



U.S. Department of Transportation

## **Office of the Chief Information Officer (OCIO) Privacy Threshold Assessment (PTA)**

Federal Aviation Administration

Drug and Alcohol Testing Program for Personnel Engaged in Specified Aviation  
Activities Notice of Proposed Rulemaking (NPRM)





## Privacy Threshold Assessment (PTA)

*The Privacy Threshold Assessment (PTA) is an analytical tool used to determine the scope of privacy risk management activities that must be executed to ensure that the Department's initiatives do not create undue privacy risks for individuals.*

The Privacy Threshold Assessment (PTA) is a privacy risk management tool used by the Department of Transportation (DOT) Chief Privacy Officer (CPO). The PTA determines whether a Department system<sup>1</sup> creates privacy risk for individuals that must be further analyzed, documented, or mitigated, and determines the need for additional privacy compliance documentation. Additional documentation can include Privacy Impact Assessments (PIAs), System of Records notices (SORNs), and Privacy Act Exemption Rules (Exemption Rules).

The majority of the Department's privacy risk emanates from its direct collection, use, storage, and sharing of Personally Identifiable Information (PII),<sup>2</sup> and the IT systems used to support those processes. However, privacy risk can also be created in the Department's use of paper records or other technologies. The Department may also create privacy risk for individuals through its rulemakings and information collection requirements that require other entities to collect, use, store or share PII, or deploy technologies that create privacy risk for members of the public.

To ensure that the Department appropriately identifies those activities that may create privacy risk, a PTA is required for all IT systems, technologies, proposed rulemakings, and information collections at the Department. Additionally, the PTA is used to alert other information management stakeholders of potential risks, including information security, records management and information collection management programs. It is also used by the Department's Chief Information Officer (CIO) and Associate CIO for IT Policy and Governance (Associate CIO) to support efforts to ensure compliance with other information asset requirements including, but not limited to, the Federal Records Act (FRA), the Paperwork Reduction Act (PRA), the Federal Information Security Management Act (FISMA), the Federal Information Technology Acquisition Reform Act (FITARA) and applicable Office of Management and Budget (OMB) guidance.

Each Component establishes and follows its own processes for developing, reviewing, and verifying the PTA prior to its submission to the DOT CPO. At a minimum the PTA must be reviewed by the Component business owner, information system security

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<sup>1</sup> For the purposes of the PTA the term "system" is used throughout document but is not limited to traditional IT systems. It can and does refer to business activity and processes, IT systems, information collection, a project, program and/or technology, and proposed rulemaking as appropriate for the context of the assessment.

<sup>2</sup> The term "personally identifiable information" refers to information which can be used to distinguish or trace an individual's identity, such as their name, social security number, biometric records, etc. alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, mother's maiden name, etc.



manager, general counsel, records officers, and privacy officer. After the Component review is completed, the Component Privacy Office will forward the PTA to the DOT Privacy Office for final adjudication. Only PTAs watermarked “adjudicated” and electronically signed by the DOT CPO are considered final. Do NOT send the PTA directly to the DOT PO; PTAs received by the DOT CPO directly from program/business owners will not be reviewed.

If you have questions or require assistance to complete the PTA please contact your [Component Privacy Officer](#) or the DOT Privacy Office at [privacy@dot.gov](mailto:privacy@dot.gov). Explanatory guidance for completing the PTA can be found in the PTA Development Guide found on the DOT Privacy Program website, [www.dot.gov/privacy](http://www.dot.gov/privacy).

