



U.S. Department of Transportation

Privacy Impact Assessment

Federal Aviation Administration (FAA)

Air Traffic Organization (ATO)

General Aviation (GA) Automatic Dependent Surveillance-Broadcast (ADS-B)
Rebate Program

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Executive Summary

On May 28, 2010, the Federal Aviation Administration (FAA) published a final rule (Federal Register/Vol. 75, No. 103, see [ADS-B Out Final Rule](#)) mandating that aircraft flying in certain controlled airspace be equipped with Automatic Dependent Surveillance Broadcast (ADS-B) out capability by January 1, 2020. In order to accelerate compliance with the 2010 ADS-B Out Final Rule, the FAA is offering a financial incentive to owners of general aviation aircraft in the Fall of 2016. Aircraft eligible for this financial incentive are defined as U.S.-registered, fixed-wing, single-engine piston aircraft that were first registered before January 1, 2016. Unmanned Aircraft Systems (aircraft without an onboard pilot) are excluded from eligibility. The agency will offer 20,000 rebates *on a first-come, first-served basis*, in the amount of \$500, to owners of eligible aircraft. The financial incentive will end after 20,000 rebates have been issued or one year from the beginning of the program, whichever occurs first. Each aircraft owner will be limited to one \$500 rebate.

This Privacy Impact Assessment (PIA) is being developed pursuant to Section 208 of the E-Government Act of 2002 because the FAA will be utilizing a web-based capability in which Personally Identifiable Information (PII) is collected, imported and utilized to facilitate this financial incentive program. The FAA General Aviation (GA) ADS-B Rebate Program will be executed through the web-based application located at <http://www.faa.gov/nextgen/equipadsb/rebate>.

What is a Privacy Impact Assessment?

The Privacy Act of 1974 articulates concepts for how the federal government should treat individuals and their information and imposes duties upon federal agencies regarding the collection, use, dissemination, and maintenance of personally identifiable information (PII). The E-Government Act of 2002, Section 208, establishes the requirement for agencies to conduct privacy impact assessments (PIAs) for electronic information systems and collections. The assessment is a practical method for evaluating privacy in information systems and collections, and documented assurance that privacy issues have been identified and adequately addressed. The PIA is an analysis of how information is handled to—i) ensure handling conforms to applicable legal, regulatory, and policy requirements regarding privacy; ii) determine the risks and effects of collecting, maintaining and disseminating information in identifiable form in an electronic information system; and iii) examine and evaluate protections and alternative processes for handling information to mitigate potential privacy risks.¹

Conducting a PIA ensures compliance with laws and regulations governing privacy and demonstrates the DOT's commitment to protect the privacy of any personal information we collect, store, retrieve, use and share. It is a comprehensive analysis of how the DOT's electronic information systems and collections handle personally identifiable information (PII). The goals accomplished in completing a PIA include:

- *Making informed policy and system design or procurement decisions. These decisions must be based on an understanding of privacy risk, and of options available for mitigating that risk;*
- *Accountability for privacy issues;*
- *Analyzing both technical and legal compliance with applicable privacy law and regulations, as well as accepted privacy policy; and*
- *Providing documentation on the flow of personal information and information requirements within DOT systems.*

Upon reviewing the PIA, you should have a broad understanding of the risks and potential effects associated with the Department activities, processes, and systems described and approaches taken to mitigate any potential privacy risks.

¹Office of Management and Budget's (OMB) definition of the PIA taken from guidance on implementing the privacy provisions of the E-Government Act of 2002 (see OMB memo of M-03-22 dated September 26, 2003).

Introduction & System Overview

The Federal Aviation Act of 1958 gives the Federal Aviation Administration (FAA) the responsibility to carry out safety programs to ensure the safest, most efficient aerospace system in the world. The FAA is responsible for:

- Regulating civil aviation to promote safety;
- Encouraging and developing civil aeronautics, including new aviation technology;
- Developing and operating a system of air traffic control and navigation for both civil and military aircraft;
- Developing and carrying out programs to control aircraft noise and other environmental effects of civil aviation; and
- Regulating U.S. commercial space transportation.

