



## **Privacy Threshold Analysis**

**Version number: 01-2014**

*Page 1 of 8*

### **PRIVACY THRESHOLD ANALYSIS (PTA)**

**This form is used to determine whether  
a Privacy Impact Assessment is required.**

Please use the attached form to determine whether a Privacy Impact Assessment (PIA) is required under the E-Government Act of 2002 and the Homeland Security Act of 2002.

Please complete this form and send it to your component Privacy Office. If you do not have a component Privacy Office, please send the PTA to the DHS Privacy Office:

Senior Director, Privacy Compliance  
The Privacy Office  
U.S. Department of Homeland Security  
Washington, DC 20528  
Tel: 202-343-1717

PIA@hq.dhs.gov

Upon receipt from your component Privacy Office, the DHS Privacy Office will review this form. If a PIA is required, the DHS Privacy Office will send you a copy of the Official Privacy Impact Assessment Guide and accompanying Template to complete and return.

A copy of the Guide and Template is available on the DHS Privacy Office website, [www.dhs.gov/privacy](http://www.dhs.gov/privacy), on DHSConnect and directly from the DHS Privacy Office via email: [pia@hq.dhs.gov](mailto:pia@hq.dhs.gov), phone: 202-343-1717.



## Privacy Threshold Analysis

Version number: 01-2014

Page 2 of 8

### PRIVACY THRESHOLD ANALYSIS (PTA)

#### SUMMARY INFORMATION

<b>Project or Program Name:</b>	Marine Casualty Reporting Damage Thresholds Inflation Adjustment		
<b>Component:</b>	U.S. Coast Guard (USCG)	<b>Office or Program:</b>	Office of Investigations & Casualty Analysis
<b>Xacta FISMA Name (if applicable):</b>	N/A	<b>Xacta FISMA Number (if applicable):</b>	N/A
<b>Type of Project or Program:</b>	Notice of Proposed Rulemaking/Final Rule	<b>Project or program status:</b>	Existing
<b>Date first developed:</b>	Not Applicable	<b>Pilot launch date:</b>	N/A
<b>Date of last PTA update</b>	Not Applicable	<b>Pilot end date:</b>	N/A
<b>ATO Status (if applicable)</b>	Choose an item.	<b>ATO expiration date (if applicable):</b>	N/A

#### PROJECT OR PROGRAM MANAGER

<b>Name:</b>	CDR Randy S. Waddington		
<b>Office:</b>	CG-INV	<b>Title:</b>	Program Manager
<b>Phone:</b>	202-372-1039	<b>Email:</b>	Randy.S.Waddington@uscg.mil

#### INFORMATION SYSTEM SECURITY OFFICER (ISSO) (IF APPLICABLE)

<b>Name:</b>	N/A		
<b>Phone:</b>	N/A	<b>Email:</b>	N/A



## Privacy Threshold Analysis

Version number: 01-2014

Page 3 of 8

### SPECIFIC PTA QUESTIONS

#### 1. Reason for submitting the PTA: New PTA

The Coast Guard submits this PTA as part of the rulemaking process. The Coast Guard is amending the property damage threshold amounts related to marine casualty reporting and serious marine incidents. These threshold amounts are one of several criteria which determine whether a marine casualty is reportable and whether the casualty rises to the level of a “serious marine incident.”

The Coast Guard proposes to amend two regulations in 46 CFR Part 4 by increasing the property damage threshold amounts to account for inflation. The existing regulatory threshold amounts have been in place since the 1980’s and have not kept up with price increases due to inflation.

The information requested is collected within and retained under the U.S. Coast Guard Marine Information for Safety and Law Enforcement (MISLE) System of Records.

Additionally, MISLE Privacy Act exemptions are addressed in a final rule entitled, *Privacy Act of 1974: Implementation of Exemptions; Department of Homeland Security / U.S. Coast Guard – 013 Marine Information for Safety and Law Enforcement System of Records* dated December 4, 2009 (74 FR 63948).

This rulemaking does not change the information requested, collected or retained but merely changes the threshold property damage criteria that determines whether the marine casualty is reportable or whether the casualty meets the definition of a “serious marine incident.”

