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Approved for Release

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Senior Agency Official for Privacy (SAOP) and Chief Privacy Officer (CPO)

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Date

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DEPARTMENT OF COMMERCE  
OFFICE OF PRIVACY AND OPEN GOVERNMENT

PRIVACY BULLETIN #002, FY 2024

**SUBJECT:** Delegation of SAOP Concurrence for the Re-issuance of an Authorization to Operate (ATO) for Personally Identifiable Information (PII)/Business Identifiable Information (BII) Processing Systems Eligible for the Re-certification Process

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

**EXPIRATION DATE:** Effective until superseded or revoked

**SUPERSEDES:** Privacy Bulletin #002, 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 PII processing systems which are eligible for the re-certification process.

**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 bureau/operating unit's PII/BII Processing System Inventory to confirm that the last Compliance Review Board (CRB) meeting was held within three (3) years. If it has been less than three (3) years, continue to follow the instruction below. If it has been more than three (3) years and 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) in order for a CRB meeting to be scheduled to be held with the SAOP. Otherwise, if the PII Confidentiality Impact Level is Low, follow the guidance and instruction of Privacy Bulletin #003, FY 2020.

- b. Review the Privacy Impact Assessments (PIAs) posted on the DOC Privacy Program web page at [www.commerce.gov/privacy](http://www.commerce.gov/privacy) to confirm that there is a current SAOP approved PIA (good for one (1) year only) for the information system.
  - c. Review the Privacy Threshold Analysis (PTA) and updated PIA to confirm that there are not any changes which create new privacy risks and there are not any new collections of PII/BII.
  - d. Review the Annual Review and Concurrence Checklist for the Privacy Impact Assessment (PIA) Re-certification Process to ensure the appropriate reviews have been conducted by the System Owner and Privacy Act Officer.
  - e. Complete the Concurrence of PIA Memorandum (Appendix) and submit it, as well as the PTA, PIA, and PIA Annual Review Certification Form 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;
  - 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:

### Annual Review and Concurrence Checklist for the Privacy Impact Assessment (PIA) Re-certification Process

Upon my signature of the Privacy Threshold Analysis and Privacy Impact Assessment, I certify that the following criteria has been met for \_\_\_\_\_:  
(Name of PII processing system)

- ☐ The PII confidentiality impact level is: ☐ Low ☐ Moderate ☐ High
- ☐ The last Compliance Review Board (CRB) meeting was held on\_\_\_\_\_.
- ☐ The current SAOP approved PIA expires on\_\_\_\_\_.
- ☐ There are not any changes which create new privacy risks.
- ☐ There are not any new collections of PII/BII.
- ☐ The following sections of the PIA have been updated accordingly with confirmation of consistency (*check all that apply*):
  - ☐ Introduction Description (Brief description of the system)
  - ☐ Section 1.1 (Status of the Information System)
  - ☐ Section 2.1 (Information in the System)
  - ☐ Section 8.1 (Administrative and Technological Controls – most recent Assessment and Authorization date)
  - ☐ Section 12.2 (Analysis - Required Business Process Changes)
  - ☐ Section 12.3 (Analysis – Required Technology Changes)
  - ☐ Current certification signatures on the PTA and PIA.

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

- ☐ PTA
- ☐ PIA

Confirmed By:

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System Owner/Information Systems Security Officer

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Privacy Act Officer