

# NIST PRIVACY WORKFORCE PUBLIC WORKING GROUP (PWWG)

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

## MEETING MINUTES

Wednesday, August 10, 2022

1:00 P.M. ET – 2:00 P.M. ET

### I. INTRODUCTION

The 16<sup>th</sup> meeting of the National Institute of Standards and Technology (NIST) Privacy Workforce Public Working Group (PWWG) convened on Wednesday, August 10, 2022, from 1:00 P.M. ET - 2:00 P.M. ET virtually via Microsoft Teams.

Co-Chair: Dylan Gilbert, Privacy Policy Advisor, NIST, welcomed and thanked the members and Project Teams Leads for their participation. The Co-Chair provided a brief overview of the agenda that included the introduction of the Co-Leads for Project Team 5 and Project Team updates from Project Team 1: Risk Assessment (ID.RA-P), Project), Project Team 3: Policies, Processes, And Procedures (GV.PO-P, CT.PO-P, and CM.PO-P), and Project Team 4: Data Processing Ecosystem Risk Management (ID.DE-P).

### II. PWWG UPDATES

Co-Chair: Dylan Gilbert provided a brief update of the general status of the current and new PWWG Project Teams.

#### A. NIST PWWG PROJECT TEAM 5: BUSINESS ENVIRONMENT (ID.BE-P)

The PWWG Project Team 5 is scheduled to have their first meeting on Tuesday, August 16, 2022 from 1:00 PM EDT – 2:00 PM EDT. It was noted that the first meeting will be an orientation session and the Project Team will determine their meeting cadence at the conclusion of the meeting.

For reference purposes, Project Team 5 is tasked with the development of the TKS Statements for (3) Subcategories from the NIST Privacy Framework Core V1<sup>1</sup>. Business Environment (ID.BE-P) is the last Category of the IDENTIFY-P (ID-P) Function to be completed.

**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.
  - **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.

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<sup>1</sup> [NIST Privacy Framework Core](#)

The Project Team Co-Leads, Anshu Gupta and Brandi Bennett, encourage the expertise and perspectives of the NIST PWWG Membership to participate in the development process of the TKS Statements for ID.BE-P.

To join the NIST PWWG Project Team 5 Mailing List, please see the Join Mailing List Section under Section V. Next Steps and Upcoming Meetings.

#### **B. NIST PWWG PROJECT TEAM 1: RISK ASSESSMENT (ID.RA-P)**

Dylan Gilbert provided a brief background and status update of the developed Task, Knowledge, and Skill (TKS) Statements for Project Team 1. Currently, there are approximately (90) Task Statements, (60) Knowledge Statements, and (60) Skill Statements completed and approved. These final TKS Statements will be included within the PWWG TKS Statements Final (version 1) - Inventory and PWWG TKS Statements Final (version 1) – Subcategories documents in September.

The PWWG membership will have read-only access to this TKS Reference Document via the shared Google Drive<sup>2</sup> to view the final TKS Statements submitted by Project Teams. The PWWG membership will have an opportunity to provide comments and feedback on the final TKS Statements within the near future.

### **III. PROJECT TEAM UPDATES**

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

PWWG Co-Chair, Dylan Gilbert provided a brief background and status update of the Project Team 1: Risk Assessment (ID.RA-P) TKS Statements.

Project Team Co-Leads Lisa McKee, Director of Governance, Risk, Compliance and Privacy, Hudl and Lauren Jones, Privacy Counsel, Surescripts, LLC, were not present during this call.

For reference purposes, Project Team 1 is tasked with the development of the TKS Statements for five (5) Subcategories from the NIST Privacy Framework Core V1<sup>3</sup>.

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

- **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.
  - **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

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<sup>2</sup> [PWWG Reference Documents - Google Drive](#)

<sup>3</sup> [NIST Privacy Framework Core](#)

determine and prioritize risk.

- **ID.RA-P5:** Risk responses are identified, prioritized, and implemented.

PWWG Co-Chair Dylan Gilbert provided an update of Project Team 1 activities on behalf of the Project Team 1 Co-Leads. He provided acknowledgements and thanked the Project Team members, the PWWG Co-Chairs, and the NIST PWWG Team for their contributions and guidance.

The Project Team and Project Team Co-Leads have refined the TKS Statements in coordination with the PWWG Co-Chairs review and feedback.

In addition, ID.RA-P2 is still in the process of NIST internal review and discussion. The completed TKS Statements from Project Team 1 will be included within the “PWWG Reference Document” folder via the shared Google Drive<sup>4</sup> upon completion.