DOT CPO Adjudicated 02/27/2022



## PROGRAM MANAGEMENT

**SYSTEM name:** Drug and Alcohol Testing of Certificated Repair Station Employees Located Outside of the United States Notice of Proposed Rulemaking (NPRM)

**Cyber Security Assessment and Management (CSAM) ID:** N/A

**SYSTEM MANAGER CONTACT Information:**

**Name:** Nancy Rodriguez Brown

**Email:** drugabatment@faa.gov

**Phone Number:** 202-267-8442

**Is this a NEW system?**

- Yes** (Proceed to Section 1)
- No**
  - Renewal**
  - Modification**

**Is there a PREVIOUSLY ADJUDICATED PTA for this system?**

- Yes:**
  - Date:**
- No**

## 1 SUMMARY INFORMATION

### 1.1 System TYPE

- Information Technology and/or Information System**
  - Unique Investment Identifier (UII):**
  - Cyber Security Assessment and Management (CSAM) ID:**
- Paper Based:**
- Rulemaking**
  - Rulemaking Identification Number (RIN):**
  - Rulemaking Stage:**
    - Notice of Proposed Rulemaking (NPRM)** 2120-AK09
    - Supplemental NPRM (SNPRM):**
    - Final Rule:**
  - Federal Register (FR) Notice:**
    - <https://www.regulations.gov/document/FAA-2012-1058-0092>



- Information Collection Request (ICR)<sup>3</sup>**
  - New Collection**
  - Approved Collection or Collection Renewal**
    - OMB Control Number:**
    - Control Number Expiration Date:**
- Other:**

**1.2 System OVERVIEW:** The Federal Aviation Administration is developing a Privacy Threshold Assessment for the Drug and Alcohol Testing of Certificated Repair Station Employees Located Outside of the United States Notice of Proposed Rulemaking (NPRM). The FAA Modernization and Reform Act of 2012 mandates the FAA to include certain aviation entities located outside the territory of the United States in its requirement to conduct drug and alcohol testing. Additionally, the NPRM is promulgated under section 2112 of the FAA Extension, Safety, and Security Act of 2016, which directed the publication of a notice of proposed rulemaking under 49 U.S.C. 44733. As a result, the FAA published in December 2023, [the NPRM, Drug, and Alcohol Testing of Certificated Repair Station Employees Located Outside of the United States](#), which would require a part 145 repair station located outside the territory of the U.S. to implement a drug and alcohol testing program meeting the requirements of 49 CFR part 40 and 14 CFR part 120, which must cover its employees who perform maintenance functions on part 121 air carrier aircraft. If adopted, this rule would require foreign repair stations to obtain a Drug and Alcohol Testing Program Operations Specification (A449) in the FAA's Operations Specifications database.

Additionally, these repair stations would be required to report annual drug and alcohol testing program statistics through the Department of Transportation Drug and Alcohol Management Information System (DAMIS<sup>4</sup>). Foreign repair stations would submit their annual reports electronically via DAMIS or submit a paper copy via email or fax or the United States Postal Service. A senior program analyst enters the data directly into DAMIS. The annual reports collect the company' name, doing business as name if applicable, address, email address, telephone number, name of certifying official, and signature. If the report was prepared by someone other than the certifying official, the reports collect their name and phone number. If a Consortium/Third Party Administrator (C/TPA) performs administrative services for an employer's drug and alcohol program operation, the report collects their name and phone

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<sup>3</sup>See 44 USC 3501-3521; 5 CFR Part 1320

<sup>4</sup> DAMIS is own by DOT. The FAA is not creating any new systems with this rule. The required information will be added to an existing DOT and FAA systems.



number. See the [Department of Transportation, Drug and Alcohol Testing Data Collection Form](#) for a complete list of data that is collected.

This rule would also require foreign repair stations to report to the FAA's Federal Air Surgeon all drug or alcohol test violations (e.g., verified positive drug test results or prohibited alcohol-related conduct) for any safety-sensitive employee or applicant who holds a medical certificate issued under 14 CFR part 67, and all violations of refusing to submit to a drug or alcohol test by any safety-sensitive employee or applicant who holds a certificate issued under 14 CFR parts 61, 63, or 65. These reports collect personally identifiable information about individuals who have tested positive on or refused a DOT drug or alcohol test, which may include the employee's name, position, employee number<sup>5</sup>, and date of birth. This is currently an existing requirement for domestic employers subject to testing under 14 CFR part 120 and would extend to foreign repair stations if the NPRM is finalized as proposed. As with the current requirement for domestic employees, all information will be entered into the Compliance and Enforcement Tracking System (CETS)<sup>6</sup>.

