

COMPONENT PRIVACY OFFICER

I. Purpose

This Instruction requires the Department of Homeland Security (DHS) Components to appoint a Privacy Officer within their Component to oversee privacy compliance, policy, and oversight activities in coordination with the Chief Privacy Officer.

II. Scope

Requirements in this Instruction apply to the following: U.S. Customs and Border Protection (CBP); Federal Emergency Management Agency (FEMA); Office of Intelligence and Analysis (I&A); U.S. Immigration and Customs Enforcement (ICE); National Protection Programs Directorate (NPPD); Science and Technology Directorate (S&T); Transportation Security Administration (TSA); U.S. Coast Guard (USCG); U.S. Citizenship and Immigration Services (USCIS); Federal Law Enforcement Training Center (FLETC); Office of Operations Coordination (OPS); and U.S. Secret Service (USSS).

III. References

- A. Title 5, United States Code (U.S.C.), Section 552, "Public information; agency rules, opinions, orders, records, and proceedings"
- B. Title 5, U.S.C., Section 552a, "The Privacy Act of 1974," as amended
- C. Title 6, U.S.C., Section 112, "Secretary; functions"
- D. Title 6, U.S.C., Section 142, "Privacy Officer"
- E. Title 44, U.S.C., Chapter 35, Subchapter III, "Information Security"
- F. DHS Delegation 13001, "Delegation to the Chief Privacy Officer" (August 29, 2011)
- G. DHS Directive, 047-01, "Privacy Policy and Compliance" (July 7, 2011)

- H. Memorandum from the Deputy Secretary to Component Heads, "Designation of Component Privacy Officers" (June 5, 2009)
- I. Memorandum from the Secretary to Component Heads, "Designation of Component Level Privacy Officers" (May 3, 2007).

IV. Responsibilities

- A. **The Chief Privacy Officer**: Provides leadership for establishing, overseeing the implementation of, and issuing guidance on DHS privacy policy, via the DHS 112 process, which is an official means of communicating to DHS employees the policies, delegations of authority, and procedures necessary for DHS to comply with pertinent Executive Orders, statutes, regulations, and policies. All DHS officers and employees are responsible for acting in accordance with the applicable policies and procedures as established in the Directives System. The System consists of Policy Statements, Directives, and Instructions that are systematically prepared and revised to meet the needs of DHS.
- B. **Component Heads**: In accordance with References (H) and (I), Heads of the following Components appoint a Component Privacy Officer: CBP, FEMA, I&A, ICE, NPPD, S&T, TSA, USCG, USCIS, FLETC, OPS, and USSS. The Component Privacy Officer designated 1) is a senior level federal employee with significant experience and background in privacy; 2) reports directly to the Component Head; and 3) receive appropriate support and resources for his/her respective programs to implement this Instruction.
- C. **Component Privacy Officer**:
 - 1. Serves as the Chief Privacy Officer's main point of contact to implement the policies and directives of the DHS Privacy Office;
 - 2. Prepares Privacy Threshold Analyses, Privacy Impact Assessments, and System of Records Notices, as well as any associated privacy compliance documentation, as directed by the DHS Privacy Office policy or required by law;
 - 3. Provides privacy oversight to avoid potential conflict with Chief Information Officer or Chief Information Security Officer obligations with respect to oversight of information, including Personally Identifiable Information (PII);
 - 4. Identifies privacy issues related to Component programs and applies appropriate privacy policies and federal privacy laws;

5. Monitors the Component's compliance with all applicable federal privacy laws and regulations; implements corrective, remedial, and preventive actions, including those identified in any DHS Privacy Compliance Reviews; and notifies the DHS Privacy Office of privacy issues or any non-compliance, when necessary;
6. Conducts Component privacy reviews and compliance evaluations, as deemed appropriate, and coordinates activities and findings with the DHS Privacy Office;
7. Implements and manages the privacy incident management process for suspected or confirmed incidents involving loss or unauthorized access and disclosure of PII in the possession or control of Component;
8. Conducts and keeps records of privacy training for employees and contractors in coordination with the DHS Privacy Office;
9. Complies and responds to data calls with reporting requirements to the DHS Privacy Office; and
10. Communicates privacy initiatives on Component programs with internal and external stakeholders in coordination with the DHS Privacy Office, as appropriate.

V. Questions

Address any questions or concerns regarding this Instruction to the DHS Privacy Office.



2/6/2017

Jonathan R. Cantor
Acting Chief Privacy Officer

Date