

# **Appendix D - Small Unmanned Aircraft System (sUAS) Part 107 Accident Reporting Application**

# **Executive Summary**

Within ten days of completing an operation where certain types of aircraft accidents have occurred, 14 C.F.R. §107.9 requires a Small Unmanned Aircraft System (sUAS) owner or operator to report those accidents to the Federal Aviation Administration (FAA). The Small Unmanned Aircraft System Part 107 Accident Reporting application (sUAS Part 107 Accident Reporting) allows sUAS owners or operators to submit a Part 107 accident report. FAA employees and contractors (FAA Analysts) use the data from sUAS owners or operators in this application to process the submitted accident reports.

The sUAS Part 107 Accident Reporting application is part of the FAADroneZone services. This is an Appendix to the <u>overarching PIA for FAADroneZone</u> located on the <u>Department of Transportation's Privacy Impact Assessment page</u>.

# **Introduction & System Overview**

As part of its safety mission, the FAA collects and reviews aircraft accident data and uses that data to promulgate rules, develop aviation safety outreach programs that improve aviation safety, and investigate potential violations of FAA regulations. <u>FAADroneZone</u> provides a portal for sUAS Part 107 Accident Reporting . <u>14 C.F.R. §107.9</u> requires a sUAS owner or operator to report to the FAA within ten days the following types of sUAS accidents:

- 1. Serious injury to any person or any loss of consciousness, or
- 2. Damage to any property other than the small unmanned aircraft unless one of the following conditions is satisfied:
  - (1) The cost of repair (including materials and labor) does not exceed \$500, or
  - (2) The fair market value of the property does not exceed \$500 in the event of a total loss

FAADroneZone collects preliminary sUAS accident information. The authoritative source for all FAA sUAS accident reporting is the Accident/Incident Database System (AIDS)<sup>1</sup>.

#### Reporting a sUAS Accident under Part 107:

Once authenticated by FAADroneZone, the individual navigates to the sUAS Part 107 Accident Reporting application to report a sUAS accident. The sUAS owner or operator fills

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<sup>&</sup>lt;sup>1</sup> AIDS has a published PIA on the Department of Transportation's PIA page.



out the online electronic form<sup>2</sup> "Small Unmanned Aircraft Systems (sUAS) Accident Reporting" on the website, entering the following PII:

- Full Name (individual reporting the sUAS accident)
- Telephone Number
- E-mail Address
- Remote Pilot Certificate Number (optional)
- Small Unmanned Aircraft Systems Registration Service (sUASRS) Registration Number (optional)
- Additional Operational Details<sup>3</sup> (Free Text)
- Location of Accident<sup>4</sup> [City, State (required), and Zip Code]

Once the sUAS operator enters the information above, they select the type of damage, whether serious injury, death,<sup>5</sup> or property damage greater than \$500 occurred, and submit the electronic form. A unique accident report reference number is generated. A confirmation page is displayed that includes the unique accident report reference number. The unique accident report reference number is used to identify the accident report. This reference number is available only to a few FAA Analysts and the sUAS owner or operator that filed the report.

### Processing an Accident Report under Part 107:

The Part 107 Accident Reporting application is strictly used as a repository for sUAS accident reports. Once the sUAS owner or operator submits the accident report, a copy is saved in the Part 107 Accident Reporting application. Additionally, a copy of the accident report is automatically e-mailed to the FAA Regional Operations Center (ROCs). The ROCs distribute the report via email to the appropriate Flight Standards District Office (FSDO). If necessary, they are evaluated and transferred to other Aviation Safety (AVS) investigative personnel, where they are investigated to completion and recorded in AIDS <sup>6</sup>. The UAS Accident Data Steward provides an oversite function to ensure the report is coordinated with the appropriate FSDO.

<sup>&</sup>lt;sup>2</sup> OMB Control Number: 2120-0767, Expiration Date:11/30/2024

<sup>&</sup>lt;sup>3</sup> The free text can include sUAS operator full name, the circumstances leading to the accident, injuries, and whether any property was damaged and the extent of damage.

<sup>&</sup>lt;sup>4</sup> The accident could occur in a field, for example, vs an exact address, so only the City, State, and Zip Code is collected.

