

**STATE, LOCAL, TRIBAL, AND PRIVATE SECTOR
POLICY ADVISORY COMMITTEE (SLTPS-PAC)
July 29, 2021**

SUMMARY MINUTES OF THE MEETING

The SLTPS-PAC held its twentieth meeting on Wednesday, July 29, 2021, at 10:00 a.m., by teleconference, because of COVID-19 access restrictions. Mark A. Bradley, Director, Information Security Oversight Office (ISOO), chaired the meeting, which was open to the public. The following minutes were finalized and certified on September 30, 2021.

(The meeting minutes and the official transcript of the proceedings are available at <https://www.archives.gov/isoo/oversight-groups/sltps-pac/committee.html>.)

I. Welcome, Introductions, and Administrative Matters (Reference transcript pages 1–6.)

The Chair welcomed the attendees and participants. He introduced two new SLTPS members: Jeffrey Imsdahl, Deputy Chief Security Officer and Senior Director, Systemic Monitoring Analysis and Resilience Services, Xcel Energy, Minneapolis, Minnesota, and Kevin Klein, Director, Colorado Division of Homeland Security and Emergency Management. Mr. Imsdahl and Mr. Klein fill vacancies left by Jessica Davenport and Tiffany Kleemann. On the federal side, he reported that Charlie Rogers has retired. Mr. Rogers was involved with the SLTPS-PAC since the beginning. He served as the DHS Vice Chair from 2018 to 2020 and as the alternate from 2020 to his retirement. The Chair announced that, pending formal notification, Ricardo Duran will be assuming the role of the DHS alternate. (See Attachment 1 for a list of meeting participants.)

II. New Business (Part 1) (Reference transcript pages 6–8.)

Controlled Unclassified Information (CUI) Program Update

Evan Coren, CUI Staff, ISOO

Evan Coren, Controlled Unclassified Information Staff, ISOO, provided an update on the Controlled Unclassified Information (CUI) Program. He began by noting that, in the last annual report, 90 percent of the agencies reported that they would have their CUI policy completed by the end of 2021, and 90 percent reported they would have their fiscal and cybersecurity safeguards done by then as well. He also reported that the CUI staff is working closely with the General Services Administration and the Department of Defense (DoD) to get the CUI Federal Acquisition Regulation (FAR) clause out, which will streamline the contracting process and provide a common approach to contracts that go forward. In addition, Mr. Coren reported that the CUI staff is engaged in an ongoing conversation with Microsoft regarding challenges that agencies are having with Microsoft Office 365 security labels. He noted that the CUI staff is open to any contract vendor that is interested in contacting them about any issues they might be having.

Mr. Coren reported that a number of working groups have been established for agency engagement on data destruction and word processing. He also noted that the CUI staff wants to get CUI implemented into international agreements. Observing that there are already a lot of international agreements that have information sharing provisions, he indicated they want to ensure that they are

moving forward with a common approach. He reported that the State Department would be leading this effort.

Mr. Coren stated that the CUI staff is working on a variety of projects to streamline the CUI registry to make it as uniform as possible. The privacy index is being tackled first, starting with the CUI registry committee and the Privacy Council. Next, they will examine the law enforcement categories; they have already had some engagement with the Department of Justice on that. After that, they will look at archaeological resources, historical preservation, and National Park Services, the park system resources category. They have started engagements with the Department of the Interior and the Advisory Council on Historic Preservation, and they broadened that group at the last registry committee meeting, adding the Department of Energy, the Nuclear Regulatory Commission, and the Department of Agriculture. Mr. Coren reported that this issue was brought to the attention of the CUI staff by the military departments that indicated they had a number of Tribal sites on their bases that use these categories and they wanted to ensure that they were addressing the issue in the same way as the Department of the Interior. The Department of the Interior is now leading the effort and has brought to the table the Bureau of Indian Affairs, as well as Tribal partners, including Diane Hunter, a Tribal probation officer for the Miami Tribe of Oklahoma.

