



**Privacy Impact Assessment Update
for the**

Crew Vetting Program (CVP)

DHS/TSA/PIA-006(a)

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Contact Point

Michael R. Rogers

Office of Intelligence and Analysis

Transportation Security Administration

(719) 785-1608

Reviewing Official

Karen L. Neuman

Chief Privacy Officer

Department of Homeland Security

(202) 343-1717



Abstract

The Transportation Security Administration (TSA) conducts security threat assessments (STA) on flight crewmembers to identify individuals who may pose a threat to transportation security. This Privacy Impact Assessment update reflects that the STA will include identifying public health risks by checking crewmembers against the Centers for Disease Control and Prevention (CDC) Do Not Board (DNB) list.

Introduction

The CDC recommends that persons known to have communicable diseases that can pose a serious health threat refrain from traveling by any public conveyance. Under Section 361 of the Public Health Service Act¹ the CDC director may apprehend, detain, examine, or conditionally release persons believed to be carrying certain communicable diseases.² The CDC partnered with the Department of Homeland Security (DHS) to prevent persons with diseases posing a serious public health threat from boarding commercial airline flights. Public health officials can request that persons who meet specific criteria and pose a serious threat to the public be placed on a DNB list to prevent them from boarding aircraft. The CDC and DHS manage the DNB list. The CDC notifies DHS to make changes to the information contained in the list. TSA already compares passenger information against the Department of Health and Human Services (HHS) CDC DNB list to prevent individuals who pose a serious public health threat from boarding aircraft, and uses information already collected from flight crewmembers for safety purposes to conduct a check against the CDC DNB list.

The information provided in the previously published PIA remains in effect unless otherwise noted.³

Reason for the PIA Update

This PIA update reflects TSA's addition of the CDC DNB list to the existing STA process to detect crewmembers⁴ that the CDC has identified as public health risks. Crewmembers are not permitted access to an aircraft if they are on the CDC DNB list.

¹ See 42 U.S.C. § 264 - Regulations to control communicable diseases.

² Executive Order 13295, amended July 31, 2014. The list of diseases includes, but is not limited to, diphtheria, smallpox, and viral hemorrhagic fevers including Ebola.

³ See http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_cvp.pdf

⁴ A crewmember is defined as a pilot, co-pilot, flight engineer, or airline personnel authorized to fly in the cockpit, cabin crew, as well as any relief or deadheading crewmember, and persons on board an all-cargo flight operated by any air carrier or operator, foreign or U.S.



Privacy Impact Analysis

Authorities and Other Requirements

In addition to the authority of the Public Service Health Act and Executive Order 13295, TSA is authorized to provide support to federal screening efforts in preventing the spread of disease.⁵ TSA is also authorized to make plans related to transportation security, coordinate countermeasures with appropriate agencies, and assess threats to transportation.⁶

Characterization of the Information

TSA is expanding the sources of information to include the CDC DNB list as part of the vetting process. By expanding the CDC DNB screening process from passengers to crewmembers, TSA closes a potential vulnerability onboard aircraft.

Uses of the System and the Information

There is no change to the uses of information. TSA will continue to use the information collected to conduct security threat assessments on the covered individuals in the established TSA Master Crew Lists and Flight Crew Manifests.

Privacy Risk: There is a minimal privacy risk that a crewmember could be mistakenly identified as a match to the CDC DNB list.

Mitigation: The risk is mitigated by the fact that sufficiently detailed information collected about the crewmember (full name, date of birth, place of birth, gender, citizenship, and passport number) is matched against the same data held by CDC, which also holds the individual's address and employer information. It is unlikely that there will be an error with identification with such detailed information.

