

CYBERSECURITY PLANNING COMMITTEE

Hybrid Meeting

THURSDAY, MAY 2, 2024, 3:00 PM

In-Person at NM Gaming Control Board
4900 Alameda Blvd. NE, Albuquerque, NM 87113

1. Welcome and Call to Order.

Ms. Renee Narvaiz called the meeting to order at 3:03 p.m. and welcomed everyone to the meeting. She reviewed general procedures for the meeting including various functions within the Zoom platform.

2. Member Roll Call

MEMBERS PRESENT

Jason Johnson
Raja Sambandam
Carlos Lobato
Cassandra Hayne

Robert Benavidez
William A. York
Tracy Lopez
Michael W. Good

MEMBERS ABSENT

Nathan C. Brown
Brigadier General Miguel Aguilar
William (Tim) Presley

Dr. Srinivas Mukkamala
Dr. Lorie Liebrock
Senator Michael Padilla

OTHERS PRESENT

Renee Narvaiz, DoIT, PIO
Melissa Gutierrez, DoIT Cybersecurity Project Mgr.
Todd Baran, DoIT, General Counsel
Will Campos (Deloitte), Cassandra Lynn Brown, Joshua Yadao, Bryan Brock, Dans DoIT.

3. Approval of Agenda:

MOTION Ms. Narvaiz called for a motion to approve the Agenda. Ms. Lopez so moved, seconded by Mr. Lobato. There being no opposition the Agenda was approved.

4. Approval of Meeting Minutes:

MOTION Ms. Narvaiz called for a motion to approve the minutes of the September 27, 2023 meeting. Mr. Lobato so moved, seconded by Mr. Sambandam. There being no opposition the minutes were approved.

5. Committee Member Update – Raja Sambandam

Mr. Sambandam reviewed the list of members which was screen shared, noting that Mr. Johnson is the new Chair of the Committee, and there is currently a vacancy in the position previously held by Mr. Brad Purdy, representing the City of Santa Fe. Mr. Sambandam then asked for recommendations to fill this position in order to satisfy the requirements of the Executive Order.

Mr. Benavidez suggested Mark Leech, the CIO for the City of Albuquerque, or Anthony Ballo, CISO for the City of Albuquerque.

Mr. Sambandam agreed with these suggestions and noted that he had already asked Ms. Gutierrez to reach out to these individuals, however, he wanted to get additional input from the Committee regarding additional options.

Mr. Lobato agreed with Mr. Benavidez's recommendations, however, as a "Plan B" he offered to reach out to the City of Las Cruces Director of IT, if the above noted individuals are not willing or able to take

the position.

Mr. Sambandam asked Ms. Gutierrez to give background information regarding the position as he recalled there had been a question or concern about having representation from a small city.

Ms. Gutierrez noted that this is a requirement for the Advisory Committee under the NOFO for rural representation, but she believes Mr. Michael Good, representing the school district in Los Lunas, satisfies this. She added that any of the individuals previously suggested would be eligible.

Mr. Sambandam stated that the Committee will reach out to both the City of Albuquerque and the City of Las Cruces, once contact information for Las Cruces is received from Mr. Lobato, and these names will be forwarded to the Governor's Office for their decision.

Mr. Johnson asked Mr. Lobato to send the contact information for the City of Las Cruces to Ms. Gutierrez. Mr. Lobato replied he would do so.

Mr. Sambandam gave an update regarding the Executive Order which addresses adopting the NIST framework as a standard, NIST version 5 or CSF 2.0, and AI best practices and risk assessment, so that moving forward the Executive Branch will be using these standards. He also stated that he has met with StateRAMP personnel and gave details regarding StateRAMP, which is very similar to FedRAMP. He reported that StateRAMP is planning to connect with the State to initiate certain processes so that state applications that do not have any independent third party validations or certifications will be going through this process to be certified. He stated that they will be following the same NIST standards.

Ms. Lopez asked when Committee members could expect a copy of the Executive Order. Mr. Sambandam stated that this has already been issued and asked Ms. Gutierrez for clarification of the order number. Ms. Gutierrez stated she would put a link to the Order in the Zoom chat.

Mr. Sambandam stated that this is voluntary for entities that do not fall under the gubernatorial authority, however, they should pivot to the same standard moving forward in order to evaluate any type of cybersecurity insurances or things of that nature. This will also allow other agencies to self-certify their compliance and if they are not, they will have to define a timeline regarding when they expect to be in compliance along with any compensating controls, etc., that they may have. These exceptions will have to be approved by the Governor's Office. These are the highlights of the Executive Order.

Ms. Lopez thanked Mr. Sambandam for this explanation.

6. Engagement Subcommittee Update - Robert Benavidez

Mr. Benavidez reported that most of the work of this Subcommittee has been focused on the grant program, with a series of three meetings to present the grant program, explain how to fill out the grant application and then the third meeting was to answer any additional questions to try to make the process as easy as possible for applicants to submit for state services or for the direct sub-recipient grant.