III. Old Business (Reference transcript pages 8–19.)

Updates from the DFO

Report on Action Items from the January 27, 2021, SLTPS-PAC Meeting

Greg Pannoni, SLTPS-PAC Designated Federal Officer

Associate Director, Operations and Industrial Security, ISOO

Mr. Pannoni reported on the four action items from the January 27, 2021, SLTPS-PAC meeting.

- *Report on Action Item 1 from 1/27/2021: The FBI will provide an update at the July 28, 2021, SLTPS-PAC meeting on the status of the process to provide its SLTPS security clearance data to the DSCA, to include, if possible, the effort to identify non-task force officers in their systems for inclusion in the data transfers. (Reference transcript pages 9–13.)*

Mr. Pannoni turned to Scott Gerlach, the FBI alternate, for the update. Mr. Gerlach introduced Steve Stern and Felicia Savoy, who joined him for support on the technical side of the topic. He began by providing a recap of the topic from the previous meeting, noting that the FBI has been working to download clearance information for state, local, Tribal and private sector personnel, whose clearances are held by the FBI, into the Central Verification System (CVS). Mr. Gerlach reported that the transfer of the 9,163 task force officer clearances was completed in late March and has been tested. He noted that moving forward, the process will not be completely automated. Rather, it will require the FBI to push monthly reports to the NPT2 portal that will include adds, deletes and changes of clearances, all of which will be included in the CVS. Mr. Gerlach stated that, at this time the FBI considers that part of the project complete. He indicated that it was his understanding that there are currently no plans to include any other data sets to include non-task force officers into the data transfer to CVS. He recognized that there's been an expectation that some

additional data sets would be included and reported that he spoke with Marie Bernoi the day before the meeting, who informed him that if there is a desire to add additional data sets that that would need to be discussed and those requirements would need to be provided to the FBI to make that formal decision.

Mr. Pannoni responded that the discussion with the FBI about non-task force type personnel for whom the FBI holds clearances under this program should be taken up subsequent to this meeting. Mr. Gerlach inquired if there is an example of a non-task force officer that would be need to be included. Mr. Pannoni noted that the requirements for the database are that it must include all state and local government, non-national security program, private sector and Tribal personnel that are cleared under this State, Local, Tribal, and Private Sector program by various government agencies. So, to the extent that the Bureau or any other agency has cleared SLTPS individuals, they should be included in the database. The idea is that there would be a fulsome database of SLTPS-PAC personnel that are cleared. Mr. Gerlach indicated that he would take that item back to Ms. Bernoit, discuss it, and see where we go from here on that.

The Chair asked the SLTPS-PAC members to provide an example of somebody who would not be on a task force but has a clearance. Marc Sachs, SLTPS-entity Vice Chair responded that it's really a matter of urgency, if there's an emerging situation where the government is aware of either a private entity, a privately owned asset, or a state and local or Tribal entity. If something is emerging quickly and there is need to get in touch with somebody with a clearance, it is necessary to be able to have a one-stop place where someone can look up the organization, find an individual, and get his clearance level and phone number. This way information can be provided to the affected entity rapidly rather than having to go through all the hoops of finding the local FBI field office. Kevin Klein provided an example of an analyst in a fusion center who received the initial clearance through the FBI, who, like his cybersecurity analysts, is not tasked to the task force but working in the fusion center. Mr. Sachs added that it is a matter of timeliness and urgency or that you may need a partner to help analyze something when you don't understand what's being seen and perhaps there is somebody from that group can help. It's something that has been hard to do over the decades because if you're not in an analyst role or have a Rolodex filled with people who are cleared, it has been hard to find a central location where you can look up an organization to find out who has the clearances and get ahold of them quickly to help with whatever the situation is. The Chair asked Mr. Gerlach if this helps. He responded, yes, and indicated that he will take this information back to the team and provide them the feedback. Then, the FBI will either provide a new update or this issue may need to be discussed offline until the FBI gets an idea of exactly how to move forward. The Chair complemented the FBI on their excellent work and expressed his appreciation, noting that, although a bit more needs to be done, the Committee appreciates what has been accomplished.