The Project Team is no longer accepting new members and encouraged the expertise and perspectives of the NIST PWWG Membership to participate in the new Project Teams 3, 4, and 5. To join, please see the Join Mailing List section under Section V. Next Steps and Upcoming Meetings.

#### **B. UPDATE OF PROJECT TEAM 3: POLICIES, PROCESSES, AND PROCEDURES ACTIVITIES**

Project Team Co-Leads, Dan LoPresto, Director of Privacy Compliance, University of Central Florida, and Nandita Narla, Senior Privacy Program Manager for Privacy, welcomed and thanked the new Project Team Co-Lead Alicia Christensen, VP, General Counsel, Chief Compliance Officer at National Jewish Health Principal Advisor, Frame Privacy Group, who will replace the previous Project Team Co-Lead Amin Ali. Dan LoPresto provided a brief background and status of Project Team 3: Policies, Processes, and Procedures (GV.PO-P, CT.PO-P, and CM.PO-P) TKS Statements and activities.

For reference purposes, the NIST PWWG Project Team 3: Policies, Processes, and Procedures, will create TKS Statements for (12) Subcategories from the NIST Privacy Framework Core V1.

- **CATEGORY:** 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.
  - **SUBCATEGORIES:**
    - **GV.PO-P1:** Organizational privacy values and policies (e.g., conditions on data processing such as data uses or retention periods, individuals’ prerogatives with respect to data processing) are established and communicated.
    - **GV.PO-P2:** Processes to instill organizational privacy values within system/product/service development and operations are established and in place.
    - **GV.PO-P3:** Roles and responsibilities for the workforce are established with respect to privacy.

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<sup>4</sup> [PWWG Reference Documents - Google Drive](#)

- **GV.PO-P4:** Privacy roles and responsibilities are coordinated and aligned with third-party stakeholders (e.g., service providers, customers, partners).
  - **GV.PO-P5:** Legal, regulatory, and contractual requirements regarding privacy are understood and managed.
  - **GV.PO-P6:** Governance and risk management policies, processes, and procedures address privacy risks.
  
- **CATEGORY:** 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.
  - **SUBCATEGORIES:**
    - **CT.PO-P1:** Policies, processes, and procedures for authorizing data processing (e.g., organizational decisions, individual consent), revoking authorizations, and maintaining authorizations are established and in place.
    - **CT.PO-P2:** Policies, processes, and procedures for enabling data review, transfer, sharing or disclosure, alteration, and deletion are established and in place (e.g., to maintain data quality, manage data retention).
    - **CT.PO-P3:** Policies, processes, and procedures for enabling individuals’ data processing preferences and requests are established and in place.
    - **CT.PO-P4:** A data life cycle to manage data is aligned and implemented with the system development life cycle to manage systems.
  
- **CATEGORY:** 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.
  - **SUBCATEGORIES:**
    - **CM.PO-P1:** Transparency policies, processes, and procedures for communicating data processing purposes, practices, and associated privacy risks are established and in place.
    - **CM.PO-P2:** Roles and responsibilities (e.g., public relations) for communicating data processing purposes, practices, and associated privacy risks are established.

Project Team Co-Lead, Alicia Christensen provided a brief update of Project Team 3 activities. The Project Team has currently started to review and refine the PWWG Co-Chair feedback and recommendations for GV.PO-P. It was noted that the Project Team has interesting discussions regarding the differences between the proposed statements and the Co-Chair recommendations. The PWWG Co-Chair recommendations assists with the framing and alignment of the Category definition and how Knowledge and Skill Statements align with the Task Statements.

Project Team Co-Lead, Dan LoPresto noted that the Project Team is currently in good alignment with the TKS Statements presented and the feedback from the PWWG Co-Chairs. This will be helpful to realign within other areas of the PT3 Categories. PWWG Co-Chair, Dylan Gilbert also agreed with the Project Team Co-Leads and encouraged the Project Team to continue to keep focus and working towards understanding the areas of alignment.

The Project Team will continue review and refine their TKS Statements for GV.PO-P and the PWWG Co-Chair Recommendations during their next meeting.

The Project Team Co-Leads encourage the expertise and perspectives of the NIST PWWG Membership to participate in the development process of the TKS Statements. To join the NIST PWWG Project Team 3 Mailing List, please see the Join Mailing List Section under Section V. Next Steps and Upcoming Meetings.

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

Project Team Co-Leads, Tahir Latif, Head of Practice - Data Protection, Artificial Intelligence and Analytics (APAC & EMEA) Cognizant Worldwide, Paul Lanois, Director, Fieldfisher, and Anne Connell Senior Cybersecurity Engineer, Carnegie Mellon University, were present and provided a brief update.

