

NIST PRIVACY WORKFORCE PUBLIC WORKING GROUP (PWWG)

Co-Chair: Dylan Gilbert, NIST Privacy Policy Advisor

MONTHLY MEETING MINUTES

Wednesday, November 8, 2023

1:00 P.M. ET – 2:00 P.M. ET

I. INTRODUCTION

The 29th meeting of the National Institute of Standards and Technology (NIST) Privacy Workforce Public Working Group (PWWG) convened on Wednesday, November 8th from 1:00 P.M. - 2:00 P.M. ET virtually via Microsoft Teams. There were 38 attendees.

The PWWG provides a forum for participants from the 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](#) and the National Initiative for Cybersecurity Education (NICE) [Workforce Framework for Cybersecurity](#).

PWWG Co-Chair, Dylan Gilbert, welcomed attendees and Project Teams Co-Leads. Co-Chair Doug Forman was also present on the call.

We are coming to the end of the calendar year as well as coming close to the end of the first phase of work in the PWWG. We have already spun up the first of the last three project teams, Project Team 9 (PT9) - **Data Processing Awareness (CM.AW-P)**. All three PT9 leads will introduce themselves later in the meeting.

II. PWWG UPDATE

A. TKS COMPILATION DOCUMENTS - VERSION 6

There have been several updates to this document over the last few months. The PWWG Team recently released Version 6.0 of the [TKS Compilation Inventory](#) and [TKS Compilation Mapping](#) documents. The TKS Inventory is an alphabetic listing of all Tasks, Knowledge, and Skill Statements. The TKS Mapping maps the TKS Statements to each Privacy Framework Subcategory. There are currently 234 Task Statements, 206 Knowledge Statements, and 234 Skill Statements. There are also about 40 Task, Knowledge, and Skill Statements within the TKS Baseline draft. Well over 700 TKS Statements thus far in terms of the material created. There will likely be over 1,000 Statements in the final resource. Dylan thanked the PWWG members for all their hard work thus far.

Version 6 was updated with TKS Statements from the **ID.RA-P2 Subcategory: Data analytic inputs and outputs are identified and evaluated for bias**. This is our AI flavored subcategory that is in the Risk Assessment Category. Dylan and others from the PWWG Team have been collaborating with NIST colleagues to leverage material from the AI Risk Management Framework (AIRMF) Playbook . There are 22 new Task Statements, 15 new Knowledge Statements, and 16 new Skill Statements from ID.RA-P2. This is a great first step toward having some overlapping work between AI and Privacy. In this case it is dealing with privacy risks that are associated with AI bias in data analytic inputs and outputs.

The documents are available in the PWWG Google Drive: [TKS Compilation Inventory](#) and [TKS Compilation Mapping](#). We will update those again as soon as we finish this next batch of TKS Statements from Project Teams 6,7, and 8. Once everything is complete, they will form the core part of the taxonomy. A big thank you to our AI colleagues at NIST.

B. ORIENTATION VIDEO UPDATE

The PWWG Team had hoped to have the orientation video available in time for this meeting. We are very close

but there are still loose ends like getting closed captioning, accessibility, and other technical matters. We will get that posted very soon. You do not have to be brand new if you want a refresher or are still feeling a bit lost on the different moving parts within this working group. Once available, it can be accessed on-demand. It is approximately fifteen minutes long and provides a PWWG primer with a focus on Task, Knowledge, and Skill Statement development. A message will be sent via the mailing list to the large group once it becomes available.

C. TKS BASELINE

Over the course of the past couple of years, we have found that a particular set of statements have been popping up repeatedly. They frequently come up because they are applicable across the NIST Privacy Framework. We have spent more time than necessary talking about these types of things. We want to focus on things that are more applicable to a given Subcategory. It is late coming, but we did finally put together the beginnings of a draft TKS Baseline. Foundational Tasks, Knowledge, and Skill Statements that are applicable across the Privacy Framework Core.

These will be things like knowledge of privacy laws, standards and best practices, skills in applying those laws to risk management activities, communication skills, collaboration skills with stakeholders, advocacy skills, etc. All the types of stuff you need to have as a baseline no matter where you are in the NIST Privacy Framework.

