements that provide more granularity.

Dylan reminded the PWWG members that although the TKS Statements are listed as ‘final’, they will still be opened up for review by the larger PWWG group and everyone will have the opportunity to provide feedback.

Dylan encouraged members of PT1 to join the final PT1 meetings to offer their input to the Co-Chairs feedback.

## **B. PROJECT TEAM 3: POLICIES, PROCESSES, AND PROCEDURES (GV.PO-P, CT.PO-P, CM.PO-P) ACTIVITIES**

**Governance Policies, Processes, and Procedures (GV.PO-P):** *The policies, processes, and procedures to manage and monitor the organization’s regulatory, legal, risk, environmental, and operational requirements are understood and inform the management of privacy risk.*

**Data Processing Policies, Processes, and Procedures (CT.PO-P):** *Policies, processes, and procedures are maintained and used to manage data processing (e.g., purpose, scope, roles and responsibilities in the data processing ecosystem, and management commitment) consistent with the organization’s risk strategy to protect individuals’ privacy.*

**Communication Policies, Processes, and Procedures (CM.PO-P):** *Policies, processes, and procedures are maintained and used to increase transparency of the organization’s data processing practices (e.g., purpose, scope, roles and responsibilities in the data processing ecosystem, and management commitment) and associated privacy risks.*

New Project Team 3 (PT3) Co-Lead, Alicia Christensen, VP, General Counsel, Chief Compliance Officer at National Jewish Health, gave an update on the work of PT3. The team has now completed TKS Statements for the GV.PO-P1 through GV-PO-P4 Subcategories and have sent those TKS Statements to the PWWG Co-Chairs for review. The team plans to review the Co-Chairs feedback during their next meeting. During PT3’s last meeting they completed drafting TKS Statements for GV-PO-P5.

Dylan reminded members of the process: the Project Team finalizes proposes TKS Statements; the PWWG Co-Chairs review them and send comments back to the Project Team; the Project Team then discusses the PWWG Co-Chairs recommendations.

PT3 is unusual in that it has Policies, Processes, and Procedures Categories from three different Functions: Govern; Control; and Communicate. The NIST PWWG team decided that bundling these would be an efficient way to leverage TKS Statements across the three Categories. PT3 will complete Policies, Processes, and Procedures Categories associated with the Govern Function first, then will move on to the Control (CT-PO-P) and Communicate (CM-PO-P) Functions. The expectation is that several Govern (GV.PO-P) TKS Statements will need only minor vocabulary changes for use in the remaining Policies, Processes, and Procedures Subcategories.

The Project Team 3 Co-Leads continue to encourage the participation, expertise, and perspectives of the larger NIST PWWG Membership to assist in the development process of the PT3 TKS Statements. They welcome more members to join the team. (see the Join Mailing List Section below).

### **C. PROJECT TEAM 4: DATA PROCESSING ECOSYSTEM RISK MANAGEMENT (ID.DE-P) ACTIVITIES**

**Data Processing Ecosystem Risk Management (ID.DE-P):** *Data Processing Ecosystem Risk Management (ID.DE-P): The organization's priorities, constraints, risk tolerance, and assumptions are established and used to support risk decisions associated with managing privacy risk and third parties within the data processing ecosystem. The organization has established and implemented the processes to identify, assess, and manage privacy risks within the data processing ecosystem.*

Project Team 4 (PT4) Co-Lead, Paul Lanois, Director, Fieldfisher gave the update for PT4. The team has been exploring areas such as: policies; processes; third parties; and frameworks. The team is still working on Subcategories ID.DE-P1 and ID.DE-P2. They are looking at various ecosystem parties.

Paul said that the team has a diverse membership. There are members from Europe and the US. Members are academics, lawyers, and business professionals. It has been helpful to hear different points of view although it also means that it can take time to reach consensus on these TKS Statements.

Paul invited anyone who is interested to join the team to offer their expertise.

## **IV. Q & A**

There were no questions.

## **V. NEXT STEPS & UPCOMING MEETINGS**

### **A. NEXT STEPS**

- Project Teams 3 and 4 will continue to draft, refine, and finalize TKS Statements and submit to the Co-Chairs for review and comment.
- Project Team 1 will complete review of the Co-Chair feedback and finalize the ID.RA-P TKS Statements.
- Co-Chairs will continue to review TKS Statements and will provide feedback to the Project Teams to discuss and provide a consensus.
- New Business Open Discussion Topics Drop Box is available on the [NIST Privacy Workforce Working Group](#) webpage. If you are interested in presenting a business topic during a PWWG Monthly Meeting, please visit the webpage noted above.

- Project Team 5 (ID.BE-P) will begin their work.

## B. UPCOMING MEETINGS

The upcoming meetings of the NIST PWWG and its Project Teams are noted below. For further information, including updated meeting schedules, meeting minutes, agendas, and slide deck please visit the [PWWG web page](#).

### **Project Team 1: Risk Assessment (ID.RA-P)**

- Wednesday, July 20, 2022 | 5:00pm - 6:00pm EDT
- Wednesday, July 27, 2022 | 5:00pm - 6:00pm EDT - **if needed**

### **Project Team 3: Policies, Processes, And Procedures (GV.PO-P, CT.PO-P, CM.PO-P)**

- Thursday, July 21, 2022 | 1:00pm – 2:00pm EDT
- Thursday, August 4, 2022 | 1:00pm – 2:00pm EDT

### **Project Team 4: Data Processing Ecosystem Risk Management (ID.DE-P)**

- Thursday, July 21, 2022 | 2:00pm – 3:00pm EDT
- Thursday, August 4, 2022 | 2:00pm – 3:00pm EDT

### **Project Team 5: Business Environment (ID.BE-P)**

- 1<sup>st</sup> meeting – Tuesday, July 26 | 1:00pm – 2:00pm EDT
- 2<sup>nd</sup> meeting - TBD

### **NIST Privacy Workforce Public Working Group**

- The NIST PWWG Monthly Meeting is the 2nd Wednesday of each month.
- Wednesday, August 10, 2022 | 1:00 p.m. – 2:00 p.m. EDT

## C. NEW BUSINESS OPEN TOPICS

New Business Open Discussion Topics Drop Box is available on the [NIST Privacy Workforce Working Group](#) webpage. If you are interested in presenting a business topic during a PWWG Monthly Meeting, please visit the webpage noted above.

## D. JOIN MAILING LIST

In order to join one of the Project Teams you must subscribe to its associated mailing list. All mailing lists are moderated. Please be reminded to review adhere to the Mailing List Rules that can be found on the [NIST Privacy Workforce Working Group](#) website.

- PWWG: [PrivacyWorkforceWG+subscribe@list.nist.gov](mailto:PrivacyWorkforceWG+subscribe@list.nist.gov)
- Project Team 3 (PT3) [PrivacyWorkforcePT3+subscribe@list.nist.gov](mailto:PrivacyWorkforcePT3+subscribe@list.nist.gov)
- Project Team 4 (PT4) [PrivacyWorkforcePT4+subscribe@list.nist.gov](mailto:PrivacyWorkforcePT4+subscribe@list.nist.gov)
- Project Team 5 (PT5): [PrivacyWorkforcePT5+subscribe@list.nist.gov](mailto:PrivacyWorkforcePT5+subscribe@list.nist.gov)

## E. TROUBLESHOOTING

If you have any technical issues with meeting invitations, mailing lists, and/or accessing the Google Drives, please email NIST PWWG Support at [PWWG@nist.gov](mailto:PWWG@nist.gov).