

From: Blatt, Rebecca <RBlatt@cityops.nyc.gov>  
Sent: Thursday, October 24, 2019 4:52 PM  
To: privacyframework <privacyframework@nist.gov>  
Subject: NIST Privacy Framework: Preliminary Draft Comments

Hello,

Please find enclosed NIST Privacy Framework: Preliminary Draft Comments from the City of New York.

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Rebecca Blatt

Senior Counsel, Legislative Affairs and Special Projects

NYC Mayor's Office of Operations

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Pronouns: she/her



October 24, 2019

Katie MacFarland  
National Institute of Standards and Technology  
100 Bureau Drive, Stop 2000,  
Gaithersburg, MD 20899

Re: NIST Privacy Framework

Dear Ms. MacFarland:

The Chief Privacy Officer for the City of New York, the Chief Technology Officer and the General Counsel to the Department of Information Technology and Telecommunications and Cyber Command, submit this comment in response to the request for information issued by the National Institute of Standards and Technology ("NIST") inviting public comment on the Preliminary Draft of the NIST Privacy Framework: A Tool for Improving Privacy through Enterprise Risk Management. The City of New York ("City") previously submitted a comment in April 2019 in response to NIST's invitation for public comment on the development of the Privacy Framework, and the City appreciates the opportunity to comment on this Preliminary Draft.

The City supports the development of a Privacy Framework that guides organizations in their efforts to manage privacy risks arising from the collection, storage, use, and sharing of individuals' information. In our previous comment, we encouraged NIST to develop a flexible, strong, and predictable framework, in harmony with other privacy and security requirements and guidance, to reduce the burdens on organizations and provide clarity to individuals. The City believes that the Privacy Framework structure, following a model similar to its Cybersecurity Framework, will enable productive consideration within organizations of managing privacy risk through the development of responsible policies and practices. The City appreciates that this framework draft is generally consistent with its privacy and information security policies and with NIST's Cybersecurity Framework.

Another key component of the City's initial comment was to ask that NIST engage meaningfully with stakeholders throughout this process. A feedback loop is critical to ensure that the privacy standards ultimately set forth are adaptable across a wide range of sectors and that input is solicited from government agencies with vested interests in advancing privacy protection initiatives and promulgating guidance and best practices. The City is pleased to see that NIST has thoughtfully considered input from the April comment.

We encourage NIST to continue to develop the Privacy Framework to ensure it can be implemented as easily as possible by multiple stakeholders, for example, small business owners who have limited English proficiency, of whom there are a significant number in New York City. In addition, we urge NIST to add language reminding organizations that work performed pursuant to a government contract, whether federal, state, or local, may impose requirements related to privacy and data security that must be factored in to the organizations' policies and practices.



The City looks forward to further opportunities to comment on this Framework Draft and engage with NIST in its work on advancing privacy protections, given the increasing risks to consumer privacy, both online and off.

A handwritten signature in black ink, appearing to read "Laura Negrón", written over a horizontal line.

Laura Negrón  
Chief Privacy Officer  
City of New York  
NYC Mayor's Office of Information Privacy

A handwritten signature in black ink, appearing to read "John Paul Farmer", written over a horizontal line.

John Paul Farmer  
Chief Technology Officer  
NYC Mayor's Office of the Chief Technology Officer

A handwritten signature in blue ink, appearing to read "Michael Pástor", written over a horizontal line.

Michael Pástor  
General Counsel, NYC Department of Information Technology and Telecommunications  
and NYC Cyber Command