Congress tasked the FAA with creating the Next Generation Air Transportation System to accommodate the increasing demand for air traffic services as part of its responsibility to develop and operate a system of air traffic control and navigation for both civil and military aircraft. As part of this effort, the FAA published the Automatic Dependent Surveillance Broadcast (ADS-B) Out Performance Requirements to Support Air Traffic Control (ATC) Service; Final Rule on May 28, 2010, requiring ADS-B Out equipment on aircraft to operate in certain classes of airspace within the United States Airspace System. This Final Rule amended FAA regulations by requiring aircraft operating in Classes A, B, and C airspace, as well as other specified classes of airspace within the U.S., to equip with ADS-B Out. ADS-B Out broadcasts information about an aircraft that will be used for aircraft surveillance by FAA and Department of Defense (DOD) air traffic controllers to safely and efficiently accommodate aircraft operations and the expected increase in demand for air transportation. If ADS-B Out equipment fails to comply with minimum operation standards or if users fail to equip, ADS-B benefits will not be achieved. To reduce this risk, the FAA developed the ADS-B Compliance Monitor (CM) to monitor aircraft ADS-B equipment performance. The ADS-B CM processes ADS-B surveillance data, identifies ADS-B equipped aircraft operating below FAA performance requirements, and generates a list of non-compliant aircraft.

The FAA recognized that early equipage with ADS-B Out in advance of the 2020 mandate was critical to insure that the U.S. infrastructure for ADS-B equipment installation could equip the necessary general aviation aircraft with ADS-B. As with most new technology, implementation costs can be a concern for aircraft owners. With Congressional direction that the FAA provides incentives for early equipage with ADS-B, the FAA developed a GA rebate program to reduce equipage costs and incentivize early ADS-B equipage. Therefore, the FAA is offering owners of eligible GA aircraft a rebate of \$500 based on their purchase of eligible ADS-B equipment and a demonstration that their installation meets the ADS-B rule requirements.

ADS-B Out Overview:

The FAA's Surveillance and Broadcast Services (SBS) Program Office manages ADS-B services in the National Airspace (NAS). By January 1, 2020, the U.S. will require aircraft operating within designated airspace to be equipped with ADS-B Out (see 14 CFR 91.225 and 14 CFR 91.227). ADS-B Out equipped aircraft transmit position, velocity and other information to ground stations and to other ADS-B In-equipped aircraft in the vicinity. ADS-B Out systems facilitate the use of ADS-B for aircraft surveillance by FAA and Department of Defense (DOD) air traffic controllers to safely and efficiently accommodate aircraft operations and the expected increase in demand for air transportation.

ADS-B Compliance Monitor (ADS-B CM) Overview:

If ADS-B equipment fails to comply with the ADS-B Out Rule, ADS-B benefits will not be achieved and operators will not be in compliance with 14 CFR provisions. To support FAA Aviation Safety in overseeing compliance, the SBS Program Office within the ATO developed the ADS-B Compliance Monitor (CM) system to monitor aircraft ADS-B equipment performance. The ADS-B CM helps FAA to:

- Identify ADS-B Out equipment installed on aircraft and surface vehicles performing below the requirements defined in the ADS-B Out Final Rule, for use by FAA in the oversight of compliance with the Rule; and
- Monitor ADS-B Out equipment performance and equipage rate.

ADS-B Out information received by FAA ground stations is collected in the ADS-B CM system. The ADS-B CM system processes this information and calculates how well a given ADS-B Out equipped aircraft meets FAA performance requirements identified in the ADS-B Out Final Rule. The ADS-B CM reports are used by the FAA to determine performance outcomes of aircraft and provide performance metrics for ADS-B Out equipped aircraft. The ADS-B CM produces a Public ADS-B Performance Report (PAPR), summarizing performance observations for each aircraft against the applicable performance requirements in the ADS-B Out Final Rule.

