

AGENDA
STATE GOVERNMENT COUNCIL
1526 Building - 4th Floor - Hearing Room 4D
1526 K Street
Lincoln, Nebraska
Thursday, October 10, 2019
1:30 p.m.

1:30 p.m. 1. Roll call; meeting notice; Open Meetings Act information.

2. Public comment.

3. **April 11, 2019 meeting minutes.*** [Motion to approve.] (*Attachment 3*)

1:35 p.m. 4. Technical standards and guidelines.

a. **Proposal 14. Adopt a new section relating to authority and applicability.*** [Motion to recommend approval.] (*Attachment 4-a*)

b. **Proposal 15. Amend the Information Security Policy.*** [Motion to recommend approval.] (*Attachment 4-b*)

1:45 p.m. 5. **Amendments to the State Government Council Charter.*** [Motion to recommend approval.] (*Attachment 5*)

1:50 p.m. 6. Update from the OCIO IT Risk Mitigation and Compliance Team. Jon Frank.

2:15 p.m. 7. Agency reports; other business.

2:30 p.m. 8. Adjourn.

*** Indicates an action item.**

The Council will attempt to adhere to the sequence of the published agenda, but reserves the right to adjust the order and timing of items and may elect to take action on any of the items listed.

Meeting notice was posted to the [NITC website](#) and the [Nebraska Public Meeting Calendar](#) on August 2, 2019. The agenda was posted to the NITC website on October 7, 2019.

[Nebraska Open Meetings Act](#) | [State Government Council Meeting Documents](#)

Attachment 3

STATE GOVERNMENT COUNCIL
1526 K Street, Hearing Room 4D
Lincoln, Nebraska
Thursday, April 11, 2019, 1:30 p.m.
MINUTES

MEMBERS PRESENT:

Ed Toner, Chief Information Officer
Jason Jackson, Administrative Services
Colleen Byelick, Secretary of State
Tibor Moldovan, Department of Education
Kim Menke, Department of Natural Resources
Chris Hill, Department of Health and Human Services
Dorest Harvey, Private Sector
Keith Dey, Department of Motor Vehicles
Aaron Anderson, Workers' Compensation Court;
Jim Ohmberger, OCIO-Enterprise Computing Services
Neil Sullivan, Budget Division
Pam Kunzman, Nebraska State Patrol
Jim Sheets, OCIO-Network Services
Chris Ayotte, Department of Revenue
Ron TeBrink, Department of Correctional Services
Jennifer Rasmussen, Supreme Court
Trinity Chappelle, Governor's Policy Research Office
Rod Wagner, Library Commission
Suzy Fredrickson, Department of Transportation

MEMBERS ABSENT: Angie Hansen-Kruse, Department of Labor; Dennis Burling, Department of Environmental Quality; Mike Fargen, Crime Commission; Mike Fabry, Department of Banking and Finance

ROLL CALL; MEETING NOTICE; OPEN MEETINGS ACT INFORMATION

Mr. Toner called the meeting to order at 1:30 p.m. There were 18 members present at the time of roll call. A quorum was present. The meeting notice was posted to the NITC website and the Nebraska Public Meeting Calendar on February 15, 2019. The agenda was posted to the NITC website on April 8, 2019.

APPROVAL OF MINUTES FOR OCTOBER 11, 2018

Mr. Harvey moved to approve the October 11, 2018 meeting minutes as presented. Mr. Dey seconded. Toner-Yes, Jackson-Abstain, Byelick-Yes, Moldovan-Yes, Menke-Yes, Hill-Abstain, Harvey-Yes, Dey-Yes, Anderson-Yes, Ohmberger-Yes, Sullivan-Yes, Kunzman-Yes, Sheets-Yes, Ayotte-Yes, TeBrink-Yes, Rasmussen-Yes, Chappelle-Yes, and Wagner-Yes. Results: Yes-16, No-0, Abstained-2. Motion carried.

Ms. Fredrickson arrived at the meeting.

PRESENTATION ON THE APPLICATION PORTFOLIO MANAGEMENT PROJECT

Lois Hanson, Office of the CIO

Ms. Hanson provided a presentation on the application portfolio management project. The initial phase of the project involved working with code agencies, but all agencies are welcome to participate. This will be an iterative process. Members suggested looking at the value of the applications. [[Link to the presentation.](#)]

CIO UPDATE

Mr. Toner reported that the OCIO Roadmap has been updated and is posted on the website. The OCIO recently announced the formation of another team within the OCIO that was made possible from the consolidation effort—the Risk Mitigation and Compliance (RMC) Team. The RMC will provide guidance and benchmarks to implement best practices throughout the State of Nebraska.