#### 2. Does this system employ any of the following technologies:

*If you are using any of these technologies and want coverage under the respective PIA for that technology please stop here and contact the DHS Privacy Office for further guidance.*

- ☐ Closed Circuit Television (CCTV)
- ☐ Social Media
- ☐ Web portal<sup>1</sup> (e.g., SharePoint)
- ☐ Contact Lists
- ☒ None of these

#### 3. From whom does the Project or Program collect, maintain, use, or disseminate information?

- ☐ This program does not collect any personally identifiable information<sup>2</sup>

<sup>1</sup> Informational and collaboration-based portals in operation at DHS and its components that collect, use, maintain, and share limited personally identifiable information (PII) about individuals who are “members” of the portal or “potential members” who seek to gain access to the portal.

<sup>2</sup> DHS defines personal information as “Personally Identifiable Information” or PII, which is any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual, regardless of whether the individual is a U.S. citizen, lawful permanent resident, visitor to the U.S., or employee or contractor to the Department. “Sensitive PII” is PII, which if lost, compromised, or disclosed without authorization, could result in substantial harm, embarrassment, inconvenience, or unfairness to an individual. For the purposes of this PTA, SPII and PII are treated the same.



## Privacy Threshold Analysis

Version number: 01-2014

Page 4 of 8

<i>Please check all that apply.</i>	<input checked="checked" type="checkbox"/> Members of the public <input type="checkbox"/> DHS employees/contractors (list components): <input type="checkbox"/> Contractors working on behalf of DHS <input type="checkbox"/> Employees of other federal agencies
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#### 4. What specific information about individuals is collected, generated or retained?

As mentioned in 1. above, this project does not add/delete any information that is currently collected, requested or retained but rather changes the property damage criteria in which the public is required to notify the Coast Guard immediately and file a subsequent written report within 5 days of an incident that meets the regulatory criteria. Information collected is retained within the MISLE database. This project will decrease the number of reportable marine casualties and serious marine incidents, thereby, collecting and retaining less information. For reference, detailed below is the information collected and their corresponding regulatory cites.

##### **CG-2692, Report of Marine Casualty, Commercial Diving Casualty, or OCS (Outer Continental Shelf)-Related Casualty**

(46 CFR 4.05-5 and Substance of marine casualty notice; 46 CFR 4.05-10 Written report of marine casualty)

- a. Name of vessel's owner, telephone number, mailing address, and email address.
- b. Name of Operator or Manager, telephone number, mailing address, and email address.
- c. Name of Agent, telephone number, mailing address, and email address.
- d. Name of Master or Person-in-Charge, telephone number, mailing address, and email address.
- e. Name of Dive Supervisor, telephone number, mailing address, and email address.
- f. Name of Pilot, telephone number, mailing address, and email address.
- g. Name or position title for individuals with evidence of drug or alcohol use, evidence of intoxication, or who refused to submit/cooperate in a timely chemical test.
- h. Name of Person Making the Report, signature, title, mailing address, telephone number, and email address.

##### **CG-2692A, Barge Addendum**

(46 CFR 4.05-5 and Substance of marine casualty notice; 46 CFR 4.05-10 Written report of marine casualty)

- a. Name of barge owner.
- b. Name of Barge agent.

##### **CG-2692B, Report of Mandatory Chemical Testing Following a Serious Marine Incident Involving Vessels in Commercial Service Addendum**

(CFR 4.05-12 Alcohol or drug use by individuals directly involved in casualties; CFR 4.06-3 Requirements for alcohol and drug testing following a serious marine incident; 46 CFR 4.06-60 Submission of reports and test results)



## Privacy Threshold Analysis

Version number: 01-2014

Page 5 of 8

- a. Name of individuals tested and whether they are holders of Merchant Mariners Credentials.
- b. Name of individual conducting alcohol testing, mailing address, telephone number, and email address.
- c. Name of Person Making the Report, signature, title, mailing address, telephone number, and email address.

### CG-2692C, Personnel Casualty Addendum

(46 CFR 4.05-5 and Substance of marine casualty notice; 46 CFR 4.05-10 Written report of marine casualty)

- a. Name of injured, dead, or missing person; telephone number, mailing address, and email address.