ACTION ITEM 1: With regard to the inclusion of clearance data in the CVS for non-task force SLTPS personnel cleared by the FBI, Scott Gerlach, FBI alternate, will share with the FBI team responsible for the data transfers, the information discussed at the July 2021 SLTPS-PAC meeting regarding the requirements for and the importance of having a full and complete accounting of all cleared SLTPS personnel in a central database. The FBI will provide a new update on the issue or will re-engage with the SLTPS-PAC staff to determine how to move forward.

- *Report on Action Item 2 from 1/27/2021: When COVID-19 restrictions have eased, ISOO will host a meeting in its SCIF with the ODNI, and other entities as appropriate, to examine why the Intelligence Community is unable to determine the current number of SLTPS personnel that it has cleared and to seek a means obtain this information. Until then, the issue is tabled. (Reference transcript page 13.)*

Mr. Pannoni recounted that this discussion was initiated at least one or two meetings ago, but, due to the sensitivities of the data, the ODNI wanted to have that discussion in a SCIF. With the COVID restrictions still in place at the National Archives, it has not been possible to host such a meeting, and as the Chair advised, at this time it's still unknown specifically when that will be possible. As a consequence, the issue remains tabled.

ACTION ITEM 2: When COVID-19 restrictions have eased, ISOO will host a meeting in its SCIF with the ODNI, and other entities as appropriate, to examine why the Intelligence Community is unable to determine the current number of SLTPS personnel that it has cleared and to seek a means obtain this information. Until then, the issue remains tabled.

- *Report on Action Item 3 from 1/27/2021: ISOO will continue to seek to identify and review policies relevant to discussions about allowing access to classified information at home to ascertain what the policies permit and what they do not permit. (Reference transcript page 14.)*

Mr. Pannoni reported that ISOO has not identified other policies in addition to those reported at the January meeting. In addition, he noted a key point for the SLTPS-PAC: we are unaware of any policies that would allow a non-federal employee to access classified information from a personal residence. That, coupled with the fact that, with the easing of COVID restrictions a number of agencies will start to return to normal operations, Mr. Pannoni proposed that this item could be closed, subject to any objections from the Committee members. There were no objections, and the action item was closed.

- *Report on Action Item 4 from 1/27/2021: ISOO will schedule and hold the next meeting of the Cyber Threat Information Sharing Working Group prior to the next SLTPS-PAC meeting. (Reference transcript pages 14–19.)*

Mr. Pannoni began his report by providing some context. He noted that on a number of occasions, the Cyber Threat Information Sharing working group participants had spoken of the need to better understand the current situation with regard to the sharing of cyber threat information before the group could make recommendations to improve it. With that in mind, the Department of Homeland Security was asked to provide an assessment of the As-Is state of cyber threat information sharing with the state, local, Tribal, private sector partners. In response DHS provided extensive information on the subject. This information was provided to the working group participants, who were requested to review it in

preparation for the working group meeting, which was held in mid-May. The aim was to help the working group reach a shared understanding of the current state of cyber threat information sharing enterprise, which would enable them to make informed recommendations for improvement. In attendance at the working group meeting was Carole Kelliher from the Cybersecurity and Infrastructure Security Agency (CISA). Ms. Kelliher highlighted actions that CISA is taking to improve the sharing of cyber threat information. She shared a wealth of information and engaged in a lively and frank discussion with the working group participants.

Towards the end of the meeting, the working group turned to the topic of recommendations for consideration by the Chair, and it was decided that the participants would submit their final recommendations for consideration. Those who previously submitted recommendations agreed to reconsider them in light of the discussions subsequent to their submission and with an eye towards ensuring that they are specific to the purpose and authority of the PAC.