## 2 INFORMATION MANGEMENT

### 2.1 *SUBJECTS of Collection*

Identify the subject population(s) for whom the system collects, maintains, or disseminates PII. (Check all that apply)

**Members of the public: Note:** The information collected is about aviation entities outside of the United States and not individuals.

**Citizens or Legal Permanent Residents (LPR)**

**Visitors**

**Members of the DOT Federal workforce**

**Members of the DOT Contract workforce**

**System Does Not Collect PII.** If the system does not collect PII, proceed directly to question 2.3.

<sup>5</sup> CETS does not collect the SSN but asked for the employee ID number. Some companies may use the employee's SSN as their employee ID number. Individual of foreign repair station are most likely not US citizens and would not have SSN.

<sup>6</sup> There is an adjudicated PTA for CETS dated 03/02/2023; CSAM ID 1381



**2.2 What INFORMATION ABOUT INDIVIDUALS will be collected, used, retained, or generated?** For reports of specific employee violations to the FAA, reports collect personally identifiable information about individuals who have tested positive on or refused a DOT drug or alcohol test, which may include the employee's name, position, employee number, and date of birth.

**2.3 Does the system RELATE to or provide information about individuals?**

Yes:

No



If the answer to 2.1 is "System Does Not Collect PII" **and** the answer to 2.3 is "No", you may proceed to question 2.10.

If the system collects PII or relate to individual in any way, proceed to question 2.4.

**2.4 Does the system use or collect SOCIAL SECURITY NUMBERS (SSNs)? (This includes truncated SSNs)**

Yes:

**Authority:**

**Purpose:**

No: The system does not use or collect SSNs, including truncated SSNs. Proceed to 2.6.

**2.5 Has an SSN REDUCTION plan been established for the system?**

Yes:

No:

**2.6 Does the system collect PSEUDO-SSNs?**

Yes:

No: The system does not collect pseudo-SSNs, including truncated SSNs.



**2.7 Will information about individuals be retrieved or accessed by a UNIQUE IDENTIFIER associated with or assigned to an individual?**

Yes

*Is there an existing Privacy Act System of Records notice (SORN) for the records retrieved or accessed by a unique identifier?*

Yes:

**SORN:**

No:

**Explanation:**

**Expected Publication:**

**Not Applicable:** Proceed to question 2.9

**2.8 Has a Privacy Act EXEMPTION RULE been published in support of any Exemptions claimed in the SORN?**

Yes

**Exemption Rule:**

No

**Explanation:**

**Expected Publication:**

**Not Applicable:** SORN does not claim Privacy Act exemptions.

**2.9 Has a PRIVACY IMPACT ASSESSMENT (PIA) been published for this system?**

Yes:

**No:** This is the initial PTA for the NPRM.

**Not Applicable:** The most recently adjudicated PTA indicated no PIA was required for this system.

**2.10 Does the system EXCHANGE (receive and/or send) DATA from another INTERNAL (DOT) or EXTERNAL (non-DOT) system or business activity?**

Yes:

No

**2.11 Does the system have a National Archives and Records Administration (NARA)-approved RECORDS DISPOSITION schedule for system records?**

Yes:

**Schedule Identifier:**

**Schedule Summary:**





**In Progress**

NCI-237-83-1, Item 12, 2100 RULES AND REGULATIONS RECORDS is in the process of being updated.

**No:** Click here to enter text.

### 3 SYSTEM LIFECYCLE

The systems development life cycle (SDLC) is a process for planning, creating, testing, and deploying an information system. Privacy risk can change depending on where a system is in its lifecycle.

**3.1 Was this system IN PLACE in an ELECTRONIC FORMAT prior to 2002?**

[The E-Government Act of 2002](#) (EGov) establishes criteria for the types of systems that require additional privacy considerations. It applies to systems established in 2002 or later, or existing systems that were modified after 2002.