GA Rebate Program

The FAA recognized that voluntary compliance was the key to success for achieving aircraft equipage with ADS-B Out by 2020. As with most new technology, implementation costs can be a concern for individuals and businesses. In order to reduce equipage costs and foster accelerated ADS-B Out equipage, the FAA is offering a monetary incentive to help owners of less-expensive GA aircraft equip with ADS-B Out rule-compliant equipment. This Rebate Program will provide 20,000 rebates in the amount of \$500 to eligible aircraft owners *on a first-come, first-served basis*. The rebate incentive will end after 20,000 rebates have been issued, or one year from the beginning of the program, whichever occurs first. Each aircraft owner will be limited to one \$500 rebate.

Rebate Eligibility Requirements

Eligibility for the rebate will require the purchase of FAA Technical Standard Order (TSO)-certified equipment and verification that the equipment installation meets ADS-B Out performance requirements set forth in 14 CFR 91.227. In order to verify the ADS-B equipment is properly installed on the eligible aircraft, the aircraft must be flown in “rule airspace” as defined in 14 CFR 91.225 (with exceptions for Alaska, Guam, Hawaii, and Puerto Rico – see [Program Rules](#)²) for a minimum of 30 minutes with at least 10 aggregate minutes of maneuvering (FAA Advisory Circular 20-165B, sections 4.3.2 and 4.3.2.3-4.3.2.6 for Part 23 aircraft, contains flight maneuver guidance).

Rebate Application System Overview

The ADS-B Web Application is a web-enabled tool used to process a rebate for eligible aircraft owners. The items below describe key data sources and their uses in the rebate process:

- The data collected and reported by the ADS-B CM, in conjunction with a weekly snapshot of information from the FAA Civil Aircraft Registry (CAR), will be used to validate aircraft eligibility and ADS-B Out system performance.

² http://www.faa.gov/nextgen/equipadsb/rebate/media/Program_Rules_612016.pdf

- The data collected from the aircraft owner during the rebate process will be utilized for program participation verification and correspondence with DOT/FAA in order for the FAA to issue the rebate.³
- The owner's aircraft tail number entered in the rebate application is cross-checked with the information downloaded from the CAR. If the aircraft tail number is a match, aircraft-specific information is auto-populated with CAR information.

Note: There may be instances when the weekly CAR snapshot used by the web application does not reflect the latest information. This would occur if the owner has sent an update to the CAR and immediately enters the GA ADS-B Rebate Program web application. If this occurs, the owner may continue with the reservation process, but the CAR information must be updated and accurate prior to entering the GA ADS-B Rebate Program web application to claim the rebate.

- During flight, ADS-B Out-equipped aircraft transmit position, velocity and other information to ground stations and to other similarly equipped aircraft in the vicinity, which is collected in the ADS-B CM. The ADS-B CM generates a GA Incentive Requirement Status (GAIRS) report that includes a PASS/FAIL status for all GA Rebate Program requirements and, if all requirements are met, an Incentive Code. The Incentive Code is needed to claim a rebate.
- The ADS-B CM will produce a Public ADS-B Performance Report (PAPR) for anyone requesting the performance of an ADS-B Out equipment installation. This report will be available independent of the GA Rebate Program. After January 1, 2020, the FAA Flight Standards organization will utilize the ADS-B Compliance Monitor to enforce compliance with 14 CFR 91.225/227. Before and after the ADS-B Out Final Rule compliance date, the PAPR will be available as an aid for owners and operators to be aware of their ADS-B Out equipment performance.
- The rebate claim is reviewed to ensure the installed ADS-B equipment conforms and that individuals meet eligibility requirements before payment is made. This is verified by an FAA representative reviewing the information submitted to the GA ADS-B Rebate Program web application via an authorized "management review" function within the web application. If the claim passes review the rebate is processed. If the FAA determines that there is an issue, it will specify the cause and may contact the submitting aircraft owner to request clarifying information before approving. If the FAA determines that the claim does not meet the conditions for payment, the rebate claim and associated rebate reservation will be terminated, resulting in non-payment of the rebate and release of the rebate reservation.

Rebate Application Process

Described below are the steps for requesting a rebate and details on how information is being shared between the GA ADS-B Rebate application, the CAR, and ADS-B CM system.

1. Decide:

The Owner⁴ schedules the installation of the eligible ADS-B equipment for an eligible aircraft.