The working group members submitted 15 recommendations: 7 from the private sector participants and 8 from the federal government participants. Before sharing the recommendations with the full PAC membership or making a determination regarding which recommendations to move forward, the Chair wanted to obtain input from the two SLTPS Vice Chairs: the SLTPS-entity Vice Chair and the DHS Vice Chair. Marc Sachs, the SLTPS-entity Vice Chair has provided feedback. DHS indicated that it continues to coordinate with CISA on the recommendations provided by the working group, which entails examining what is being done now that addresses the recommendations and what can be done to close any gaps if a recommendation is accepted to be feasible and executable. Once DHS provides its comments, the Chair will review all the recommendations and feedback and communicate potential ways forward with the full PAC membership.

As a sidebar, Mr. Pannoni noted that a national security memorandum on improving cybersecurity for critical infrastructure controls systems was issued the day before the meeting. He indicated that it was sent by the SLTPS-PAC staff to the Committee membership. Mr. Pannoni observed that a lot has been happening in this space, but clearly a lot more needs to be done to modernize our cyber defenses. He stated, quoting a senior administration official, we are woefully insufficient in our cybersecurity posture.

Mr. Sachs followed with some additional information related to the Cyber Threat Information Sharing Working Group. He reported that, at the meeting in May, CISA mentioned a Critical Infrastructure Partnership Advisory Council (CIPAC) group that has also been working on information sharing and providing recommendations to CISA. He indicated that he has been participating in the CIPAC group since then, noting that it fairly robust, with lots of good information going back and forth. However, he observed that it still appears that CISA is struggling a bit with where they position themselves in the flow of information, the things that the government knows, the things that the private sector knows, and how to mix that together to produce useful early warning bulletins, advisories, and so forth.

Rich McComb, the DHS Vice Chair, Chief Security Officer, DHS, noted that Brian Ware and later Carole Kelliher from CISA provided the current state of CISA's information

sharing environment to the SLTPS-PAC and the working group. He observed that CISA has been very much engaged in the business of helping enhance cybersecurity across the U.S. government in light of recent events, including SolarWinds, the Microsoft Exchange, and ransomware. He confirmed that the working group recommendations are being coordinated with CISA to provide formal comments on the 15 recommendations. He stated that they do believe that some of the recommendations are being addressed, though perhaps not completely. He observed that this is a work in progress in some of these areas with regard to determining exactly the level of sharing and when that information should be shared. He also stated that some of the recommendations are probably outside the scope of the SLTPS-PAC and that they will have some recommendations that will require engagement with the National Security Council (NSC), which is running a policy committee in this area. Mr. McComb indicated that there will be more to follow and stated that they are committed to providing their responses in short order.

Mr. Pannoni indicated that he agreed with all of these comments and added that he thinks that a whole-of-government effort is needed to address these thorny issues and that funding comes into play with some of this as well.

ACTION ITEM 3: The DHS Vice Chair will provide DHS’s formal comments on the 15 recommendations of the Cyber Threat Information Sharing Working Group. The Chair will review the all the recommendations and the comments from the DHS Vice Chair and the SLTPS-entity Vice Chair. The Chair will then determine potential ways forward and communicate them to the SLTPS-PAC membership.

IV. New Business (Part 2)

Department of Homeland Security (DHS) SLTPS Security Program Update

(Reference transcript pages 19–20.)

Ricardo Duron, Chief, Compliance, Standards, and Training Division, Office of the Chief Security Officer, DHS

Ricardo Duron, Chief, Compliance, Standards, and Training Division, Office of the Chief Security Officer, DHS, provided an update on the SLTPS security program. He began by outlining some general statistics for this fiscal year that relate to the SLTPS-PAC: DHS has performed four room certifications and audited 12 fusion centers. He stated that there are approximately 9,000 SLTPS partners with DHS-sponsored clearances, of which 80 percent have a Secret clearance and 12 percent are at the Top Secret level. He observed that there have been no major deviations from these numbers, as they have been consistently maintained pre- and post-pandemic.