We will make this a finalized package over the course of the next few months as we make our way towards finishing our work product. We want to keep it as part of the taxonomy somewhere. The PWWG group will discuss how to package that up when the time comes. In the meantime, the TKS Baseline has been put into the workbooks as an additional tab. There will be a separate tab within Project Teams 9, 10, and 11 workbooks that house this baseline. It is a draft baseline so it will change. As a member of a project team feel free to add comments or suggestions within that tab to new TKS Statements. We put it in there so that we can easily reference back to the baseline. People will not spend time on Statements that have already been done. Hopefully, this will smooth that process out. It will also give us an opportunity to start crowd sourcing edits and other updates to the baseline during the work period of the final three project teams.

There are about 40 Baseline TKS Statements and they will be in the new tab. If you are already a member of PT9 you can view that tab within the workbook. We are also putting a process in place so that the team leads can provide reference to the TKS baseline within their spreadsheets to note which baseline TKS are applicable within a given context. We will sandbox that strategy in PT9 and get a sense of how it is working to the extent that there may need changes or improvements for Project Teams 10 and 11. We think it is a great step forward and look forward to seeing how this body of TKS Statements take place and incorporate things like competencies. We will keep refining this material as we make our way through the next few months.

III. Project Team Updates

A. UPDATE OF PROJECT TEAM 6: RISK MANAGEMENT STRATEGY

GOVERN-P (GV-P): Develop and implement the organizational governance structure to enable an ongoing understanding of the organization's risk management priorities that are informed by privacy risk.

- **Risk Management Strategy (GV.RM-P):** The organization's priorities, constraints, risk tolerances, and assumptions are established and used to support operational risk decisions.
 - **GV.RM-P1:** Risk management processes are established, managed, and agreed to by organizational stakeholders.
 - **GV.RM-P2:** Organizational risk tolerance is determined and clearly expressed.
 - **GV.RM-P3:** The organization's determination of risk tolerance is informed by its role(s) in the data processing ecosystem.

Project Team 6 (PT6) Co-Lead, Dana Garbo, Medline, provided the update for the team. James Koons is Dana's

Co-Lead. Dana is very bullish on the NIST Privacy Framework. She wanted to be a Project Team Lead for PT6 because she feels it is the essence of what we are trying to do with the Privacy Framework. PT6 is close to being done. Dana hopes by the end of next week the team will have their last subcategory completed.

Govern is a huge Function in the NIST Privacy Framework. Governing is about leadership. For Dana, this is the essence of the NIST Privacy Framework. Dylan's explanation of the TKS Baseline is critical to help the rest of the Project Teamwork go faster. Dana personally struggled with helping the project team stay out of the areas that the TKS Baseline was already covering. One learns a lot as a Project Team lead as well as a Project Team participant. It is an amazing opportunity. She cannot wait to see what ends up being the final taxonomy. Dana fully intends on using it once it is finalized.

Reflecting on Project Team 6, Govern, and the importance of Risk Management Strategy, before you can upscale an organization to better manage privacy risk, you must understand what your organization's risk tolerance is. Sometimes that is expressed clearly. Sometimes it is not. That has been a very fun thing to explore with Project Team 6. Everybody knows how risk is expressed. There are great people that have participated on Project 6 Team to help work out these considerations.

Dylan mentioned that some of the focus of the debate and discussion is that with this taxonomy it is supposed to be usable for any organization. How to cater to all the organizations is always a challenge with the Privacy Framework. It has led to good conversations for teasing out what it means or what are the activities to put in place if there is not one or just a risk management strategy writ large. It was a good and helpful conversation. PT6 is in the middle of P3 which is their final subcategory.

The team is close. The goal is to have the work finished by the end of next week. There will only be one or two more sessions.

Next meeting is Thursday, November 16th at 1:00pm ET. Feel free to join. After the team has completed their work, it will be between the Co-Chairs and Co-Leads to flush the rest out. If anything needs to be brought back to the larger group for discussion, meetings will be held on an ad-hoc basis.

Dana noted that the team is still open to new members who would like to help. Please join the team or leave a comment in the workbook.

B. UPDATE OF PROJECT TEAM 7: Awareness and training (GV.AT-P)

GOVERN-P (GV-P): Develop and implement the organizational governance structure to enable an ongoing understanding of the organization's risk management priorities that are informed by privacy risk.

