

State, Local, Tribal, Public Sector Policy Advisory Committee (SLTPS-PAC) Transcript: February 21, 2024

Event Producer: Welcome and thank you for joining today's State, Local, Tribal and Private Sector Policy Advisory Committee meeting, also known as the SLTPS-PAC. To receive all pertinent information about upcoming SLTPS-PAC meetings, please subscribe to the Information Security Oversight Office's Overview blog at <https://isoo-overview.blogs.archives.gov>, or by going to the Federal Register. All available meeting materials have been emailed to registrants. Please mute all audio connections when you are not speaking. This is a public meeting. Like previous SLTPS-PAC meetings, this will be recorded. This recording, along with the transcript and minutes, will be available within 90 days at <https://www.archives.gov/isoo/oversight-groups/nisppac/committee.html>. Let now turn things over to Mr. Bill Fischer, the Acting Director of ISOO, as well as the Acting Chairman of the SLTPS-PAC.

William Fischer: Good morning everyone. Welcome to the 26th meeting of the SLTPS-PAC. I'm Bill Fischer, the Acting Director of ISOO. I'm also the Director of the National Declassification Center at the National Archives in my permanent position. At this time, I do not have any news to share about when a permanent director of ISOO will be coming on board. I will now turn it over to my Designated Federal Officer, Heather Harris Pagán.

Heather Harris Pagán: Thank you Sir. I will now begin attendance. I know that our Acting Chairman, Mr. Fischer, is here. SLTPS-PAC Vice Chairman Rich McComb? Department of Energy member Mark Hojnacke? DOE's alternate Tracy Kindle?

Tracy Kindle: Present. Can you hear me?

Heather: Yes, sir. Thank you. DOE's other alternate Natasha Sumter? Nuclear Regulatory Commission member Tara Inverso? NRC's alternate, Darryl Parsons?

Darryl Parsons: Hi Heather. I'm on.

Heather: Thank you. Department of Transportation member Sidonie Dunham?

Sidonie Dunham: Present.

Heather: Thank you. Department of Defense member Michael Russo? Office of the Director of National Intelligence member Lisa Perez?

Lisa Perez: Present.

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Heather: Thank you. Federal Bureau of Investigations member Jacob Zockert? FBI's alternate Scott Gerlach? Department of State member Kate Conner?

Kate Conner: Good morning. I'm present.

Heather: Thank you. State's alternate, Durrell Hicks? Department of Justice member Glenn Bensley? Defense Counterintelligence and Security Agency member Derrick Broussard? DCSA's alternate Scott Cronin?

Scott Cronin: Scott Cronin is the alternate that is attending for Derrick.

Heather Harris Pagan: Thank you. Cybersecurity and Infrastructure Security Agency member Nitin Natarajan? Private sector member Jeffrey Imsdahl? State mountain region member Kevin Klein?

Kevin Kline: Present.

Heather: Thank you. Private sector member Cameron Burks? State Mountain Region member Chris Palmer?

Chris Palmer: Present.

Heather: Thank you.

We request that everyone identify themselves by name and agency, if applicable, before speaking each time, for the record.

I want to remind government membership of the requirement to annually file a financial disclosure report with the National Archives and Records Administration's Office of the General Counsel. The same form of financial disclosure that is used throughout the federal government, OGE Form 450, satisfies reporting requirements. If you have any questions, please let us know.

We have had a few changes to the PAC membership since the last meeting.

Meghann Teubner, our Local East Member with the NYPD, has reached the end of her term, as has Mary Michelle Schechter, our Local East Member with the Nassau County Department of Health in New York State. Keith Minard with DCSA, is retiring. Jeremy Sroka, representing the Midwest in Iowa for State matters, withdrew from the SLTPS-PAC. Chris Palmer, our State Mountain Member with the State of Utah Courts, is a new member. Some of you may know our Alternate Designated Federal Officer, Robert Tringali. He's leaving us for retirement later this summer. Additionally, we still have 8 out of 12 slots that are open for membership, in addition to our Vice Chair position. If you have any nominations, please bring them to our attention.

For those departed members, thank you all for your contributions over the years. We look forward to continuing the work you have done with new representatives.

The minutes from the last meeting were finalized and posted to the ISOO website on September 29, 2023.

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I will now address the items of interest from the September 20, 2023 SLTPS-PAC public meeting.

Several members mentioned the frustration of what the reality is for clearance processing verses what DHS states, when there is no log jam. Is there anyone on the call from DHS that can speak to that? Alright, it looks like DHS wasn't able to make the call. Does anyone have any questions that we can pass on?

Kevin: Hey, Heather. Kevin Klein. DHS did brief us the beginning of the month about their in I&A getting the local clearances, state and local clearances, done. And they've stepped up their processing times, added some resources that we did get some feedback from them on what they were doing and we're appreciative of the efforts to start addressing that backlog.