³ http://www.faa.gov/licenses_certificates/aircraft_certification/aircraft_registry/media/aradata.pdf

⁴ Owner is the aircraft owner or an owner-designated individual who enters rebate information for the eligible aircraft

2. Reserve:

The Owner reserves a rebate from the GA ADS-B Rebate web application⁵ before ADS-B equipment installation occurs. In order to reserve a rebate the Owner;

- a. Reviews rebate eligibility requirements and confirms their understanding of program requirements.
- b. Enters the aircraft tail number to be associated with the rebate.
- c. Provides their name and email addresss, the planned ADS-B equipment information (manufacturer/model information for both the ADS-B Out Equipment and the position source equipment that will be connected to the ADS-B Out Equipment), and scheduled installation date (the web application will limit this to be within 90 days from the date the reservation is submitted).

Once the reservation request is received and processed by the FAA, the Owner will receive their reservation code⁶ and directions for next steps via the email address provided.

3. Install:

The avionics are installed on the eligible aircraft, on or before the scheduled installation date provided, in order to receive a rebate.

4. Fly & Validate:

Once the avionics are installed, and no later than 60 days after the scheduled installation date provided to reserve a rebate, the aircraft must be flown in “rule airspace” as defined in 14 CFR 91.225 (with exceptions for Alaska, Guam, Hawaii, and Puerto Rico – see [Program Rules](#))⁷ and the correct operation of the avionics validated. Owners must confirm that their avionics were correctly installed via a performance report from the FAA, called the Public ADS-B Performance Report (PAPR). To request the PAPR and GAIRS⁸ report the Owner;

- a. Accesses the Rebate Program website and provides the following information: Owner’s email address, either the International Civil Aviation Organization (ICAO) address or the aircraft tail number, actual installed ADS-B equipment (which may differ from the planned ADS-B equipment information provided in the Reserve step above), and the Coordinated Universal Time formatted date of the aircraft’s flight.
- b. Submits the GAIRS report request and provides the name of the Owner to appear on the GAIRS report.
- c. Answers a question designed to prevent internet robots from submitting a GAIRS report request.

The FAA will validate the request and email the requested report to the email address on-file for the Owner.

⁵ The web application can be accessed at <http://www.faa.gov/nextgen/equipadsb/rebate>

⁶ The rebate reservation code is a uniquely generated security code. The rebate code is assigned and tracked against each aircraft tail number.

⁷ If an owner requires an extension for rebate eligibility due to a delay in their ADS-B Out system installation, they can contact the FAA at adsbrebatehelp@faa.gov.

⁸ The FAA makes available PAPR reports for all aircraft required to install and operate ADS-B equipment and is a permanent part of the ADS-B program operations. The GAIRS is limited to those aircraft for which a rebate is requested – GAIRS reports will not be available after the conclusion of the Rebate Program.

5. Claim:

The Owner must submit a rebate claim no later than 60 days after the scheduled installation date provided in the Reserve step above. In order to claim a rebate, the Owner must navigate to the Rebate Program website and;

- a. Confirm their eligibility to claim a rebate by actively acknowledging the program conditions;
- b. Provide their email address, the aircraft registration or ICAO number, Rebate Reservation Code, and Incentive Code.
- c. Review the information regarding their aircraft presented on screen and confirm its accuracy. The information presented was previously provided by the Owner and auto-populated from the CAR during the Reserve phase.
- d. If necessary, update the record to identify the ADS-B equipment actually installed on the aircraft (which may differ from the planned ADS-B equipment information provided during the Reservation process).
- e. Verify the accuracy of the information and confirm that the Owner meets the eligibility requirements of the program by entering their name in the system. This information is used for the electronic acknowledgement.

Once these steps are completed, the FAA emails the Owner conforming their rebate claim is being processed. If the claimant is eligible and the FAA is authorized to provide funds, the Owner should receive a check within 4-6 weeks.

