



**Information Privacy and Security Council**  
**Meeting Minutes**  
November 14, 2017

Kalanimoku Bldg.  
Room 410  
1151 Punchbowl St.  
Honolulu, HI 96813

Wailuku State Office Bldg.  
Third Floor VCC  
54 South High St.  
Wailuku, HI 96793

Lihu'e State Office Bldg.  
Basement VCC  
3060 'Eiwa St.  
Lihu'e, HI 96766

Hilo State Office Bldg.  
Basement VCC  
75 Aupuni St.  
Hilo, HI 96720

<b>MEMBERS / DESIGNEES PRESENT</b>	
<b>Member Name</b>	<b>Jurisdiction/Department/Agency</b>
Hoang, Vincent (Designee; Acting Chair)	Office of Enterprise Technology Services (ETS)
Ito, Jodi (Designee)	University of Hawai'i
Keane, David	Department of Human Resources Development
Norman, Nyree	County of Kaua'i
Park-Yamaha, Brandon (Designee)	Department of Health
Thornton, Kevin	The Judiciary
Tong, Lisa (Designee)	Department of Commerce and Consumer Affairs

<b>MEMBERS OF THE PUBLIC OR INVITED STAFF</b>	
<b>Name</b>	<b>Affiliation</b>
DeMello, Keith	ETS

**I. Call to Order**

Acting Chair Hoang called the November 2017 meeting of the Information Privacy and Security Council (IPSC) to order at 1:10 p.m. Quorum was established with seven members/designees present.

**II. Review and Approval of Previous Meeting Minutes**

Member Designee Park-Yamaha moved for the IPSC to approve the October 2017 meeting minutes, and Member Keane seconded the motion. The motion passed by unanimous consent.

**III. Public Testimony on Agenda Items**

None.

**IV. Collection of State and County Agencies' Submission of Personal Information (PI) System Annual Reports, Pursuant to [Section 487N-7](#), Hawai'i Revised Statutes (HRS), and Draft Report to the Legislature**

ETS reported on statistics extracted from agencies' PI system annual reports for inclusion in the IPSC's annual summary report, which is due to the Legislature this year by December 28 (20 days prior to the start of the regular legislative session).

The rate of reporting continues to improve. As of the date of the meeting, the IPSC received reports from a total of 154 agencies (compared to 99 in 2016), with two notifying the council that the "Agency Does Not Maintain PI Systems." It was noted that collection of PI of government employees and members of the general public are approximately evenly divided, based on the reports.

In discussion, it was recommended that, for IT security reasons, the practice of listing what agencies have filed reports should cease. Also, Member Ito noted that the University of Hawai'i may have additional language to submit for inclusion in the summary annual report.

**General Statistics (preliminary)**

Total Reports Received in 2017	154
Total Reports Submitted by Email or Hard-Copy	128
Total Reports Submitted via Privacy Impact Assessment Online Form	26
Reports Submitted by State Agencies	87
Reports Submitted by City and County of Honolulu Agencies	40
Reports Submitted by Hawai'i County Agencies	32
Reports Submitted by Maui County Agencies	3
Reports Submitted by Kaua'i County Agencies	4
Total Agencies Reporting They No Longer Collect/Maintain PI	2
Total Agencies Reporting No Changes from Previous Year	6
Agencies Reporting Systems Collecting PI of General Public	75
Agencies Reporting Systems Collecting PI of Government Employees	72
Agencies Reporting Systems Collecting Social Security Number (SSN)	30
Agencies Reporting Systems Collecting Last Four Digits of SSN	4

**Prevalence of Social Security Numbers**

Given that a significant number of agencies continue to collect SSN, it is recommended that the IPSC in 2018 augment reporting requirements to request that government agencies provide clear justification for continued use of the protected information. This may include the addition of several questions to assist the IPSC in assessing the merit of said justifications and, after further analysis, recommending legislation or guidance, if any, to further protect the privacy of individuals.

**Legislative Proposal Relating to the Duty and Right of Finders**

Currently, some State and local government agencies, including county law enforcement, are required under HRS sections 52D-14 and 261-17.7 to provide unclaimed property to finders after 45 days. Given that cell phones, computers, and other such electronic devices may contain personal information, the IPSC recommends that Hawai'i State law be amended to keep pace with technology so that personal information is protected.

Through the Department of Accounting and General Services, the IPSC has submitted a legislative proposal to provide county police departments and the Department of Transportation the authority to sanitize unclaimed electronic devices, in accordance with recognized standards and guidelines, before providing the unclaimed property to finders or disposing of the property by public auction or other means. The bill clarifies that found electronic devices that may contain personal information shall be sanitized before providing the unclaimed property to finders or disposing of the property by public auction or other means.

For guidance, this bill refers to the IPSC, which is already statutorily mandated under HRS section 487N-5, to develop guidelines to be considered by government agencies in deciding whether, how, and when a government agency shall inform affected individuals of the loss, disclosure, or security breach of personal information that can contribute to identity theft.

**V. Good of the Order**

***Announcements***

European Union General Data Protection Regulation (GDPR) — No significant updates were reported. The GDPR is a regulation by which the European Parliament, the Council of the European Union, and the European Commission intend to strengthen and unify data protection for all individuals within the European Union. Following the meeting, Member Designee Ito provided the following reference links about the GDPR for distribution as part of the minutes:

EducauseReview

- GDPR: A Data Regulation to Watch – <https://er.educause.edu/blogs/2017/8/gdpr-a-data-regulation-to-watch>
- The General Data Protection Regulation Explained – <https://er.educause.edu/articles/2017/8/the-general-data-protection-regulation-explained>

Educause Library

- Overview of the General Data Protection Regulation GDPR – <https://library.educause.edu/resources/2017/9/overview-of-the-general-data-protection-regulation-gdpr>
- EU General Data Protection Regulation (GDPR) – <https://library.educause.edu/topics/policy-and-law/eu-general-data-protection-regulation-gdpr>
- GDPR Clarity: 19 Frequently Asked Questions – <https://library.educause.edu/resources/2017/9/gdpr-clarity-19-frequently-asked-questions>

Department of Public Safety Hawai'i Correctional Industries' Digital Scanning and Archival Services — A site visit is still being scheduled. As previously reported, ETS received a preliminary briefing from the department affirming that processes are in place to safeguard information. The follow-up site visit will provide an opportunity to evaluate those processes. Member Keane expressed interest in participating. Information about the program is available at: <http://hawaiici.org/Site/catalogs/scanning/scanning.htm>

Executive Session — Member Designee Ito moved for the IPSC to go into executive session to consider matters relating to IT security, pursuant to HRS section 92-5(a)(3). Member Thornton seconded the motion. However, since the committee lacked sufficient members of the board (two-thirds or more) to add items to the agenda, the motion for executive session failed.

IT Security — Member Designee Ito shared information related to IT security.

Staff Announcement — Keith DeMello announced to IPSC members that he will be leaving State service effective November 30, 2017, to pursue a career opportunity in the private sector. He expressed that he greatly valued the experience of facilitating IPSC meetings.

Next Meeting — The next IPSC meeting will be held on Wednesday, December 20, 2017, at 1 p.m. Due to scheduled renovation work on the Kalanimoku Building video conferencing center, the Honolulu location will again be the Kalanimoku Building, Room 410.

**VI. Adjournment**

Member Designee Ito moved to adjourn, and Member Keane seconded the motion. The motion passed unanimously, and the meeting adjourned at 1:59 p.m.

Respectfully Submitted,

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Date

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Vincent Hoang  
Chair