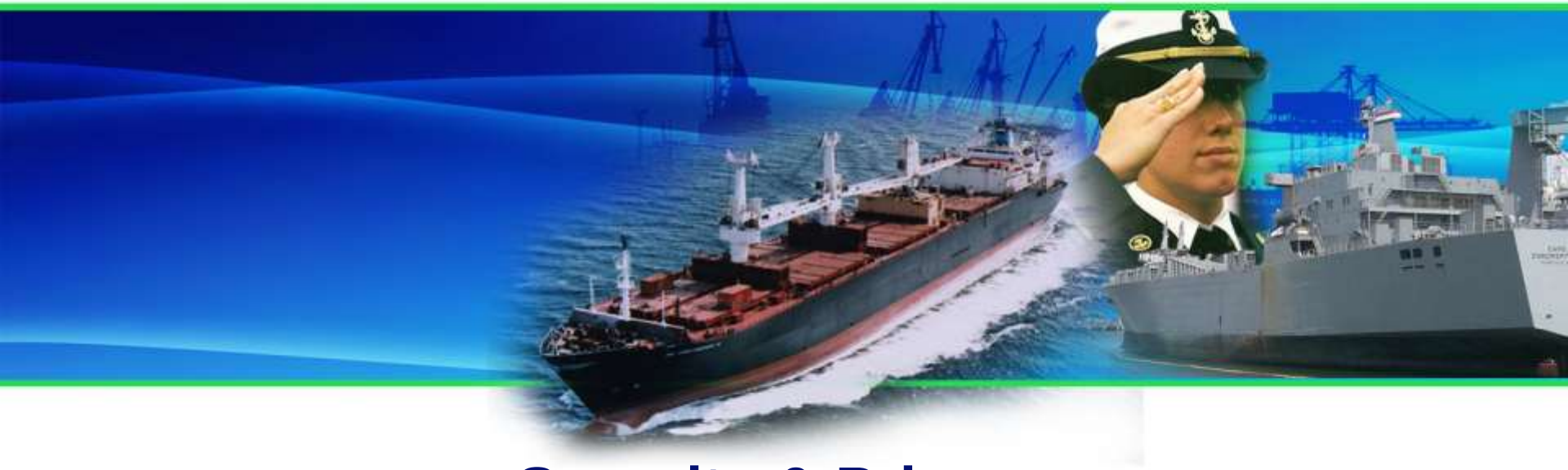
U.S. Maritime Administration



Security & Privacy
Implementing Appendix J of 800-53

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Agenda

- Looking at Appendix J Control families
- How DOT is addressing them
- MARAD Progress report

- How this all is coming together in SP 800-53, Rev 4

A Quick Acknowledgement

Claire Barrett –

- DOT Chief Privacy Officer
- Member of the Privacy Controls Appendix Working Group

for her background information and current leadership in this effort.

- **Privacy Controls Catalog**
  - The Administrative, technical & physical safeguards
  - Can be implemented at multiple levels across the organization form the department down to individual programs & offices
  - Selection and implementation includes contributions from the Senior Agency Officer for Privacy, Department CIO, Agency CIOs, Privacy and Security Officers and legal counsel.

- **In General**
  - Privacy Controls are implemented “From Above” and inherited by individual programs and systems

Some Definitions

- **Privacy:**
  - The appropriate use of personal information under the circumstances. What is appropriate depends on context, law and individual expectations also the right on an individual to control the collection, user & disclosure of personal information

- **Data Protection**
  - The management of personal information.

- **In the US, we refer to privacy laws; in the EU & other countries, these are often referred to data protection laws.**

Definitions

- **Controllers –**
  - the organization(s) which determine the purposes and means of processing personal information

- **Processors**
  - Perform this processing on behalf of the controller

These are sometimes referred to as **data owners** and **data stewards**.

Why Get The IT Organizations Involved?