Fair Information Practice Principles (FIPPs) Analysis

The DOT PIA template is based on the fair information practice principles (FIPPs). The FIPPs, rooted in the tenets of the Privacy Act, are mirrored in the laws of many U.S. states, as well as many foreign nations and international organizations. The FIPPs provide a framework that will support DOT efforts to appropriately identify and mitigate privacy risk. The FIPPs-based analysis conducted by DOT is predicated on the privacy control families articulated in the Federal Enterprise Architecture Security and Privacy Profile (FEA-SPP) v3⁹, sponsored by the National Institute of Standards and Technology (NIST), the Office of Management and Budget (OMB), and the Federal Chief Information Officers Council and the Privacy Controls articulated in Appendix J of the NIST Special Publication 800-53 Security and Privacy Controls for Federal Information Systems and Organizations¹⁰.

Transparency

Sections 522a(e)(3) and (e)(4) of the Privacy Act and Section 208 of the E-Government Act require public notice of an organization's information practices and the privacy impact of government programs and activities. Accordingly, DOT is open and transparent about policies, procedures, and technologies that directly affect individuals and/or their personally identifiable information (PII). Additionally, the Department should not maintain any system of records the existence of which is not known to the public.

The FAA deploys multiple techniques to ensure aircraft owners are aware of the requirements for ADS-B Out equipment on their aircraft, the GA ADS-B Rebate Program, and the purposes for which the FAA collects and maintains personally identifiable information (PII) in support of the GA ADS-B Rebate Program. The FAA held ADS-B Rebate Program speaker events; issued press releases; posted information on the FAA websites; and publicized via Aircraft Owners and Pilot Association, General Aviation Manufacturers Association, AEA and

⁹ <http://www.cio.gov/documents/FEA-Security-Privacy-Profile-v3-09-30-2010.pdf>

¹⁰ <http://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.800-53r4.pdf>

other organization as means to inform aircraft owners. On May 28, 2010, the FAA published a final rule (Federal Register/Vol. 75, No. 103, see ADS-B Out Final Rule) mandating that aircraft flying in certain controlled airspace be equipped with ADS-B out avionics capability by January 1, 2020.

The GA ADS-B Rebate Program web application retrieves records by an individual's name and other personal identifiers. The FAA protects Privacy Act records in accordance with the Department's published system of records notices (SORN), entitled DOT/FAA 801 Aircraft Registration Records (80 FR 54187, August 15, 2016). As required, a Privacy Act statement discussing the Department's privacy practices regarding the collection, use, sharing, safeguarding, maintenance, and disposal of PII is included on the GA ADS-B Rebate website.

The publication of this PIA demonstrates DOT's commitment to provide appropriate transparency into the ADS-B CM and GA Rebate Program.

Individual Participation and Redress

DOT should provide a reasonable opportunity and capability for individuals to make informed decisions about the collection, use, and disclosure of their PII. As required by the Privacy Act, individuals should be active participants in the decision making process regarding the collection and use of their PII and be provided reasonable access to their PII and the opportunity to have their PII corrected, amended, or deleted, as appropriate.

The Rebate Program uses data collected directly from the individual specific for this purpose, and CAR information already collected and maintained by the FAA. Information from the CAR will be used to validate eligible aircraft and used to send checks to the aircraft owner's address of record.

New information collected for this program includes the aircraft owner's e-mail address, which is required to send the applicable Rebate Code and Incentive Code needed to claim the rebate once the avionics are installed. Other new information collected by the web application is necessary to determine eligibility to participate in the new ADS-B Rebate Program, and is subsequently necessary to each step required to claim the rebate.

During the registration process, the FAA collects the name and email address of the individual seeking to participate in the rebate, as well as the aircraft identifier (either the FAA-issued aircraft tail number or the ICAO number). The aircraft identifier is then used to retrieve relevant portion of the record from the CAR. If the CAR information is incorrect, the individual may correct the data using the established CAR data correction process found at www.registry.faa.gov.

Owners acknowledge the web application's Rebate Reservation Checklist, indicating they understand that by providing their information it will be utilized to verify eligibility for the Rebate Program and for communicating with DOT/FAA.