**Note: CG-2692D, Involved Persons and Witnesses Addendum only applies to OCS-related casualties only and is not applicable to this project.**

<b>4(a) Does the project, program, or system retrieve information by personal identifier?</b>	<input type="checkbox"/> No. Please continue to next question. <input checked="" type="checkbox"/> Yes. If yes, please list all personal identifiers used: Name, address, phone number, and/or email addresses.
<b>4(b) Does the project, program, or system use Social Security Numbers (SSN)?</b>	<input checked="" type="checkbox"/> No. <input type="checkbox"/> Yes.
<b>4(c) If yes, please provide the specific legal basis and purpose for the collection of SSNs:</b>	N/A
<b>4(d) If yes, please describe the uses of the SSNs within the project, program, or system:</b>	N/A
<b>4(e) If this project, program, or system is an information technology/system, does it relate solely to infrastructure?</b>  <i>For example, is the system a Local Area Network (LAN) or Wide Area Network (WAN)?</i>	<input checked="" type="checkbox"/> No. Please continue to next question. <input type="checkbox"/> Yes. If a log kept of communication traffic, please answer the following question.
<b>4(f) If header or payload data<sup>3</sup> is stored in the communication traffic log, please detail the data elements stored.</b>	
N/A	

<sup>3</sup> When data is sent over the Internet, each unit transmitted includes both header information and the actual data being sent. The header identifies the source and destination of the packet, while the actual data is referred to as the payload. Because header information, or overhead data, is only used in the transmission process, it is stripped from the packet when it reaches its destination. Therefore, the payload is the only data received by the destination system.



## Privacy Threshold Analysis

Version number: 01-2014

Page 6 of 8

<b>5. Does this project, program, or system connect, receive, or share PII with any other DHS programs or systems<sup>4</sup>?</b>	<input type="checkbox"/> No. <input checked="" type="checkbox"/> Yes. If yes, please list: MISLE
<b>6. Does this project, program, or system connect, receive, or share PII with any external (non-DHS) partners or systems?</b>	<input checked="" type="checkbox"/> No. <input type="checkbox"/> Yes. If yes, please list: Click here to enter text.
<b>6(a) Is this external sharing pursuant to new or existing information sharing access agreement (MOU, MOA, LOI, etc.)?</b>	N/A
<b>7. Does the project, program, or system provide role-based training for personnel who have access in addition to annual privacy training required of all DHS personnel?</b>	<input type="checkbox"/> No. <input checked="" type="checkbox"/> Yes. If yes, please list: Formal instruction to Investigating Officers is provided in obtaining & managing CG-2692 (series) information at a resident course located in Yorktown, VA.
<b>8. Per NIST SP 800-53 Rev. 4, Appendix J, does the project, program, or system maintain an accounting of disclosures of PII to individuals who have requested access to their PII?</b>	<input checked="" type="checkbox"/> No. What steps will be taken to develop and maintain the accounting: Disclosures of PII are in accordance with the MISLE SORN. <input type="checkbox"/> Yes. In what format is the accounting maintained:
<b>9. Is there a FIPS 199 determination?<sup>4</sup></b>	<input checked="" type="checkbox"/> Unknown. <input type="checkbox"/> No. <input type="checkbox"/> Yes. Please indicate the determinations for each of the following:  Confidentiality: <input type="checkbox"/> Low <input type="checkbox"/> Moderate <input type="checkbox"/> High <input type="checkbox"/> Undefined  Integrity:

<sup>4</sup> PII may be shared, received, or connected to other DHS systems directly, automatically, or by manual processes. Often, these systems are listed as "interconnected systems" in Xacta.

<sup>4</sup> FIPS 199 is the [Federal Information Processing Standard](#) Publication 199, Standards for Security Categorization of Federal Information and Information Systems and is used to establish security categories of information systems.