**Yes:**

**No**

**Not Applicable:** The system is not currently an electronic system. Proceed to Section 4.

**3.2 Has the system been MODIFIED in any way since 2002?**

**Yes:** The system has been modified since 2002.

**Maintenance.**

**Security.**

**Changes Creating Privacy Risk:**

**Other:**

**No:** The system has not been modified in any way since 2002.

**3.3 Is the system a CONTRACTOR-owned or -managed system?**

**Yes:** The system is owned or managed under contract.

**Contract Number:**

**Contractor:**

**No:** The system is owned and managed by Federal employees.

**3.4 Has a system Security Risk CATEGORIZATION been completed?**

The DOT Privacy Risk Management policy requires that all PII be protected using controls consistent with Federal Information Processing Standard Publication 199 (FIPS 199) moderate confidentiality standards. The OA Privacy



Officer should be engaged in the risk determination process and take data types into account.

**Yes:** A risk categorization has been completed.

Based on the risk level definitions and classifications provided above, indicate the information categorization determinations for each of the following:

**Confidentiality:**     Low     Moderate     High     Undefined

**Integrity:**         Low     Moderate     High     Undefined

**Availability:**     Low     Moderate     High     Undefined

Based on the risk level definitions and classifications provided above, indicate the information system categorization determinations for each of the following:

**Confidentiality:**     Low     Moderate     High     Undefined

**Integrity:**         Low     Moderate     High     Undefined

**Availability:**     Low     Moderate     High     Undefined

**No:** A risk categorization has not been completed. Provide date of anticipated completion. [Click here to enter text.](#)

**3.5 Has the system been issued an AUTHORITY TO OPERATE?**

**Yes:**

**Date of Initial Authority to Operate (ATO):**

**Anticipated Date of Updated ATO:**

**No:**

**Not Applicable:** System is not covered by the Federal Information Security Act (FISMA).

## 4 COMPONENT PRIVACY OFFICER ANALYSIS

The Component Privacy Officer (PO) is responsible for ensuring that the PTA is as complete and accurate as possible before submitting to the DOT Privacy Office for review and adjudication.

### COMPONENT PRIVACY OFFICER CONTACT Information

**Name:** *Essie L. Bell*

**Email:** *essie.bell@faa.gov*

**Phone Number:** *202-267-6034*



## COMPONENT PRIVACY OFFICER Analysis

Click here to enter text.

### 5 COMPONENT REVIEW

Prior to submitting the PTA for adjudication, it is critical that the oversight offices within the Component have reviewed the PTA for completeness, comprehension and accuracy.

<b>Component Reviewer</b>	<b>Name</b>	<b>Review Date</b>
Business Owner	Nancy Rodriguez Brown	2/1/2024
General Counsel	Michael McKinley	2/22/2024
Information System Security Manager (ISSM)	Click here to enter text.	
Privacy Officer	Essie L. Bell	2/1/2024
Records Officer	Richard Allen	2/1/2024

Table 1 - Individuals who have reviewed the PTA and attest to its completeness, comprehension and accuracy.



Control #	Control Name	Primary PTA Question	Satisfied	Other than Satisfied	N/A	Component PO Assessment	DOT CPO Assessment
AP-1	Authority to Collect	1.2 - Overview	X			49 CFR part 40 and 14 CFR part 120	Concur
AP-2	Purpose Specification	1.2 - Overview	X			Purposed Defined	Concur
AR-1	Governance and Privacy Program	Common Control	X			Addressed by DOT Privacy	Concur
AR-2	Privacy Impact and Risk Assessment	Program Management	X			The NPRM requires repair stations located outside the territory of the U.S. to implement a drug and alcohol testing program and report to report to the FAA's Federal Air Surgeon all drug or alcohol test violations. This information will be entered into the Compliance and Enforcement Tracking System (CETS). The FAA already collects the information from domestic repair station and there is a Privacy Impact Assessment for CETS available at <a href="https://www.transportation.gov/individuals/privacy/pia-compliance-and-enforcement-tracking-system-cets">https://www.transportation.gov/individuals/privacy/pia-compliance-and-enforcement-tracking-system-cets</a> . A PIA is not required for the NPRM. Since the information is collected form non-US citizen no update is required is for CETS.	Concur
AR-3	Privacy Requirements for Contractors and Service Providers	3.3 - Contractor System				This is a NPRM, owned and managed by Federal employees.	Concur