Under the provisions of the Privacy Act, individuals may request searches to determine if any records have been added that may pertain to them. Individuals wishing to know if their records appear in this system may inquire in person or in writing to:

Federal Aviation Administration
Privacy Office
800 Independence Ave. SW
Washington, DC 20591

Included in the request must be the following:

- Name
- Mailing address

- Phone number and/or email address
- A description of the records sought, and if possible, the location of the records

Individuals wanting to contest information about them that is contained in this system should make their requests in writing, detailing the reasons why the records should be corrected, to the following address:

Federal Aviation Administration
Privacy Office
800 Independence Ave. SW
Washington, DC 20591

Purpose Specification

DOT should (i) identify the legal bases that authorize a particular PII collection, activity, or technology that impacts privacy; and (ii) specify the purpose(s) for which its collects, uses, maintains, or disseminates PII.

Under Title 49 of the United States Code (49 U.S.C.), Subtitle I, Section 106, the FAA is charged with prescribing regulations on the flight of aircraft (including regulations on safe altitudes) for navigating, protecting, and identifying aircraft, and the efficient use of the navigable airspace. Under section 44701, the FAA is charged with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce.

Rebate Program data and records will be used by the FAA consistent with the purposes for which they were collected, as described in the DOT/FAA 801 Aircraft Registration Records SORN. Specifically:

- Determine aircraft eligibility for a rebate
- Issue and track rebate reservations
- Facilitate owner requests for the PAPR and GAIRS report (needed to submit a rebate claim)
- Educate aircraft owners and avionics installers about the safety requirements for operation and possible defects or unsafe conditions
- Accept and process rebate claim submissions by aircraft owners.

The ADS-B CM generates a PAPR and GAIRS report upon request, after performing the following functions:

- Verify the aircraft was flown in “rule airspace” as defined in 14 CFR 91.225 (with exceptions for Alaska, Guam, Hawaii, and Puerto Rico – see [Program Rules](#)) for a minimum of 30 minutes with at least 10 aggregate minutes of maneuvering and complies with 14 CFR 91.227 to meet Rebate Program requirements.
- The PAPR will be available independent of the ADS-B Rebate Program. After January 1, 2020, the FAA Flight Standards organization will utilize the ADS-B Compliance Monitor to enforce compliance with 14 CFR 91.225/227.

The GA ADS-B Rebate Program web application collects PII for the purpose of issuing a rebate check per the requirements of the FAA GA Rebate Program Rules. Email addresses are collected for the purpose of communicating with the aircraft owner.

Data Minimization & Retention

DOT should collect, use, and retain only PII that is relevant and necessary for the specified purpose for which it was originally collected. DOT should retain PII for only as long as necessary to fulfill the specified purpose(s) and in accordance with a National Archives and Records Administration (NARA)-approved record disposition schedule.

The FAA collects the minimum amount of information necessary to establish and maintain a record to support the GA ADS-B Rebate Program and continued airworthiness and enforcement activities. Contact information (name and email address) is used by the FAA communicate with Rebate Program participant to provide notification of rebate reservation and incentive numbers, and the provision of PAPRS/GAIRS reports, and the ADS-B program more broadly. Aircraft Information extracted from the CAR, which includes Register Owner name and address, is limited to the information available via public access. A list of the specific aircraft data from the CAR may be found in the Aircraft Registration Master File documentation.¹¹

Records for the Rebate Program will be maintained as permanent records until FAA receives an approved disposition authority from the National Archives and Records Administration (NARA). The proposed retention periods are outlined in DAA-0237-2016-0008. The retention of the records allows for research and a complete history of specific documents of air owners that have a claimed rebate.

There is a limited amount of data pulled from the CAR utilized for the GA ADS-B Rebate Program. The maintenance of this information in the Rebate application is temporary and will be destroyed no sooner than three years after Rebate Program ends, but longer retention is authorized to meet mission needs. Should the FAA determine that retention beyond three years is required, this PIA will be updated to include that rationale. There are budgetary and acquisition management requirements for the program, therefore records provided to a third-party contractor for the processing of rebate payments will be retained for six years after the Rebate Program ends, but longer retention is authorized. Rebate Program registry and logs used to track eligible aircraft that have reserved a rebate, and/or status eligible aircraft that have a claimed a rebate, are destroyed no sooner than three years after Rebate Program ends, but longer retention is authorized.