AGENCY REPORTS; OTHER BUSINESS

There were no agency reports or other business.

ADJOURNMENT

Mr. Dey moved to adjourn. Ms. Rasmussen seconded. All were in favor. Motion carried.

The meeting was adjourned at 2:38 p.m.

Meeting minutes were taken by Lori Lopez Urdiales and reviewed by Rick Becker of the Office of the CIO/NITC.

**State of Nebraska
Nebraska Information Technology Commission
Technical Standards and Guidelines**

Proposal 14

A PROPOSAL to adopt a new section relating to authority and applicability.

1 Section 1. 1-102. Authority; applicability.

2 (1) Authority. These technical standards and guidelines are adopted pursuant to Neb. Rev.
3 Stat. § 86-516, which provides:

4 “The commission shall: ... (6) Adopt minimum technical standards, guidelines, and
5 architectures upon recommendation by the technical panel. Such standards and
6 guidelines shall not unnecessarily restrict the use of new technologies or prevent
7 commercial competition, including competition with Network Nebraska;”

8 (2) Applicability. These technical standards and guidelines apply to all state agencies,
9 boards, and commissions, except the following:

10 (a) The Legislature;

11 (b) The Supreme Court and other judicial branch entities;

12 (c) Offices of the constitutional officers established in article IV of the Nebraska Constitution;

13 (d) Educational entities established in article VII of the Nebraska Constitution; and

14 (e) Such other agencies or entities established by the Nebraska Constitution.

15 (3) For the agencies and entities listed in subsections (2)(a) through (2)(e), standards or
16 other mandatory requirements contained in these technical standards and guidelines should be
17 treated as guidelines or recommendations.

18 Sec. 2. This proposal takes effect when approved by the commission.

**State of Nebraska
Nebraska Information Technology Commission
Technical Standards and Guidelines**

Proposal 15

A PROPOSAL relating to the Information Security Policy; to amend sections 8-102, 8-103, 8-204, and subsections 8-802(1)(d)(iii) and 8-802(1)(e); and to repeal the original sections and subsections.

1 Section 1. Section 8-102 is amended to read:

2 8-102. Scope.

3 This policy is applicable to state agencies, boards, and commissions, excluding higher
4 education entities. This policy applies to all information technology systems for which the state
5 has administrative responsibility, including systems managed or hosted by third parties on
6 behalf of an agency. In the event an agency has developed policies or additional requirements
7 for information security, the more restrictive policy will apply.

8 Portions of this policy are based on the standards, guidelines, and best practices developed
9 by the National Institute of Standards and Technology (NIST), including the NIST Cybersecurity
10 Framework (<https://www.nist.gov/cyberframework>) and related publications
11 (<https://csrc.nist.gov/publications>). Additional items contained in these NIST publications—that
12 are not included in this policy—should be treated as guidance and best practices to be followed
13 by agencies as appropriate.

14 Sec.2. Section 8-103 is amended to read:

15 8-103. Roles and responsibilities.

16 (1) State Agencies. Agencies that create, use, or maintain information systems for the state
17 must ~~create and maintain~~ establish and manage an information security program consistent with

1 this policy to ensure the confidentiality, availability, and integrity of the state's information
2 assets. Agencies may work with the Office of the Chief Information Officer for assistance with
3 implementing an information security program.

4 (2) Office of the Chief Information Officer. The Office of the Chief Information Officer is
5 responsible for recommending policies and guidelines for acceptable and cost-effective use of
6 information technology in noneducation state government.

7 (3) State Information Security Officer. The state information security officer ~~performs~~ serves
8 as a security consultant to agencies and agency information security officers to assist the
9 agencies in meeting the requirements of this policy. The state information security officer may
10 also perform ~~periodic reviews~~ assessments of agency security for risk and compliance with this
11 policy and other security policies and standards the NIST Cybersecurity Framework.

