

Comment Summary and Summary of Changes

To assist stakeholders in understanding the changes to the latest version of the Cybersecurity Coordination Framework, NAIC staff have prepared this summary with notations for how the Framework has been updated to reflect the input received.

Who commented

- **Information Technology Examination (E) Working Group**
- **NAMIC**
- **California DOI**
- **New York DFS**
- **ACLI**
- **AHIP**
- **APCIA**
- **BCBSA**

Key themes and how the revision responds

1. Support for coordinating, with a narrow scope. Nearly every commenter backed the lead-state idea as a way to cut duplicate requests. Stakeholders expressed input ranging from support for the idea without material changes to workable to expressing caution against creating a "51st state" or a central supervisory layer.

- *Revision:* A new "What This Framework Does Not Do" section says the Framework adds no reporting duties, gives no state or NAIC new authority, and changes no confidentiality or privilege protections.

2. Activation criteria and scope. Stakeholders said the catch-all clause left no real threshold with some asking for objective criteria based on material impact. Other stakeholders asked about the Framework's purpose and intended uses.

- *Revision:* The catch-all clause is gone. The Framework now generally applies to events that may affect policyholders in 5 or more states, with clearer factors to weigh.

3. Confidentiality and information sharing. Several stakeholders raised concerns about how sensitive information would be protected as it moves between states and NAIC staff.

- *Revision:* Additional language on confidentiality has been added.

4. Portal access and states without Model #668. Several stakeholders all raised the problem that the Portal is limited to states that adopted Model #668 and to whether a lead state that hasn't adopted Model #668 would be disqualified.

- *Revision:* Not adopting Model #668 doesn't automatically stop a state from leading or participating, as long as it can keep information confidential. Additional text distinguishing the Portal as a tool from the Framework as a process of coordination was added. The edits further add that there are many ways that a Department of Insurance may learn about an event.

5. Choosing the lead state and its role. Stakeholders posed numerous questions about lead state selection with several also suggesting a default rule. Stakeholders also suggested that the lead state function as the main point of contact in discussions with the affected insurance company.

- *Revision:* The domiciliary regulator, or an existing lead state, is presumed to lead. Participating states will route communication through the lead state.

7. NAIC staff role. Stakeholders asked for more clarity on the NAIC's role in this framework.

- *Revision:* A new section describes NAIC staff's supporting role has been added.

8. Clarity of the Process. Stakeholders offered input that the actual process of coordination was unclear.

- *Revision:* Several edits aimed at clarifying the progression of coordination were added.