ADS-B CM records will be maintained as permanent records until FAA receives an approved disposition authority from NARA. The proposed retention periods are outlined in DAA-0237-2014-0019. Master files and Output records are destroyed when one year old. Input records are destroyed when 45 days old.

Aircraft registration records submitted under 14 CFR part 47 have been deemed by NARA to be of permanent value (see NARA Schedule N1-237-04-3). Paper copies of registration submissions are destroyed once the original is scanned into the system and the digital image is determined to be an adequate substitute for paper records. Copies of the Aircraft Registration system are transferred to NARA on an annual basis. The FAA has submitted to NARA a recommended retention period for aircraft registration records submitted under 14 CFR part 48 as permanent, which is consistent with the registration of manned aircraft. Until small UAS registration records have been scheduled with NARA, the FAA will provide annual snapshots of the database to NARA to determine historical value.

Use Limitation

DOT shall limit the scope of its PII use to ensure that the Department does not use PII in any manner that is not specified in notices, incompatible with the specified purposes for which the information was collected, or for any purpose not otherwise permitted by law.

Sharing of Privacy Act records collected, used, and maintained as part of the ADS-B Rebate Program is done in accordance with the Department's system of records notice DOT/FAA – 801 Aircraft Registration Records (81 FR 54187 – August 15, 2016). In addition to other disclosures generally permitted under 5 U.S.C. § 552a(b) of the Privacy Act, all or a portion of the records or information contained in this system may be disclosed outside DOT as a routine use pursuant to 5 U.S.C. § 552a(b)(3) as follows:

¹¹ http://www.faa.gov/licenses_certificates/aircraft_certification/aircraft_registry/media/ardata.pdf

- To the public (including government entities, title companies, financial institutions, international organizations, FAA designee airworthiness inspectors, and others)
 - Information, including aircraft owner's name, address, United States Registration Number, aircraft type, legal documents related to title or financing of an aircraft, and ADB-S summary reports.
- Email addresses, credit card information, and telephone numbers of small unmanned aircraft system (sUAS) owners registered under 14 CFR part 48 will not be disclosed pursuant to this Routine Use. The public may only retrieve the name and address of owners of sUAS registered under 14 CFR part 48 by the unique identifier displayed on the aircraft.
- To law enforcement when necessary and relevant to an FAA enforcement activity.
- The Department has also published 14 additional routine uses applicable to all DOT Privacy Act systems of records, including the Civil Aircraft Registry. These routine uses are published in the Federal Register at 75 FR 82132, December 29, 2010, and 77 FR 42796, July 20, 2012, under "Prefatory Statement of General Routine Uses" (available at <http://www.transportation.gov/privacy/privacyactnotices>).

Data Quality and Integrity

In accordance with Section 552a(e)(2) of the Privacy Act of 1974, DOT should ensure that any PII collected and maintained by the organization is accurate, relevant, timely, and complete for the purpose for which it is to be used, as specified in the Department's public notice(s).

FAA collects, uses, and retains data that is relevant and necessary for the purpose for which it was collected. Within the Rebate Program, aircraft owners are responsible for the accuracy of information they provide during the Reserve and Claim steps described previously. If an invalid aircraft tail number is provided during the reservation process, the system will not process the application. The aircraft owner is responsible for validating that all submitted information is accurate prior to submitting a rebate claim. If any of the aircraft registration information is incorrect, the GA ADS-B Rebate Program web application provides a link to the CAR (registry.faa.gov) whereby the aircraft owner may amend their aircraft's record.

To ensure quality control of the Rebate Program, FAA management has processes to determine number of rebates issued, remaining, and claimed. The web application's management review function supports the ability to approve a rebate reservation extension, an ability to override a FAIL indication on a GAIRS report, and other methods to enable appropriate rebate claim processing if an owner needs assistance or data is incorrect in the system. This management review function of the web application is only accessible to FAA-authorized personnel.

Security

DOT shall implement administrative, technical, and physical measures protect PII collected or maintained by the Department against loss, unauthorized access, or disclosure, as required by the Privacy Act, and to ensure that organizational planning and responses to privacy incidents comply with OMB policies and guidance.