12 (4) Agency Information Security Officer. An agency information security officer may be
13 designated at the discretion of the agency. The agency information security officer has ~~overall~~
14 the responsibility for ensuring ~~the~~ implementation, enhancement, monitoring, and enforcement
15 of ~~the~~ information security policies and standards for their agency. The agency information
16 security officer may collaborate with the Office of the CIO on information security initiatives
17 within the agency. ~~The agency information security officer is responsible for providing direction~~
18 ~~and leadership to the agency through the recommendation of security policies, standards,~~
19 ~~processes and education and awareness programs to ensure that appropriate safeguards are~~
20 ~~implemented, and to facilitate compliance with those policies, standards and processes.~~ ~~The~~
21 ~~agency information security officer is responsible for investigating all alleged information~~
22 ~~security violations. In this role, the agency information security officer will follow agency~~
23 ~~procedures for referring the investigation to other investigatory entities, including law~~
24 ~~enforcement. The agency information security officer will coordinate and oversee security~~
25 ~~program activities and reporting processes in support of this policy and other security initiatives.~~

1 (5) Nebraska Information Technology Commission. The Nebraska Information Technology
2 Commission is the owner of this policy with statutory responsibility to adopt minimum technical
3 standards, guidelines, and architectures.

4 (6) Technical Panel. The Technical Panel is responsible for recommending technical
5 standards and guidelines to be considered for adoption by the Nebraska Information
6 Technology Commission.

7 (7) State Government Council. The State Government Council is an advisory group
8 chartered by the Nebraska Information Technology Commission to provide recommendations
9 relating to state government agencies.

10 (8) Security Architecture Workgroup. The Security Architecture Workgroup is ~~a workgroup~~
11 chartered by the State Government Council to make recommendations to the State Government
12 Council and Technical Panel on matters relating to security within state government; provide
13 information to state agencies, policy makers, and citizens about real or potential security threats
14 or vulnerabilities that could impact state business security issues; document and communicate
15 existing problems, potential points of vulnerability, and related risks; and, determine security
16 requirements of state agencies stemming from state and federal laws, ~~or~~ regulations, and other
17 applicable standards.

18 Sec.3. Section 8-204 is amended to read:

19 8-204. Email.

20 Users of the state email system must not set up rules, or use any other methodology, to
21 automatically forward all or substantially all emails to a personal or other account outside of the
22 state network unless approved by the state information security officer ~~or~~ and if applicable, the
23 agency information security officer.

24 CONFIDENTIAL or RESTRICTED data must not be sent by email, or stored in the email
25 system, unless it has been encrypted using technology approved by the state information
26 security officer ~~or~~ and if applicable, the agency information security officer.

1 Sec.4. Subsection 8-802(1)(d)(iii) is amended to read:
2 Report to ~~state of~~ agency management on a regular schedule with status and action plans;

3 Sec.5. The second sentence in the second paragraph of subsection 8-802(1)(e) is
4 amended to read:

5 All personnel involved ~~any~~ in an incident management support activity will communicate only
6 with the parties necessary for incident analysis or recovery activity, and to the state information
7 security officer, Office of the CIO, or the agency information technology team.

8 Sec.6. Original section sections 8-102, 8-103, 8-204, and subsections 8-802(1)(d)(iii)
9 and 8-802(1)(e) are repealed.

10 Sec.7. This proposal takes effect when approved by the commission.

Nebraska Information Technology Commission
State Government Council Charter

1. Introduction

The Nebraska Information Resources Cabinet (the “IRC”) was created in January 1996 by Executive Order 96-1. The IRC was re-established as the Government Council of the Nebraska Information Technology Commission (~~hereafter referred to as the~~ “Commission”) through Executive Order 97-7 in November 1997. The Commission became a statutory body in Laws 1998, LB 924, and the Commission re-established the State Government Council (~~hereafter referred to as the~~ “Council”).

2. Purpose

The purpose of this charter is to clarify the role of the Council and its relationship with the Commission.

3. Authority

~~The Nebraska Information Technology Commission shall: “Neb. Rev. Stat. § 86-516 provides: “The commission shall:… (7) Establish ad hoc technical advisory groups to study and make recommendations on specific topics, including workgroups to establish, coordinate, and prioritize needs for education, local communities, intergovernmental data communications, and state agencies[.]” Neb. Rev. Stat. § 86-516(7);:….”~~

4. Commission Mission and Responsibilities

4.1 Commission Mission. The mission of the Nebraska Information Technology Commission is to make the State of Nebraska's information technology infrastructure more accessible and responsive to the needs of its citizens, regardless of location, while making investments in government, education, health care and other services more efficient and cost effective.

4.2 Commission Responsibilities. The responsibilities and duties of the Commission are codified at Neb. Rev. Stat. § 86-516.