Mr. Duron reported that, as the end of the fiscal year approaches, DHS has taken the opportunity to revise all of its SLTPS governance documents and its accreditation forms to ensure they are aligned with DHS and U.S. government policies that were developed throughout the year. He also reported that, because all of the performance audits were completed remotely this past year, for the upcoming fiscal year 2022, his team anticipates leveraging various auditing methodologies that will include a combination of both on-site engagements and remote audits. He stated that this is all dependent on the state of the nation with the pandemic, but he indicated that his division stands

ready to move forward in whatever environment that presents itself to fulfill their compliance and oversight responsibilities.

V. General Open Forum/Discussion (Reference transcript pages 20–25.)

The Chair began the open forum by asking the new SLTPS-entity members to introduce themselves.

Jeff Imsdahl, Senior Director of Xcel Energy, Enterprise Security and Emergency Management, and Deputy Chief Security Officer, reported that he is responsible for physical and cyber threat intel, the advanced capabilities group, and the combined enterprise command center, which includes physical, cyber, and all hazards. He stated that he appreciates being on the SLTPS-PAC and gaining an understanding where things stand with clearances. He expressed his hope that everything that we do from an information standpoint will help both the government as well as the private sector to be able to share information more freely as we go forward. Mr. Imsdahl thanked the Chair for the opportunity to serve.

Kevin Klein introduced himself as the Director of the Colorado Division of Homeland Security and Emergency Management, and as Governor Polis's Homeland Security Advisor. He reported that he serves on the National Governors Association, and the Homeland Security Advisory Committee's executive committee. He indicated that he has an interest in addressing emerging threats and sharing information with some more or less traditional state partners. Mr. Klein stated that he is excited to be part of this group and advised if anybody needs him or has anything that he can help with, to let him know.

The Chair thanked Mr. Imsdahl and Mr. Klein, and expressed that he and the Committee members are pleased to have them as part of this process.

Mr. Sachs asked the first question of the open forum discussion. He began by reminding the membership that at the January meeting he had asked about the new administration and the appointment of a National Cyber Director at the White House. Next, he inquired if, during the first six months of the administration, there has been anything of interest to the committee or anything that the administration wants the Committee to look at. The Chair indicated that he was not aware of anything along those lines. Mr. Pannoni noted that the administration has been working on a number of initiatives, such as the national security memorandum on improving cybersecurity for critical infrastructure and establishing an industrial control system cybersecurity initiative. They have also done some pilots with the electrical sector and are moving on the oil and gas pipeline. However, he indicated that he was not aware of any communications between the Committee and the Cyber Director at the White House. Mr. McComb added that he was not aware of any particular efforts to reach out and observed that this might be a great opportunity to do that. The Chair suggested that the Committee invite someone from the staff of the National Cyber Director to provide a briefing at the next SLTPS-PAC meeting in January.

ACTION ITEM 4: ISOO will reach out to the staff of the National Cyber Director, possibly through contacts at the National Security Council, to arrange a briefing at the January 2022, SLTPS-PAC meeting.

Meghann Teubner, SLTPS member from the New York Police Department (NYPD), informed the membership about a critical infrastructure cyber security initiative (the Cyber Critical Services and Infrastructure Project), established via a partnership between the NYPD, the New York City Cyber Command, the Global Cyber Alliance, the Manhattan District Attorney's Office and others in New York City. She indicated that the project shares information on indicators of compromise (IOCs), cyber threat vectors, tactics, techniques and procedures (TTPs), et cetera, with a group of individuals who are joining to build trust and resilience to protect critical infrastructure in New York City. Ms. Teubner indicated that the project takes products distributed by the FBI and DHS in partnership with them and make sure that all of the appropriately cleared partners receive IOCs in order to protect their systems. She added that this is something that could easily be replicated in other cities or jurisdictions or between government agencies in order to ensure that individual Chief Information Security Officers (CISOs) or whoever is responsible for protecting systems, receive information about compromised IPs or TTPs that are being used to target similar entities. Ms. Teubner offered to connect the SLTPS-PAC with the NYPD Lieutenant who got the effort off the ground to arrange a briefing for the Committee on this initiative. The Chair responded that this sounds extraordinarily helpful, especially given all the infrastructure there is in New York City, and enthusiastically accepted the offer.