- **Awareness and Training (GV.AT-P):** The organization's workforce and third parties engaged in data processing are provided privacy awareness education and are trained to perform their privacy-related duties and responsibilities consistent with related policies, processes, procedures, and agreements and organizational privacy values.
 - **GV.AT-P1:** The workforce is informed and trained on its roles and responsibilities.
 - **GV.AT-P2:** Senior executives understand their roles and responsibilities.
 - **GV.AT-P3:** Privacy personnel understand their roles and responsibilities.
 - **GV.AT-P4:** Third parties (e.g., service providers, customers, partners) understand their roles and responsibilities.

Dylan Gilbert provided the Project Team 7 (PT7) update. The team completed their work and sent their TKS Statements to the Co-Chairs for review. The Co-Chairs have completed their review and Dylan will meet with the PT7 Team Leads to review the comments and resolve any issues. To the extent that there may be unresolved issues to discuss with the Project Team an ad-hoc meeting will be held, as necessary.

The next step is making sure that the material put together within Project Team 7 is consistent with [NIST SP 800-50: Building an Information Technology Security Awareness and Training Program](#). A couple of changes have

been made around things like terminology. We have also made sure it is consistent with the [National Initiative for Cybersecurity Education \(NICE\) Program](#) at NIST. We are close to finalizing that material and will put it in the compilation document as Version 7.

Thank you to the Project Team 7 Leads for doing a great job leading as well as to all the participants of the Project 7 Team.

C. UPDATE OF PROJECT TEAM 8: DATA PROCESSING MANAGEMENT (CT.DM-P)

CONTROL-P (CT-P): Develop and implement appropriate activities to enable organizations or individuals to manage data with sufficient granularity to manage privacy risks.

- **Data Processing Management (CT.DM-P):** Data are managed consistent with the organization's risk strategy to protect individuals' privacy, increase manageability, and enable the implementation of privacy principles (e.g., individual participation, data quality, data minimization).
 - **CT.DM-P1:** Data elements can be accessed for review.
 - **CT.DM-P2:** Data elements can be accessed for transmission or disclosure.
 - **CT.DM-P3:** Data elements can be accessed for alteration.
 - **CT.DM-P4:** Data elements can be accessed for deletion.
 - **CT.DM-P5:** Data are destroyed according to policy.
 - **CT.DM-P6:** Data are transmitted using standardized formats.
 - **CT.DM-P7:** Mechanisms for transmitting processing permissions and related data values with data elements are established and in place.
 - **CT.DM-P8:** Audit/log records are determined, documented, implemented, and reviewed in accordance with policy and incorporating the principle of data minimization.
 - **CT.DM-P9:** Technical measures implemented to manage data processing are tested and assessed.
 - **CT.DM-P10:** Stakeholder privacy preferences are included in algorithmic design objectives and outputs are evaluated against these preferences.

Dylan Gilbert provided the Project Team 8 (PT8) update. The Leads are doing a great job with a very big Category. They have ten Subcategories that are focused on the data processing management topic. It involves putting technical controls in place to enact data policy. **CT.DM-P10: Stakeholder privacy preferences are included in algorithmic design objectives and outputs are evaluated against these preferences.** This one is AI flavored as well. They will be talking to the AI Team at NIST about potential material from the AIRMF to leverage here. In the meantime, PT8 has made its way through the first six subcategories. They are currently working on **CT.DM-P7**. Everything within the Control Function is more technically oriented. They have more technical folks both leading and participating. The group is open to everybody. Anyone is welcome to join. There is still a good amount of time to contribute to their work.

D. INTRODUCTION OF PROJECT TEAM 9: DATA PROCESSING AWARENESS (CM.AW-P)

COMMUNICATE-P (CM-P): Develop and implement appropriate activities to enable organizations or individuals to manage data with sufficient granularity to manage privacy risks.

Data Processing Awareness (CM.AW-P): Individuals and organizations have reliable knowledge about data processing practices and associated privacy risks, and effective mechanisms are used and maintained to increase predictability consistent with the organization's risk strategy to protect individuals' privacy.

- **CM.AW-P1:** Mechanisms (e.g., notices, internal or public reports) for communicating data processing purposes, practices, associated privacy risks, and options for enabling individuals' data processing preferences and requests are established and in place.