Privacy is the “WHAT”

Security is the “HOW”

Privacy Controls Families

- Transparency
- Individual Participation & redress
- Authority & Purpose
- Data Minimization & retention
- Use Limitation
- Data Quality & Integrity
- Security
- Accountability, Audit, and Risk Management

Where DID DOT Start

- **Privacy Guidance SharePoint Site**
- **Training**
- **System of Record reviews**
- **Privacy Newsletter Weekly**
- **Change in incident reporting workflow**

- **Department-wide review of all Privacy Documentation**
  - Review of all Systems of Records Notices
  - Consolidation of applicable notices to the department level
  - Rewrite of System of Records Notices
  - Republication in Federal Register
  - Department review of all Agency and OCIO Privacy Threshold Assessments prior to publication
  - Department review and approval/republication of Privacy Impact Assessments

- **On Site IAPP training**
  - Offered to all Agencies IT, administration and legal staff
  - Included both international and domestic regulations and practices, along with the security protections applicable.
  - Included testing for both the CIPP & CIPP/G certifications.
  - Did not require you to obtain the certification to be an agency Privacy officer, but wanted this common body of knowledge to be disseminated widely throughout the Department

- **Privacy Web Site – Internal & External**

  - Rework to provide access to all Department SORN, PIA and other privacy documentation
  - Includes additional information on Department privacy direction and mission
  - Includes Department information on access and redress for individuals.
  - Internally, includes a weekly newsletter on incidents & events in the public & private sector, training opportunities and awareness items.

Transparency

- **Forms Management**
  - Data Collection forms being made available on line with links to appropriate Systems of record & privacy notices
  - Forms to include acceptance of data collection & sharing.

Individual Participation & Redress

- **Assuring that the individuals right to consent, access, and redress is clearly articulated in All DOT Systems of record Notices**

- **Creation of Single Request Service: One location at the OCIO level where all Privacy requests move through**
  - Single published address
  - Email
  - Phone
  - Web presence

Authority to Collect & Purpose

- **Spelled out in the SORs**

- **As part of our transparency effort we are making our usage statements clear and individual friendly**
  - Less “regulaese”
  - Simple statements of intent.

Data Minimization & Retention

- **Review & rework of our records retention policy & practices.**
  - Review completed in March, 2012

- **Clarification and specification of our retention policy in the SONs and Privacy documentation (and the SSPs)**

- **Department-wide decisions on data destruction.**

Use Limitations

- New Contract language for service and purchases
- Revision of Memorandum & Sharing agreements
- Mapping of data stores and possible co-mingling.
- Auditing of use
- Training of Design & Development staff

Data Quality & Integrity

- **“Data Provenance”**
- **Requirements for integrity & quality being added to SDLC requirements & stages**
- **Identification of primary source for critical data stores**
- **Ranking of Data quality**

Security

- **Integration of privacy issue in full enterprise view**
  - Inventory of Privacy Information Assets
  - Consolidation & reduction of Privacy repositories

- **Integration of privacy considerations into Incident Response process and tools**

Accountability, Audit & Risk Management

- **Department Privacy Governance program**
- **New process and documentation of Risk Assessments to include privacy considerations**
- **New online training in development for all employees, contractors & others**
  - Specialized training for privacy handling.

MARADs Special Challenges

- **Public Information**
- **Mariner Information**
- **USMMA**

MARAD's Progress

- **35 Systems of Record Notices under Review – July 1, 2012**
- **Update and Re-submission by Dec 2012**
- **Privacy training provided to all system Owners, Program executives**
  - Privacy training in planning for all, including Midshipman for FY2013.
- **Review and modification of data sharing Agreements.**
- **Identification and protection of single user repositories of privacy information**

A view toward SP800-53, Rev 4

- **SP800-53, Rev 4 states that these control families are not mandatory but are Best Practices**
- **The inclusion of “Privacy” in the name of the revised document is an indicator of the importance of inclusion in our Risk Management Framework.**
- **There is no solid line between manual & electronic privacy policy and practice**
- **New technology will continue to challenge us in the privacy arena.**

Questions?

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