



## MEETING MINUTES Data Privacy and Integrity Advisory Committee

The Data Privacy and Integrity Advisory Committee (DPIAC) convened at 10:00 a.m. on Tuesday, October 27, 2020, over Microsoft Teams and teleconference.

### Committee Members Present:

- Lisa Sotto, Chairperson
- Sharon Anolik
- Dennis Dayman
- Lynn Goldstein
- John Kropf
- Charles Palmer
- Chris Teitzel
- Toke Vandervoort
- Ron Whitworth

### Additional Participants:

- Dena Kozanas, Chief Privacy Officer, U.S. Department of Homeland Security
- Karen S. Evans, Chief Information Officer, U.S. Department of Homeland Security
- David Lindner, Privacy Office, U.S. Department of Homeland Security
- Nicole Sanchez, Designated Federal Official, Data Privacy and Integrity Advisory Committee, Privacy Office, U.S. Department of Homeland Security

### Call to Order and Roll Call

Designated Federal Official Nicole Sanchez called the Committee meeting to order and took attendance. All Committee Members present.

### Chairperson Remarks

Chairperson Lisa Sotto welcomed Committee Members, speakers, and members of the public and gave an overview of the meeting agenda before turning the floor over to Chief Information Officer Karen Evans to present.

### Presentation – Cloud Technology in the Virtual Work Environment, Karen S. Evans, Chief Information Officer, U.S. Department of Homeland Security

Chief Information Officer (CIO) Evans opened her presentation with a discussion of cloud services and major initiatives in the current primarily-telework environment and highlighted the Department's actions to address a constantly changing threat landscape.

In response to questions from Committee members, CIO Evans added to her explanation of the Department's work to address changes in the threat environment. She also addressed the scope of applications and usage of applications. She also addressed the need to examine business



practices in a virtual environment, the role of the Chief Data Officer Directorate, and the need to partner with the Chief Privacy Officer in these initiatives.

## **Chief Privacy Officer Remarks**

Chief Privacy Officer (CPO) Kozanas spoke to growing importance of the DHS Privacy Office's mission considering changes to Department operations and technology, and the critical role the Data Privacy and Integrity Advisory Committee (DPIAC) plays in creating thoughtful privacy policies. She added that her priority as the DHS Chief Privacy Officer is to create a forward-leaning DHS headquarters element that serves the needs of a mature Department and shared some of the successes of the DHS Privacy Office's Fiscal Year 2020.

CPO Kozanas noted that re-constituting the DPIAC is an important part of her strategy, particularly in creating thoughtful policies, and noted its previous contributions and thanked the Committee members and the members of the public joining the meeting and for their interest in helping to ensure that DHS has a world-class privacy program.

## **Presentation – DHS Information Sharing Environment, David Lindner, Senior Director, Privacy Policy and Oversight, Privacy Office, U.S. Department of Homeland Security**

Mr. Lindner discussed why DHS reviews information sharing agreements, including requirements from an Office of Management and Budget memorandum and DHS issuances. Mr. Lindner noted the challenges due to the large volume of agreements, and variations in Component missions and understanding of privacy requirements.

In response to Committee questions, Mr. Lindner addressed how the Privacy Office determines what constitutes personally identifiable information and noted that information sharing agreements include provisions for restricting onward dissemination of DHS data and that IT security handles the technological implementation of these controls.

## **Committee Tasking – Information Sharing**

Committee Chairperson returned the floor to CPO Kozanas for presentation of the Committee tasking.

CPO Kozanas advised that pursuant to the briefings provided, she requests that the Committee:

- 1) Consider the Department of Homeland Security's (DHS) transition to cloud service technologies and the enhanced capabilities this transition has provided the Department during the COVID-19 telework environment to determine if there are associated privacy risks that would merit a near term tasking.
- 2) Provide written guidance on best practices to ensure the effective implementation of privacy requirements for information sharing across the DHS enterprise. Specifically, I ask that the Committee address the following:



- a. How can the DHS Privacy Office better engage offices and Components to improve consistency in meeting information sharing requirements related to privacy?
- b. How can the DHS Privacy Office provide better oversight of the privacy protections included in information sharing agreements? Are there specific metrics that can be utilized and written into these agreements?
- c. Are there other considerations necessary to effectively implement privacy requirements into DHS information sharing activities?

CPO Kozanas requested that a determination for tasking one and a draft response for tasking two be provided by March 31, 2021.

Committee Chairperson Sotto requested that Committee Members provide the Designated Federal Official with their tasking interest.

## **Public Comments**

Chairperson, Lisa Sotto noted that one individual registered to provide comment to the Committee and turned the floor over to Jake Wiener, Surveillance Oversight Fellow, Electronic Privacy Information Center

Mr. Wiener thanked CPO Kozanas for the Committee tasking on information sharing. Mr. Wiener encouraged the Committee to focus on fusion centers and noted reports indicating that many privacy and civil liberties violations occur in fusion centers. Mr. Wiener asked the Committee to review whether fusion centers are complying with privacy requirements, particularly regarding the use of facial recognition technology and requested the Committee investigate whether fusion centers are complying with data minimization and retention requirements and recommend standardized controls to ensure data is not kept beyond retention periods. Mr. Wiener also asked the Committee to look at overall value of fusion centers.

Chairperson, Lisa Sotto invited comments from other members of the public. There were none.

## **Closing Statements and Meeting Adjournment**

Chairperson, Lisa Sotto invited members of the public to provide written comment to the Committee by emailing [privacycommittee@hq.dhs.gov](mailto:privacycommittee@hq.dhs.gov). Advised members of the public that as per Federal Advisory Committee Act requirements, all written public comments will be posted for public inspection. Advised attendees that Committee session minutes will be posted on the Committee Website.

The meeting adjourned at 11:25 am.