5. Council Mission and Responsibilities

5.1 Council Mission. ~~To~~ The mission of the Council is to provide direction and oversight for state government information technology vision, goals and policy.

5.2 Council Responsibilities.

5.2.1 Establish, coordinate, and prioritize technology needs for state agencies;

- 5.2.2 Review and make recommendations to the Commission on requests for funds from the Government Technology Collaboration Fund;
- 5.2.3 Review and make recommendations to the Commission on agency technology projects requesting funding as part of the state budget process;
- 5.2.4 Assist the Commission in developing, reviewing and updating the statewide technology plan;
- 5.2.5 Recommend planning and project management procedures for state information technology investments;
- 5.2.6 Evaluate and act upon opportunities to more efficiently and effectively deliver government services through the use of information technology;
- 5.2.7 Recommend policies, guidelines, and standards for information technology within state government; and
- 5.2.8 Such other responsibilities as directed by the Commission.

6. Membership

6.1 Members. The Council shall consist of:

- 6.1.1 The agency director, or his or her designee, from the following agencies:
 - 6.1.1.1 Administrative Services, Department of;
 - 6.1.1.2 Banking and Finance, Department of;
 - 6.1.1.3 Correctional Services, Department of;
 - 6.1.1.4 Crime Commission;
 - 6.1.1.5 ~~Environmental Quality~~ Environment and Energy, Department of;
 - 6.1.1.6 Governor's Policy Research Office;
 - 6.1.1.7 Health and Human Services, Department of;
 - 6.1.1.8 Labor, Department of;
 - 6.1.1.9 Motor Vehicles, Department of;
 - 6.1.1.10 Natural Resources, Department of;
 - 6.1.1.11 Revenue, Department of;
 - 6.1.1.12 State Patrol, Nebraska; and
 - 6.1.1.13 Transportation, Department of.
- 6.1.2 The following individuals, or their respective designee:
 - 6.1.2.1 Chief Information Officer;
 - 6.1.2.2 Office of the CIO - IT Administrator, Enterprise Computing Services;
 - 6.1.2.3 Office of the CIO - IT Administrator, Network Services;
 - 6.1.2.4 Education, Department of - Chief Information Officer;
 - 6.1.2.5 Secretary of State;
 - 6.1.2.6 State Budget Administrator;

- 6.1.2.7 State Court Administrator;
- 6.1.2.8 Workers' Compensation Court Administrator;
- 6.1.2.9 One representative of non-code state agencies, to be appointed by the Commission; and
- 6.1.2.10 One representative from the general public with extensive IT experience, to be appointed by the Commission.

6.2 Alternates. Each member of the Council may designate one ~~(1) official voting~~ alternate member. This ~~official voting~~-alternate member shall be registered with the Office of the Chief Information Officer and, in the absence of the ~~official~~-member, have all the privileges as the ~~official~~-member on items of discussion and voting.

6.3 Member Responsibilities; Conflicts of Interest. A ~~Member-member~~ with a potential conflict of interest in a matter before the Council or a potential interest in a contract with the Council is subject to the provisions of the Nebraska Political Accountability and Disclosure Act including sections 49-1499.02 and 49-14,102. A ~~Member-member~~ with a potential conflict of interest or a potential interest in a contract shall contact the Nebraska Accountability and Disclosure Commission and take such action as required by law.

7. Meeting Procedures

7.1 ~~Chair~~Chairperson. The Chief Information Officer shall serve as ~~the~~ Chairchairperson of the Council.

7.2 Quorum. A quorum consists of at least 50% of the voting membership.

7.3 Voting. Issues shall be decided by a majority vote of the voting members present.

7.4 Non-Member Agencies. Attendance and input by non-member state government agencies is encouraged. The director of a non-member agency may submit to the Council the name of a contact person within his or her agency to receive notification of Council meetings.

~~**7.5 Meeting Frequency.** The Council shall meet not less than four times per year.~~

~~**7.6**~~**7.5 Notice of Meetings.** ~~The Council shall meet at the call of the chairperson.~~ Notice of the time and place of each meeting of the Council shall be made at least seven ~~(7)~~ calendar-days prior to the meeting. Notice shall be published on ~~the Council's website at <http://www.nite.ne.gov>~~ the Commission's website (<https://nitc.nebraska.gov/>) and the Nebraska Public Meeting Calendar (<https://www.nebraska.gov/calendar/index.cgi>).

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