Control #	Control Name	Primary PTA Question	Satisfied	Other than Satisfied	N/A	Component PO Assessment	DOT CPO Assessment
AR-4	Privacy Monitoring and Auditing	Common Control				Addressed by DOT CPO.	Concur
AR-5	Privacy Awareness and Training	Common Control	X			Addressed by DOT CPO.	Concur
AR-6	Privacy Reporting	Common Control	X			Addressed by DOT CPO.	Concur
AR-7	Privacy-Enhanced System Design and Development	2.5 - SSN Reduction			X	The proposed rulemaking does not require collection of the SSN.	Concur
AR-8	Accounting of Disclosures	2.7 - SORN			X	Not a Privacy Act System of Records.	Concur
DI-1	Data Quality	1.2 - System Overview	X			Business owner is responsible for ensuring DOT Privacy Risk Management Policy and the FIPPs are applied to all data holdings and systems.	Concur
DI-2	Data Integrity and Data Integrity Board	3.4 - Security Risk Categorization			X	Activity does not constitute sharing covered by the CMA.	Concur
DM-1	Minimization of PII	2.2 – Information About Individuals	X			Collection of PII commensurate with purpose of the system.	Concur



Control #	Control Name	Primary PTA Question	Satisfied	Other than Satisfied	N/A	Component PO Assessment	DOT CPO Assessment
DM-2	Data Retention and Disposal	2.11 - Records Disposition Schedule	X			Record schedule for the rule is in place but requires updating.	Concur
DM-3	Minimization of PII Used in Testing, Training, and Research	2.2 – Information About Individuals				NPRM is not proposing to use information for testing, training or research.	Concur
IP-1	Consent	2.7 - SORN			X	Control is N/A to the primary purposes and records of the system. Business owner is responsible for ensuring DOT Privacy Risk Management Policy and the FIPPs are applied to all data holdings and systems.  The proposed rulemaking does not require collection of information that is not already required under existing FAA regulations. No SORN coverage is required.	Concur
IP-2	Individual Access	2.8 – Exemption Rule			X	Control is N/A to the primary purposes and records of the system. Business owner is responsible for ensuring DOT Privacy Risk Management Policy and the FIPPs are applied to all data holdings and systems.  The proposed rulemaking does not require collection of information that is not already required under existing FAA regulations. No SORN coverage is required.	Concur
IP-3	Redress	2.7 - SORN			X	Control is N/A to the primary purposes and records of the system. Business owner is responsible for ensuring	Concur



Control #	Control Name	Primary PTA Question	Satisfied	Other than Satisfied	N/A	Component PO Assessment	DOT CPO Assessment
						<p>DOT Privacy Risk Management Policy and the FIPPs are applied to all data holdings and systems.</p> <p>The proposed rulemaking does not require collection of information that is not already required under existing FAA regulations. No SORN coverage is required.</p>	
IP-4	Complaint Management	Common Control	X			Addressed by DOT Privacy.	Concur
SE-1	Inventory of PII	Common Control	X			Not an IT system under FISMA.	Concur
SE-2	Privacy Incident Response	Common Control	X			Addressed by DOT Privacy.	Concur
TR-1	Privacy Notice	2.7 - SORN			X	No SORN coverage is required.	Concur
TR-2	System of Records Notices and Privacy Act Statements	2.7 - SORN			X	No SORN coverage is required.	Concur
TR-3	Dissemination of Privacy Program Information	Common Control	X			Addressed by DOT Privacy	Concur
UL-1	Internal Use	2.10 - Internal and External Use			X	No internal sharing	Concur



Control #	Control Name	Primary PTA Question	Satisfied	Other than Satisfied	N/A	Component PO Assessment	DOT CPO Assessment
UL-2	Information Sharing with Third Parties	2.10 - Internal and External Use			X	No internal sharing	Concur

DOT CPO Adjudicated 02/27/2022





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