Notice

Due to the urgency involved, the CDC might not provide prior notice to the individual, but it does provide the individual with written notice that the individual is temporarily restricted from traveling by commercial air carrier and provides the reasons why it has reached this decision. If an individual cannot be located, the CDC works with state and local public health officials to contact the individual through family or other contacts. As part of its notification process, CDC also asks the appropriate state or local health department to notify the individual directly.⁷

Master crew lists must be provided to TSA pursuant to 19 CFR part 122.49c. Notice that TSA will use the CDC DNB list as a step in the STA process is provided by this update to the

⁵ 49 U.S.C. § 106(l), (m), 114(m).

⁶ 49 U.S.C. § 114(f).

⁷ 80 FR 16400, March 27, 2015.



PIA. The employing aircraft operator will notify the individual if they are a match to the CDC DNB list and provide instructions to contact TSA Operations Center (TSOC). TSOC will provide the crewmember with information about contacting the CDC if necessary.

Privacy Risk: There is a privacy risk that crewmembers do not receive notice that CDC DNB list is used by TSA as a step in the STA process.

Mitigation: CDC makes extensive efforts to notify the individual. TSA provides notice through this PIA update.

Data Retention by the Project

The CDC DNB list is updated daily to reflect the addition or deletion of individuals subject to a Do Not Board order by the CDC. Although the applicable retention for watch list matches by TSA is 99 years, TSA will seek NARA approval to retain records on a confirmed match to the CDC DNB list for only 7 years.

Information Sharing

TSA shares the crewmember's information with HHS for adjudication when matches to the CDC DNB list cannot be otherwise cleared. This sharing is conducted under Routine Use I of the System of Records Notice (SORN) for Transportation Security Threat Assessment System (T-STAS)⁸ "to appropriate federal agencies regarding individuals who pose, or are suspected of posing, a risk to transportation or national security," and Routine Use Q "to the appropriate federal agency responsible for enforcing or implementing a rule or regulation when TSA determines the information would assist in the enforcement of civil or criminal laws."⁹

TSA also shares crewmembers' information with aircraft operators (their employers) when relevant to preventing crewmembers from boarding an aircraft. This sharing is conducted under Routine Use N for T-STAS to aircraft operators about their employees when relevant to their employment.¹⁰

Privacy Risk: There is a risk that a crewmember will be incorrectly prohibited from boarding an aircraft, and therefore prohibited from his or her place of employment.

Mitigation: The risk is mitigated by the fact that sufficiently detailed information collected about the crewmember (full name, date of birth, place of birth, gender, citizenship, and passport number) is matched against the same data held by CDC, which also holds the individual's address and employer information. It is unlikely that there will be an error with identification with such detailed information.

⁸ See SORN DHS/TSA-002, Transportation Security Threat Assessment System, August 11, 2014, 79 FR 46862.

⁹ *Id.*

¹⁰ *Id.*



Redress

TSA notifies the aircraft operator when a crewmember is identified as a CDC DNB list match, and will notify the aircraft operator that the crewmember can contact the TSOC if he or she believes there has been an erroneous match. TSA will advise the crewmember to contact the CDC if the crewmember believes that he or she has been wrongly placed on the CDC DNB.¹¹

Privacy Risk: There is a privacy risk that a crewmember is mistakenly identified as a match to the CDC DNB.

Mitigation: This minimal risk is mitigated by confirming the crewmembers full name, address, date of birth, place of birth, gender, citizenship, and passport number, against the same unique identifiers held by CDC, which also holds the individual's address and employer information. It is unlikely that there will be an error with identification with such detailed information.

Auditing and Accountability

No change.

Responsible Official

Michael R. Rogers, Branch Manager
Transportation Security Administration
Department of Homeland Security

Approval Signature

Original signed copy on file with DHS Privacy Office.

Karen L. Neuman
Chief Privacy Officer
Department of Homeland Security

¹¹ The crewmember may contact the CDC via email at travelrestrictions@cdc.gov or via fax at 404-718-2158. In addition to contacting the CDC, individuals seeking removal from the DNB list may also seek assistance through the redress process established in 49 CFR 1560.205.