Randy Rose of the Multi-State Information Sharing and Analysis Center (MS-ISAC) asked Ms. Teubner to send him an email at randy.rose@cisecurity.org, with regard something from the MS-ISAC that he believes may be of use in the New York initiative, and she agreed to do so. Mr. Rose also asked any state, local, tribal, and territorial (SLTT) personnel who are interested in getting connected to the MS-ISAC feeds to contact him as well. He noted that the feeds are free to any SLTT, even to those who are not members of the MS-ISAC. The Chair thanked Mr. Rose.

ACTION ITEM 5: The SLTPS-PAC staff will work with Megan Teubner to arrange a briefing on the New York City critical infrastructure cyber security initiative.

VI. Closing Remarks and Adjournment (Reference transcript pages 25–26.)

The Chair announced that the next SLTPS-PAC meeting will be held on Wednesday, January 26, 2022, 10:00 a.m. to 12:00 noon, and added that he hopes it will be possible to hold the meeting in person in the National Archives Building. He then adjourned the meeting.

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

/s/ Greg Pannoni
Associate Director, Information Security Oversight Office
Designated Federal Officer, SLTPS-PAC

These minutes will be formally considered by the SLTPS-PAC at its next meeting, and any corrections or notations will be incorporated in the minutes of that meeting.

State, Local, Tribal, and Private Sector Policy Advisory Committee
Teleconference Participants, July 29, 2021

Michelle Beasley	Participant, Defense Counterintelligence & Security Agency (DCSA)
Mark A. Bradley	Chair, Director, Information Security Oversight Office (ISOO)
John Castro	Observer, Federal Bureau of Investigation (FBI)
Kate Connor	Alternate, Department of State (State)
Evan Coren	Presenter, Controlled Unclassified Information Office, ISOO
Sidonie Dunham	Member, Department of Transportation (DOT)
Ricardo Duron	Alternate, DHS
Lori Ellison	Participant, Department of Justice
Juan Estrada	Observer, Department of Homeland Security (DHS)
Keith Everly	Observer, Nuclear Regulatory Commission
Scott Gerlach	Alternate, FBI
Dave Golden	Observer, Department of Energy (DOE)
Mary H.	Observer, Central Intelligence Agency (CIA)
Jeffrey Imsdahl	State, Local, Tribal, and Private Sector (SLTPS) Member
Darrel Jackson	Observer, DHS
Kim Johnson	Observer, DHS
Valerie Kerben	Member, Office of the Director of National Intelligence (ODNI)
Tracy Kindle	Alternate, DOE
Kevin Klein	SLTPS Member
Carolina Klink	ISOO
Jenny Margrill	Observer, DHS
Leo Masciana	Member, State
Rich McComb	DHS Vice Chair
Keith Minard	Member, DCSA
Heather Harris Pagan	ISOO
Greg Pannoni	Designated Federal Officer, Associate Director, ISOO
Kyla Power	Observer, ODNI
Randy Rose	Multi-State Information Sharing and Analysis Center
Michael Russo	Member, Department of Defense
Marc Sachs	SLTPS-Entity Vice Chair
Mary Michelle Schechter	SLTPS Member
Robert Skwirot	ISOO
Bandon Smith	Observer, DHS
Steven Stern	Phoenix

Nicole Stone	Observer, DHS
Natasha Sumter	Alternate, DOE
Meghann Teubner	SLTPS Member
Robert Tringali	ISOO
Antoine Washington	Observer, DHS
Debra Winsor	SLTPS Member