Heather: Okay, great. I appreciate that Kevin. Thank you.

Don Juan: Hey, Heather. This is Don from CIA. I'm just, I'm not on this subject, but I just wanted to tell you I didn't hear our name, so I just want to let you know we're on the call.

Heather: I apologize. I've got it. Thank you Don. Are there any questions from the public? Candice, do you see anything in the chat or on the phone line?

Event Producer: I don't, but if you do have a question, you can press either #2 if you've connected by phone, or you can post your questions in chat here on WebEx, you can also use the raise hand button at the bottom of your screen.

Heather: Thank you Candice. Just want to do one more check to see if anyone from DHS is on the call for the briefing since they were the only briefers today. Okay. We are now at the point of the meeting where we ask for SLTPS-PAC members to present any new business that they have. Anyone?

Event Producer: Members of the committee, your lines are open. You don't need to request to be unmuted.

Heather: Alright. Mr. Fischer, it looks like DHS is not on the call, so if you want to go ahead and close out the meeting this satisfies the requirement for a public meeting.

Juan Estrada: Hello, Heather?

Heather: Yes?

Juan: Hey, this is Juan Estrada. I could hear you guys, but I wasn't able to get through. Am I too late? Are you guys concluded?

Heather: Are you going to be briefing for Mr. McComb?

Juan: Yeah, I'm sorry. I was trying to get. I don't know what happened, but I could hear everybody speaking. I just couldn't get through. I'm sorry. I apologize to everybody. Mr. McComb wasn't able to make it. So again, this is Juan Estrada

with DHS OCSO, and I do have some information to be able to present. Is this a good time now?

Heather: Yes.

Juan: Okay. Again, my apologies. So I did hear you speak the question about the backlog. I do have some information in regards to the backlog, and then I have a couple of points that I just wanted to present to the. So we were tracking a total of 215 backlog cases since the last PAC. 19 of which had been granted an interim figure clearance. 11 are undergoing a SAC check, and there's still 139 pending. We put a little bit of a tiger team together to try to put effort and force behind the backlog, and so we partnered up with different offices within DHS. We still have a long way to go, but I do see a lot of movement going forward in meetings with PSD and the DCSO here at DHS. Again we, this is a high initiative for us, and when we do have a couple of task force in place to kind of try to, to tackle this backlog, I did hear a couple of individuals mention that we have briefed in the past, a couple of movements, and that's true, and we'll continue to move forward in tackling these backlogs for this. So these are the numbers that I have right now. We were tracking 215. We still have 139 that we're looking at right now. There's going to be some instances where we're probably going to have to have some individuals renominate folks, or at least validate the nomination of that. And that's what we're currently going through right now is reviewing all the nominations forms that were pushed through to DHS. So any, any questions from the group on that?

Okay. And so there's a couple of key points that DHS also wanted to brief. And again, my apologies, I don't know what happened or why I couldn't get through. But so from SLTPS Security Program management clearance numbers, DHS currently has approximately 7,231 SLTPS personnel with DHS sponsor security clearances. 88% of those are at the secret level, 12 of them are at the top secret level, and this includes CBP, CISA headquarters, FEMA, FLETC, and ICE so those numbers are as of a couple of days ago. Again, that's 7,231 cleared personnel.

Another program management point that I wanted to bring up is that DHS our office is actually the certifying official to the secure rooms at the Fusion Centers that support the I&A mission. We go out on about a tri-annual basis to these locations. There's 85 locations that we do compliance inspections on. So we schedule 20 for this year. So I just wanted to brief that. We have already completed seven for this fiscal year, and we see no issues with completing the rest of them. There's a couple of findings that we're seeing on in the field that's more of administrative findings, but DHS sees no issue from these locations during our inspections.

There's also three initiatives that I wanted to bring to the group. As we all know, the issues that happened up in Massachusetts kind of had everybody relook within their own programs on their Air clearance process. And because of these events, DHS launched a department wide review of the personnel access to classified national security information. The security review includes partnering with the

various minds of business, such as the Chief Information Officer, chief Human Capital Officer, Chief Procurement Officer, and the purpose of this initiative is to enhance the department's wide clearance validation standards and to prevent unauthorized disclosure. We're anticipating a final report to come out in August of 2024, and I think that's going to line up with the next PAC meeting. So we'll have some, we should have some results from that report to be able to present if there's any gaps that we identified within our own program expected around August of 2024.

