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Approved for Release  
Charles R Cutshall  
Senior Agency Official for Privacy (SAOP) and Chief Privacy Officer (CPO)

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Date

DEPARTMENT OF COMMERCE  
OFFICE OF PRIVACY AND OPEN GOVERNMENT

PRIVACY BULLETIN #003, FY 2024

**SUBJECT:** Delegation of SAOP Concurrence for the Re-issuance of an Authorization to Operate (ATO) for Low Personally Identifiable Information (PII) Confidentiality Impact Level Processing Systems

**EFFECTIVE DATE:** Upon release of this Privacy Bulletin

**EXPIRATION DATE:** Effective until superseded or revoked

**SUPERSEDES:** Privacy Bulletin #003, FY 2020

**BACKGROUND:** Office of Management and Budget (OMB) Memorandum 14-04 and Commerce policy require Senior Agency Official for Privacy (SAOP) approval as a pre-condition for the issuance/re-issuance of an Authorization to Operate (ATO).

**PURPOSE:** This Bulletin provides the criteria, as well as instruction to the Bureau Chief Privacy Officers (BCPOs) on reviewing and approving Privacy Impact Assessments (PIAs) for Low PII Confidentiality Impact Level processing systems that require a Compliance Review Board (CRB) meeting.

**COVERAGE:** This bulletin applies to Bureau Chief Privacy Officers (BCPOs).

**PROCEDURE:** The responsibilities for key stakeholders are as follows:

1. Bureau Chief Privacy Officers (BCPOs):
  - a. Review the last SAOP approved PIA to confirm that the PII Confidentiality Impact Level was deemed Low.
  - b. Review the PTA and PIA to confirm that there are not any new collections of PII/BII which would increase the PII confidentiality impact level to Moderate or High.
  - c. If the PII Confidentiality Impact Level is Moderate or High, submit the privacy compliance documentation to the SAOP at [CPO@doc.gov](mailto:CPO@doc.gov) for a CRB meeting to be scheduled to be held with the SAOP.
  - d. Review the bureau/operating unit's PII/BII Processing System Inventory to confirm that the last CRB meeting was held more than three (3) years ago.

- e. Review the Controls Assessment Worksheet to confirm that the appropriate security and privacy controls are in place.
  - f. Review the Cyber Security Assessment Management (CSAM) tool to confirm that any applicable Plans of Action and Milestones (POA&Ms) are in place.
  - g. Conduct the CRB meeting with the Information System Security Officer (ISSO), System Owner (SO), Information Technology Security Officer (ITSO), and Privacy Act Officer, in addition to the Approving Official (AO) if needed.
  - h. Approve the PIA with signature if it has been determined that there are not any additional privacy risks.
  - i. Complete the BCPO Concurrence of PIA Memorandum (Appendix) and submit it, as well as the PTA, PIA, and Controls Assessment Worksheet to the SAOP at [CPO@doc.gov](mailto:CPO@doc.gov) within three (3) workdays of BCPO concurrence of the PIA on behalf of the SAOP.
2. Senior Agency Official for Privacy (SAOP) and Deputy Director for Departmental Privacy Operations:
    - a. Review the privacy compliance documentation received.
    - b. Ensure posting of the BCPO approved PIA, in addition to the corresponding PTA on the Department's privacy web page at [www.commerce.gov/privacy](http://www.commerce.gov/privacy) within three (3) business days.
    - c. Update the Departmental PII/BII Processing System Inventory.

#### **ACCOUNTABILITY:**

- OMB Circular A-130 requires Federal agencies to:
  - Ensure compliance with all applicable statutory, regulatory, and policy requirements and use PIAs and other tools to manage privacy risks;
  - Conduct PIAs in accordance with the E-Government Act and make the PIAs available to the public in accordance with OMB policy;
  - Ensure that the design of information collections is consistent with the intended use of the information, and the need for new information is balanced against any privacy risks;
  - Identify privacy control assessment methodologies and metrics;
  - Review authorization packages for information systems that involve PII; and
  - Establish and maintain a privacy continuous monitoring program.
- The PTA and PIA will be published on the Department's privacy web page.

#### **REFERENCES:**

- OMB Circular A-130, *Managing Information as a Strategic Resource*
- OMB Memorandum 14-01, *Fiscal Year 2013 Reporting Instructions for the Federal Information Security Management Act and Agency Privacy Management*

#### **PROGRAM CONTACT INFORMATION:**

Office of Privacy and Open Government  
(202) 482-1190

[PrivacyAct@doc.gov](mailto:PrivacyAct@doc.gov)

## APPENDIX:

MEMORANDUM FOR: Charles R Cutshall  
Senior Agency Official for Privacy (SAOP) and  
Chief Privacy Officer (CPO)

FROM: \_\_\_\_\_  
Bureau Chief Privacy Officer (BCPO)

SUBJECT: BCPO Concurrence of Privacy Impact Assessment (PIA)  
for Low PII Confidentiality Impact Level PII/BII  
Processing System

I certify that the following criteria has been met for \_\_\_\_\_:  
(Name of PII processing system)

- ☐ The CRB meeting was held on\_\_\_\_\_.
- ☐ Date of SAOP concurrence of LOW PII confidentiality impact level:\_\_\_\_\_.
- ☐ Basis for BCPO exercise of SAOP CRB delegated authority.  
Check one of the following:
  - ☐ There are not any new collections of PII/BII.
  - ☐ There are new collections of PII/BII that do not change the PII confidentiality impact level.
- ☐ The appropriate security and privacy controls are in place and/or there is an approved Plan of Action and Milestones. The date of the annual review was conducted on\_\_\_\_\_.

The following documents are attached (check all that apply):

- ☐ PTA
- ☐ PIA
- ☐ Controls Assessment Worksheet