## Privacy Threshold Analysis

Version number: 01-2014

Page 7 of 8

	<input type="checkbox"/> Low <input type="checkbox"/> Moderate <input type="checkbox"/> High <input type="checkbox"/> Undefined
	Availability: <input type="checkbox"/> Low <input type="checkbox"/> Moderate <input type="checkbox"/> High <input type="checkbox"/> Undefined

### PRIVACY THRESHOLD REVIEW

(TO BE COMPLETED BY COMPONENT PRIVACY OFFICE)

<b>Component Privacy Office Reviewer:</b>	Kenlinishia Tyler
<b>Date submitted to Component Privacy Office:</b>	October 14, 2016
<b>Date submitted to DHS Privacy Office:</b>	December 19, 2016
<b>Component Privacy Office Recommendation:</b> <i>Please include recommendation below, including what new privacy compliance documentation is needed.</i>	
The Marine Casualty Reporting Damage Thresholds Inflation Adjustment is a privacy sensitive rule that collects name, address, e-mail and telephone numbers. The DHS/USCG/PIA-008 and DHS/USCG-013 MISLE SORN provides coverage.	

(TO BE COMPLETED BY THE DHS PRIVACY OFFICE)

<b>DHS Privacy Office Reviewer:</b>	Michael Capparra
<b>PCTS Workflow Number:</b>	1136464
<b>Date approved by DHS Privacy Office:</b>	December 19, 2016
<b>PTA Expiration Date</b>	December 19, 2019

### DESIGNATION

<b>Privacy Sensitive System:</b>	Yes If “no” PTA adjudication is complete.
<b>Category of System:</b>	Rule If “other” is selected, please describe: Click here to enter text.
<b>Determination:</b>	<input type="checkbox"/> PTA sufficient at this time.





## Privacy Threshold Analysis

Version number: 01-2014

Page 8 of 8

<div><input type="checkbox"/> Privacy compliance documentation determination in progress.</div> <div><input type="checkbox"/> New information sharing arrangement is required.</div> <div><input type="checkbox"/> DHS Policy for Computer-Readable Extracts Containing Sensitive PII applies.</div> <div><input type="checkbox"/> Privacy Act Statement required.</div> <div><input checked="" type="checkbox"/> Privacy Impact Assessment (PIA) required.</div> <div><input checked="" type="checkbox"/> System of Records Notice (SORN) required.</div> <div><input type="checkbox"/> Paperwork Reduction Act (PRA) Clearance may be required. Contact your component PRA Officer.</div> <div><input type="checkbox"/> A Records Schedule may be required. Contact your component Records Officer.</div>	
<b>PIA:</b>	<b>System covered by existing PIA</b> If covered by existing PIA, please list: DHS/USCG/PIA-008 Marine Information for Safety and Law Enforcement (MISLE) 2009
<b>SORN:</b>	<b>System covered by existing SORN</b> If covered by existing SORN, please list: DHS/USCG-031 USCG Law Enforcement (ULE) System of Records, December 8, 2016, 81 FR 88697
<b>DHS Privacy Office Comments:</b> <i>Please describe rationale for privacy compliance determination above.</i>	
<p>The DHS Privacy Office finds that the Marine Casualty Reporting Damage Thresholds Inflation Adjustment is a privacy sensitive rule that collects personally identifiable information (PII) as part of the process of documenting maritime property damage criteria in which the public is required to notify the Coast Guard following an incident. The rule change does not change the type of information that is collected, rather it sets new standard for when the Coast Guard must be notified an incident. This rulemaking does not change the information requested, collected or retained but merely changes the threshold property damage criteria that determines whether the marine casualty is reportable or whether the casualty meets the definition of a “serious marine incident.”</p> <p>The Privacy Office agrees with Coast Guard’s assertion that PIA coverage is provided by DHS/USCG/PIA-008 Marine Information for Safety and Law Enforcement (MISLE), which assesses the privacy risks associated with programs that collect and use the PII of individuals associated with vessels, as well as investigatory information. SORN coverage is provided by DHS/USCG-031 USCG Law Enforcement (ULE), which outlines the collection and maintenance of USCG case records and other reported information relating to the safety, security, law enforcement, environmental, and compliance activities of vessels, facilities, organizations engaged in marine transportation, and related persons.</p>	