



NTSB Privacy Impact Assessment

System Information

What is the Privacy Act systems of records notice number and the system name?

- *NTSB-13, Airman or Mariner Certificate Enforcement Actions System*

What is the purpose and intended use of this system?

- *The NTSB maintains this system in order to fulfill Congress's statutory directive of deciding airman and mariner appeals, in accordance with 49 U.S.C. 1133. The NTSB manages the case load and tracks all documents related to cases in this system of records.*

What legal authority authorizes the system/application?

- *44 U.S.C. 216B, 239-a-b; 49 U.S.C. 1133, 44106, 44703, 44709, 44710, and 46301.*

Data in the System

What categories of individuals are covered in the system?

- *Individuals who hold airman certificates who have been subject to Federal Aviation Administration (FAA) enforcement actions, or to whom the FAA has denied certification; individuals who have been subject to a civil penalty assessed by the FAA; and mariners who hold maritime licenses, certificates, documents, or registers who have been subject to U.S. Coast Guard enforcement actions or certificate denials.*

What are the sources of information in the system?

- *The NTSB obtains information in the records primarily from the individual to whom a record pertains, from authorized representatives of these individuals, from information supplied by the certificate holder, and from attorneys and other representatives of the FAA and the U.S. Coast Guard.*
- *The system includes, but is not limited to: the petition or appeal filed by an individual; pleadings from both parties in the case; motions and responses filed by the parties; relevant documents related to these actions (Orders of Revocation, Orders of Suspension, Orders of Assessment, Denials of applications for issuance of airman certificates); hearing notices; transcripts of hearings; exhibits introduced during hearings; and Administrative Law Judges' decisions. For cases that a party appeals to the full Board, records will include the following additional categories: Notice of Appeal for review of the Judge's decision, and briefs in support of that appeal; the Board's Opinion and Order resulting from the review; and other correspondence that*

is initiated by the Board, or parties pertaining to the case. Where a case arises out of a U.S. Coast Guard action, records will include: hearing notices, pleadings from both parties in the case; motions and responses filed by the parties; the decision of the Administrative Law Judge, the U.S. Coast Guard order; the Notice of Appeal of the Commandant's decision; parties' appeal briefs; and the Commandant's decision on appeal. If a hearing occurred, records will include the transcript of testimony and exhibits from the hearing.

How does the Safety Board ensure that data are sufficiently accurate, relevant, timely, and complete to ensure fairness in making determinations about any individual and ensuring data access?

- *The NTSB maintains paper records within this system in file cabinets that are restricted through electronic keycards to enter the facility where the records are located. Computerized records are maintained in a secure, password protected computer system. Access to and use of these records is limited to those persons whose official duties require such access, and the Facility Security Access Control System (NTSB-24) logs the date and time that each electronic keycard was used to enter the location. This system conforms to all applicable Federal laws and regulations, as well as NTSB policies and standards, as they relate to information security and data privacy. In this regard, the following laws and regulations may apply: the Privacy Act of 1974; the Federal Information Security Management Act of 2002; the Computer Fraud and Abuse Act of 1986; the Health Insurance Portability and Accountability Act of 1996; the E-Government Act of 2002; and corresponding regulations implementing these statutes.*

Maintenance of Administrative Controls

What are the procedures for disposition of the data at the end of the retention period? How long will the reports produced be kept? Where are the procedures documented?

- *This is for NTSB use only.*

Will this system provide the capability to identify, locate, and monitor individuals?

- *No.*

Access to Data

Are contractors involved with the design and development of the system and/or will they be involved with the maintenance of the system?

- *Yes, contractors are involved with the design and development of the system and/or are involved with the maintenance of the system.*

If yes, were Privacy Act contract clauses inserted in their contracts and other regulatory measures addressed?

- *Privacy Act contract clauses are in contracts and regulatory measures addressed.*

Do other systems share data or have access to the data in the system?

- Only those integrated with process use. In addition to the disclosures permitted under subsection (b) of the Privacy Act, and described in Appendix A, below, the NTSB may disclose information contained in this system of records without the consent of the subject individual if the disclosure is compatible with the purpose for which the record was collected under the following routine uses:
 1. Disclosure in response to discovery ordered by a court, in accordance with 49 U.S.C. 1153; and
 2. Publicly available records within the system, which the Privacy Act does not preclude from disclosure (e.g., final decisions issued by ALJs and the Board), are available on the NTSB Web site, <http://www.nts.gov>.

Who will be responsible for protecting the privacy rights of the public and employees affected by the interface and proper use of the data?

- *Manager, ALJ Operations, National Transportation Safety Board, Washington, DC 20594*

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Will other agencies share or have access to the data in this system and how?

- *No. However, very limited data may be shared with other agencies as stated in the above (Do other systems share data or have access to the data in the system?)*