FAA protects PII with reasonable security safeguards against loss or unauthorized access, destruction, usage, modification, or disclosure. These safeguards incorporate standards and practices required for federal information systems under the Federal Information Security Management Act (FISMA) and are detailed in Federal Information Processing Standards (FIPS) Publication 200, Minimum Security Requirements for Federal Information and Information Systems, dated March 2006; and National Institute of Standards and

Technology (NIST) Special Publication (SP) 800-53, Revision 4, Security and Privacy Controls for Federal Information Systems and Organizations, dated April 2013.

The ADS-B CM was issued a three-year Authorization to Operate (ATO) on May 14, 2014. The GA ADS-B Rebate Program web application will be evaluated in the annual security review cycle; estimated issuance of the ATO is September 15, 2016. In addition, the ATO will be updated based on the outcome of current security testing and evaluation in accordance with FISMA. Access to the ADS-B CM the GA ADS-B Rebate Program application is limited to those with appropriate security credentials, an authorized purpose, and need to know. The FAA deploys role-based access controls in addition to other protection measures reviewed and certified by the FAA's cybersecurity professionals to maintain the confidentiality, integrity, and availability requirements of the system. The GA ADS-B Rebate Program web application's "management review" function will also provide FAA representatives with rebate application status to determine number of rebates issued, remaining, and claimed. The web application's management review function also supports an ability to approve a rebate reservation extension, an ability to override a FAIL indication on a GAIRS report, and other methods to enable appropriate rebate claim processing if an owner needs assistance. This management review function of the web application is only accessible to FAA-authorized personnel.

Rebate payments will be processed by a third-party vendor, Aircraft Electronics Association (AEA). A Memorandum of Agreement (MOA) between FAA and AEA was signed on June 2, 2016. In accordance with the MOA, FAA has the right to conduct spot checks and observe the processing of Rebate payment. Also in accordance with the MOA:

- AEA standalone computer used to transfer files will be FIPS 140-2 complainant.
- FAA will provide encrypted electronic data files per FIPS 140-2 standards to AEA that include the aircraft owner's name and mailing address, payment amount, and aircraft tail number (used only for tracking and audit purposes). AEA will issue a rebate check in the amount of \$500 made out to the aircraft owner and notify the FAA of the check number and its date of issuance.
- AEA will not transfer any data to a third party unless authorized to do so in writing by FAA.
- Upon termination of the MOA, the FAA will witness the expungement of all PII from the stand-alone system.

The GA ADS-B Rebate Program web application's "management review" function will also provide FAA representatives with rebate application status to determine number of rebates issued, remaining, and claimed. The web application's management review function also supports an ability to approve a rebate reservation extension, an ability to override a FAIL indication on a GAIRS report, and other methods to enable appropriate rebate claim processing if an owner needs assistance. This management review function of the web application is only accessible to FAA-authorized personnel.

Accountability and Auditing

DOT shall implement effective governance controls, monitoring controls, risk management, and assessment controls to demonstrate that the Department is complying with all applicable privacy protection requirements and minimizing the privacy risk to individuals.

FAA's Office of the Chief Information Officer, Office of Information Systems Security, Privacy Division is responsible for governance and administration of FAA Order 1280.1B, Protecting Personally Identifiable Information (PII). FAA Order 1280.1B implements the various privacy requirements of the Privacy Act of 1974 (the Privacy Act), the E-Government Act of 2002 (Public Law 107-347), the Federal Information Security Management Act (FISMA), Department of Transportation (DOT) privacy regulations, Office of Management

and Budget (OMB) mandates, and other applicable DOT and FAA information and information technology management procedures and guidance.

In addition to these practices, additional policies and procedures will be consistently applied, especially as they relate to the access, protection, retention, and destruction of PII. Federal and contract employees are given clear guidance in their duties as they relate to collecting, using, processing, and securing privacy data. Guidance is provided in the form of mandatory annual security and privacy awareness training, as well as FAA Privacy Rules of Behavior. The DOT and FAA Privacy Offices will conduct periodic privacy compliance reviews of ADS-B CM and GA ADS-B Rebate Program web application relative to the requirements of OMB Circular A-130.

Responsible Official

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Reviewing Official

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