We also launched a new training platform for SLTPS community. In the past, it was a pretty laborious tasking to email, you know, over 7,000 individuals a PowerPoint presentation for their annual security refresher training. So, we are utilizing an e-learning management system that I&A has for their individuals. So last year, DHS uploaded over 7,000 clearance holders into this new platform, and we were successfully able to provide that training to the SLTPS community from a technological perspective and get away with the validation of "did you complete the training, yes or no?" So, DHS has now launched that initiative, and we expect all SLTPS holders to be in the system by the end of this year.

And then last but not least, we at DHS initiated a policy review of the implementing directive for Executive Order 13549. DHS is following up with the OGC regulatory affairs to enter into rulemaking. DHS will keep all PAC members updated of any progress made. And when the final decision has been made in regards to implementing directive. Implementing directive is a really outdated document that really is the policy driver for a lot of the decisions that are made. So, we're looking to bring that policy up to current date and we'll keep the PAC identified and notified as when changes are expected to be made on that. Obviously we're going to be working with the PAC on that as well. So, we'll keep everybody again, I apologize for not being able to get through earlier, but any questions for me? Alright, Heather, thank you.

Heather: Thank you, Juan. Do we have any questions for DHS? Candice, anyone in the queue with questions?

Event Producer: We have a couple of questions from Lee Watson. I'm going to unmute your line if you'd like to ask those questions yourself. We can read them from chat if you would prefer. Lee Watson, you're unmuted now.

Lee Watson: Hey, thank you. I think when you unmuted me, the system spoke over you, so it was hard to hear. So yeah, I just have three questions maybe for DHS or maybe for the broader group relative to how this works in the field at more of the state or regional level. So I guess go through them really quickly. And Lee Watson with Forge Institute. We work with the state of Arkansas and most of the critical infrastructure in our state to robust cybersecurity protection. So my first question is, I'm wondering if there's an opportunity for ODNI to help normalize the idea of using secret and TS facilities in the field for discussions or participation in

various virtual VTCs on the high side without having to implement a co-use agreement. The capability for this varies greatly outside of the NCR.

My second question is, I'm wondering if there are strategies that look at deeper high side collaboration in the field with local trusted relationships. Again, both kind of at a state government, city government, as well as the major critical infrastructure companies.

And then the third question is just really kind of expanded on that as to across the various departments and agencies, could we build a list of the value proposition and the concerns specifically from the council's offices as to the reasons to share classified information? What forms, types, methods, programs, existing collaborations does that take so as to really understand what best practices look like and the alignment of benefits for both the federal government as well as the various SLTPS organizations in the field?

Lisa: Hi, this is Lisa Perez from ODNI. Can you hear me?

Lee: Yes, ma'am.

Lisa: Hi. I didn't capture all of the first question. I'm sorry. Can you please repeat that first question? I Don't have access to the platform, so I can't see what you wrote. I'm sorry.

Lee: For sure. No worries. Yeah, so the question with ODNI was the ICD 705 policies and the co-use agreements work really well for SSOs with more formal engagements, but from a sort of no access to systems, just using a SCIF for discussions or participation in a VTC, I'm wondering if ODNI could help sort of normalize, standardize, that practice across the country. It's not the same out here in the field as it might be at the NCR. Does that make sense?

Lisa: I think so. So it sounds like something more so not particularly scheduled or planned. So, right, so normally when there are events it's easier to have these agreements in place, but it sounds like potentially these are sort of more unplanned events and you're looking for more fluidity in making it possible to utilize those SCIFs for this. Is that what you're asking?

Lee: Yeah. You know, if you look in 705-2, the co-use agreement stuff, it outlines this pretty well, but it's not always a practice that's been done a whole lot and it's happening more in states across the country. So being able to set some additional clarification or some material that says, if they're cleared you can use it; that they don't have to have access to an information system in order to be on a VTC. Just some sort of practical operational guidance at maybe a more detailed level I think would be helpful. It's something that we've overcome here, but I talked to colleagues again outside of the co-use and that that practice is increasing, but it's not been as fluid or standardized as it has been in DC.

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Lisa: Okay. Alright. I don't have an answer for you today specifically, but I can certainly take a look into it and talk with the appropriate individuals here at ODNI to see if there's something that can be put out and we can just have this as a follow on action. Is that possible to add that Heather?

Heather: Yes, no problem. Lee, are you good with that answer?

Lee: Oh, yes ma'am. That's great. Thank you.

Heather: Alright, great. Are there any other questions? Candice, any other questions in the queue or chat?

Event Producer: There are no further questions that I see.

Heather: Okay. Mr. Fischer, I turn it over to you now to close out the meeting.

William: Thank you, Heather. Our next SLTPS PAC meeting is scheduled for July 10th 2024. As a reminder, all SLTPS PAC meeting announcements are posted in the Federal Register approximately 30 days prior to the meeting, along with being posted to the ISSO blog. Meeting adjourned.