7. State and Local Cybersecurity Grant Program (SLCGP) Update – Deloitte

Mr. Campos screen shared the Modified Application Timeline and reviewed this, noting that the application path for opting out of state provided services was closed as of April 30th. At the present time all applications for both paths are being reviewed. In working with the Engagement Subcommittee the decision was made to provide a notification by May 7th to those entities choosing to opt out of the state provided services, to given them an opportunity to return to the Submittable platform and apply for state provided services. The deadline for applying for state provided services is currently set for May 14th, after which all applications for the given path will be closed. Notice has been received from FEMA that the application has been approved and amended, which kicked off the 45 day pass-through

certification period, which is scheduled to conclude on June 3rd. This is the point when the state will either disperse the funds made available for those applications approved for opting out or to gather the local consent to provide services and funding. The state has until June 13th to notify and formally inform FEMA that this period has been completed.

He then reviewed information on the screen share regarding the metrics of the applications received thus far and the grant requirements, such as 25% for rural entities and 80% requirement for local entities. He reported that based on the applications received both of these requirements have been exceeded. Of the 21 applications received, 90%, or 19 of those applications were for state provided services, with only two opting to pursue the direct funding path. He also reviewed the projects that the applicants have selected.

He reported that the process is currently in Stage 3, which is where the Planning Committee evaluates all of the applications received. He then gave an overview of the first two stages of this process.

He clarified that Deloitte is prepared to go over the applications for the state provided services, but once they come to the applications taking the opt-out path, they will defer to Mr. Baran for the closed session.

Ms. Gutierrez replied that all of the applications will be discussed in the closed session and what needs to be addressed under sub-item "a" will be those for which there are concerns or the Committee needs guidance on.

a. Discuss and determine general qualifications of Government Consortiums as sub-recipients under the SLCGP.

Mr. Campos stated that there are applications that are considered to be complete and ready to go for state wide services and they have everything they need as far as the applications is concerned and the local consent form.

The applications that Deloitte would like to discuss are those that may be missing something, but generally these are questions concerning definition of governmental body or public utility, for example the one for the Albuquerque Water Utility Authority or the San Juan County Communications Authority. He then deferred to Mr. Benavidez or Mr. Comeau for details of this.

Mr. Comeau discussed how the federal government, within the U.S. code, defines a local government which would qualify for a particular category of local government which would be eligible as a recipient or sub-recipient for this grant program, and this definition is very broad. He gave further details of how these applications were reviewed and the recommendation to approve these.

Mr. Brock added that, with respect to the San Juan County Communications Authority, the State of New Mexico, through the Department of Finance and Administration, provides oversight of the E-911 program through its local government division. By the very nature of this decision the State considers the E-911 program to be a local government program, and he is comfortable that they are properly designated as a local government under the broad federal definition.

Mr. Comeau agreed with Mr. Brock's assessment, and that all of these should be recommended as local government entities as part of this grant program. They will work with the local entities on clean-up of the minor administrative issues noted to make the applications fully compliant.

Ms. Gutierrez queried whether this item was actually an Action Item as noted on the Agenda.

Mr. Brock noted that each of these items under Agenda Item #7, are labeled as Action Items. If the Committee wants to make of record their decision with regard to a particular government consortium they can go into a vote and this will then be an action item. However, the specific grant applications will

require some discussion and some votes on those, and those, as mentioned earlier, will be discussed in closed session, but it is up to the Committee to vote on what has already been discussed or whether they will accept the recommendation.

Mr. Baran advised that the process would be to consider all of the applications in closed session and then return to open meeting and take a vote, either individually or collectively, to approve or deny the applications. The reasoning for this can be discussed in closed session and does not need to be part of the motion when the Committee comes out of the closed session. This would be the time to decide which direction to proceed in.

Mr. Johnson thanked Mr. Baran for this clarification. He then asked if now is the time to go into closed session for discussion and then return to open meeting.

Ms. Gutierrez asked if there were any questions regarding the legal guidance provided by Mr. Brock or anything else, which could be discussed or commented upon in the open session.

Mr. Johnson asked if there were any additional comments or questions regarding the information provided thus far. There were none.

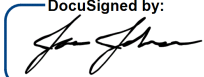
Ms. Gutierrez noted that there were no hands raised in the Zoom platform so Mr. Johnson could entertain a motion to close the meeting.

Mr. Johnson called for a motion to enter into closed session pursuant to 14-2-1(J) NMSA 1978 for the purpose of discussing grant applications opting out of state provided services. Mr. Benavidez so moved, seconded by Mr. Lobato. Roll call vote was taken and the meeting moved to closed session at 3:37 p.m.

The Zoom portion of the meeting resumed briefly at approximately 4:50 p.m., with Mr. Johnson stating no action had been taken during the closed session and that there will be a special meeting of the Committee on May 9, 2024, at 3:00 p.m., to pick up the two action items remaining on today's Agenda.

This meeting was then suspended by Mr. Johnson at 4:52 p.m.

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Jason Johnson, Chair