- **CM.AW-P2:** Mechanisms for obtaining feedback from individuals (e.g., surveys or focus groups) about data processing and associated privacy risks are established and in place.
- **CM.AW-P3:** System/product/service design enables data processing visibility.
- **CM.AW-P4:** Records of data disclosures and sharing are maintained and can be accessed for review or transmission/disclosure.
- **CM.AW-P5:** Data corrections or deletions can be communicated to individuals or organizations (e.g., data sources) in the data processing ecosystem.
- **CM.AW-P6:** Data provenance and lineage are maintained and can be accessed for review or transmission/disclosure.
- **CM.AW-P7:** Impacted individuals and organizations are notified about a privacy breach or event.
- **CM.AW-P8:** Individuals are provided with mitigation mechanisms (e.g., credit monitoring, consent withdrawal, data alteration or deletion) to address impacts of problematic data actions.

The PWWG Team is very excited to get Project Team 9 (PT9) up and running. PT9 is the Data Processing Management (**CT.DM-P**) team. Dylan has already met with the Team Leads to create material for the project team. The team will launch next week.

Shoshana Rosenberg, Founder and General Counsel, SafePorter noted that she thinks that the TKS Baseline already established is a tremendous utility. PT9 started at a really good time. It is lovely to be here. Stuart Lee, Chief Privacy Officer, VMware, Inc, looks forward to meeting everybody over the coming weeks and months as PT9 gets underway. Paul Lanois, Partner, Fieldfisher noted how great it is to see everyone again and looks forward to meeting new people during the duration of PT9.

Dylan noted that there are eight subcategories within CT.DM-P. It is a sizable chunk of the Privacy Framework that Shoshana, Stuart, and Paul will be leading PT9 through. It is a very important category. We are thrilled to have this group of experts lead us. The first meeting will take place next Thursday, November 15, 2023, at 2:00pm ET.

IV. Q & A

Q: How long will the public be given to review and provide a final round of feedback on the entire set of TKS Statements?

A: The PWWG will put a request for comment out on the Federal Register. There will be a full public comment period on the initial draft. It will be a sizable amount of material for our stakeholder community to ingest and come up with comments. Dylan anticipates a standard public comment period from NIST. Everyone will get an opportunity to weigh in on the entire public draft. It will be released much like the Privacy Framework to the extent that there will likely be the main taxonomy, a narrative component, some appendices, and an opportunity to do a fulsome comment on anything and everything within that. Please make sure you weigh in on the full taxonomy. NIST will take those comments and incorporate that feedback into the final version of the taxonomy for the release next year.

V. NEXT STEPS & UPCOMING MEETINGS

A. NEXT STEPS

Join a project team! The mailing lists are now live. Sign up for any team or all the teams! Team Leads will soon send out a welcome note via the Google Group mailing list.

- PT6 (GV.RM-P): PrivacyWorkforcePT6+subscribe@list.nist.gov
- PT7 (GV.AT-P): PrivacyWorkforcePT7+subscribe@list.nist.gov
- PT8 (CT.DM-P): PrivacyWorkforcePT8+subscribe@list.nist.gov

- PT9 (CM.AW-P): PrivacyWorkforcePT9+subscribe@list.nist.gov

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 6 (PT6)

- Next Meeting: Thursday, November 16, 2023 | 1:00pm – 2:00pm ET

Project Team 7 (PT7)

- Third Meeting: As needed – TBD.

Project Team 8 (PT8)

- Third Meeting: Thursday, November 16, 2023 | 11:00am – 12:00pm ET

Project Team 9 (PT9)

- Kick off Meeting: Wednesday, November 15, 2023 | 2:00pm – 3:00pm ET

NIST Privacy Workforce Public Working Group

- Wednesday, December 13, 2023 | 1:00pm – 2:00pm ET

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. 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.

E. JOIN MAILING LIST

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

- PWWG: PrivacyWorkforceWG+subscribe@list.nist.gov
- PT6 (GV.RM-P): PrivacyWorkforcePT6+subscribe@list.nist.gov
- PT7 (GV.AT-P): PrivacyWorkforcePT7+subscribe@list.nist.gov
- PT8 (CT.DM-P): PrivacyWorkforcePT8+subscribe@list.nist.gov
- PT9 (CM.AW-P): PrivacyWorkforcePT9+subscribe@list.nist.gov

The minutes and slide decks from all of the PWWG Meetings are posted on the [NIST PWWG Webpage](#). The meeting minutes and slide decks from all Project Team meetings are posted on the respective team's Google Drives.