For reference purposes, the NIST PWWG Project Team 4: Data Processing Ecosystem, will create TKS Statements for (5) Subcategories from the NIST Privacy Framework Core V1.

**CATEGORY:** 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.

**SUBCATEGORIES:**

- ID.DE-P1:** Data processing ecosystem risk management policies, processes, and procedures are identified, established, assessed, managed, and agreed to by organizational stakeholders.
- **ID.DE-P2:** Data processing ecosystem parties (e.g., service providers, customers, partners, product manufacturers, application developers) are identified, prioritized, and assessed using a privacy risk assessment process.
- **ID.DE-P3:** Contracts with data processing ecosystem parties are used to implement appropriate measures designed to meet the objectives of an organization's privacy program.
- **ID.DE-P4:** Interoperability frameworks or similar multi-party approaches are used to manage data processing ecosystem privacy risks.
- **ID.DE-P5:** Data processing ecosystem parties are routinely assessed using audits, test results, or other forms of evaluations to confirm they are meeting their contractual, interoperability framework, or other obligations.

Project Team Co-Lead, Anne Connell provided a brief update of Project Team 4 activities. The Project Team has had (12) meetings thus far and are currently working on completing the TKS Statements for ID.DE-P1 and ID.DE-P2. The Project Team will be submitting their proposed TKS Statements for the first (2) Subcategories to the PWWG Co-Chairs for review.

Project Team Co-Lead, Anne Connell also discussed how the Project Team is ensuring that there is uniformity and the proposed TKS Statements are in alignment with the Authoring Guide<sup>5</sup>.

PWWG Co-Chair Dylan Gilbert reminded the Project Team members that the approved TKS Statements can assist as a guide in developing new TKS Statements. The TKS Statement Reference Documents are located within the shared Google Drive<sup>6</sup>.

The Project Team Co-Leads continue to encourage the expertise and perspectives of the NIST PWWG Membership to participate in the development process of the TKS Statements and continue to provide their proposed TKS Statements and comments in between meetings in preparation for discussion.

The Project Team 4 Mailing List is currently open for those interested in participating. To join the NIST PWWG Project Team 4 Mailing List, please see the Join Mailing List Section under Section V. Next Steps and Upcoming Meetings.

#### **IV. Q & A**

N/A

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

- **NEXT STEPS**

- The NIST PWWG Team will finalize the Project Team 1: Risk Assessment (ID.RA-P) TKS Statements to include within the TKS Reference Documents.
  - PWWG Co-Chair, Dylan Gilbert, provided final remarks on behalf of the Project Team 1 Co-Leads and thanked the members for their contributions and efforts to assist with the development and completion of the TKS Statements for ID.RA-P.
- Project Team 3: Policies, Processes, and Procedures (GV.PO-P, CM.PO-P, CT.PO-P) will continue to review and finalize TKS Statements for GV.PO-P. The PWWG Co-Chairs will continue to review GV.PO-P5 and GV.PO-P6.
- Project Team 4: Data Processing Ecosystem Risk Management (ID.DE-P) will continue to discuss and develop TKS Statements to submit for PWWG Co-Chair review.
- Project Team 5: Business Environment (ID.BE-P) will have the first meeting on August 16, 2022.

- **UPCOMING MEETINGS**

The upcoming meetings of the NIST PWWG and its Project Teams are noted below. For further information and updated meeting schedules, please visit the [NIST Privacy Workforce Working Group](#) website.

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<sup>5</sup> [Task Knowledge Skill \(TKS\) Statements Authoring Guide for Workforce Frameworks](#)

<sup>6</sup> [PWWG Reference Documents - Google Drive](#)

- **Project Team 3: Policies, Processes, and Procedures (GV.PO-P, CM.PO-P, CT.PO-P)**
  - Thursday, August 18, 2022 | 1:00pm EDT – 2:00pm EDT
- **Project Team 4: Data Processing Ecosystem Risk Management (ID.DE-P)**
  - Thursday, August 18, 2022 | 2:00pm EDT – 3:00pm EDT
- **Project Team 5: Business Environment (ID.BE-P)**
  - Tuesday, August 16, 2022 | 1:00pm EDT – 2:00pm EDT
- **NIST Privacy Workforce Public Working Group**
  - Wednesday, September 14, 2022 | 1:00pm ET – 2:00pm ET

- **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.

- **JOIN MAILING LIST**

All mailing lists are moderated. Please be reminded to review adhere to the Mailing List Rules that can be accessed on the [NIST Privacy Workforce Working Group](#) website.

- E-mail addresses for members to join/subscribe:
  - Privacy Workforce Working Group (PWVG): [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)

- **TROUBLESHOOTING:**

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