<sup>&</sup>lt;sup>5</sup> If this box is checked, a pop-up appears requesting that the user confirm their selection and to call the Washington Operations Center (WOP).

<sup>&</sup>lt;sup>6</sup> A description of the investigation process using AIDS is outside the scope of this PIA, but can be found in the <u>AIDS PIA</u> on the DOT PIA page.



### 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 to support DOT efforts to appropriately identify and mitigate privacy risks. 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) v3<sup>7</sup>, 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 Organizations<sup>8</sup>.

#### **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 that individuals are informed of the purpose for which the FAA collects, uses, disseminates, and retains PII within the Part 107 Accident Reporting application. The application will store and retrieve records by the unique accident report reference number.

The Department of Transportation (DOT) published the Privacy Act System of Records Notice (SORN) <u>DOT/FAA 847</u>, *Aviation Records on Individuals*, 75 FR 68849, November 9, 2010, which provides notice of aviation records on individuals that are required to be maintained about FAA's oversight and enforcement of compliance with safety regulations and statutes and orders issued thereunder.

As required by law, a Privacy Act statement discussing the Department's privacy practices regarding the collection, use, sharing, safeguarding, maintenance, and disposal of PII is publicly available on the FAADroneZone website at the point of collection. Individuals reporting a sUAS accident have the opportunity to read the statement. They must agree that

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<sup>&</sup>lt;sup>7</sup> http://www.cio.gov/documents/FEA-Security-Privacy-Profile-v3-09-30-2010.pdf

<sup>8</sup> http://csrc.nist.gov/publications/drafts/800-53-Appdendix-J/IPDraft\_800-53-privacy-appendix-J.pdf



they understand all the terms and conditions of using the application prior to proceeding with providing any information to create an account or profile.

The publication of this PIA further demonstrates the Department of Transportation's commitment to provide appropriate transparency.

### **Individual Participation and Redress**

DOT provides 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 they are provided reasonable access to their PII and the opportunity to have their PII corrected, amended, or deleted, as appropriate.

Information collected from sUAS owners or operators is required to process sUAS Part 107 accident reports and use that data to promulgate rules, develop aviation safety outreach programs that improve aviation safety, and investigate potential violations of FAA regulations. The sUAS owner or operator fills out the form on the FAADroneZone website, including the pilot's full name, e-mail address, telephone number, remote Pilot Certificate Number (optional), sUASRS Registration Number (optional), additional operational details, and the location of the accident [city, state (required), and zip code]. The sUAS owner or operator reporting a sUAS accident is responsible for ensuring the accuracy of the information they provide to the FAA in the accident report. When the sUAS owner or operator creates their report, they can validate or edit the personal information they have entered before submitting the accident report. The sUAS Part 107 Accident Reporting application is strictly used as a repository for sUAS accident reports, and once the report is submitted, it cannot be changed or updated.

In accordance with SORN DOT/FAA 847, records in this system that relate to administrative actions and legal enforcement actions are exempted from certain access and disclosure requirements of the Privacy Act, pursuant to 5 United States Code § 552a(k)(2).

Under the provisions of the Privacy Act, individuals may request searches to determine if any records that may pertain to them have been added. 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 Avenue, S.W.

Washington, DC 20591



The following information must be included in the request:

- 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 Avenue, S.W.

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 it collects, uses, maintains, or disseminates PII.

<u>14 C.F.R.</u> §107.9 requires proper oversight of sUAS operations, including the requirement that:

No later than 10 calendar days after an operation that meets the criteria of either <u>paragraph</u> (a) or (b) of this section, a remote pilot in command must report to the FAA, in a manner acceptable to the Administrator, any operation of the small unmanned aircraft involving at least:

- (a) Serious injury to any person or any loss of consciousness; or
- (b) Damage to any property other than the small unmanned aircraft unless one of the following conditions is satisfied:
  - (1) The cost of repair (including materials and labor) does not exceed \$500; or
  - (2) The fair market value of the property does not exceed \$500 in the event of total loss.



The purpose of this application is to collect and review sUAS accident data and use that data to promulgate rules, develop aviation safety outreach programs that improve aviation safety, and investigate potential violations of FAA regulations. The sUAS Part 107 Accident Reporting Application service collects the following PII and other information: full name (of owner or operator), telephone number, e-mail address, remote pilot certificate number (optional), sUASRS registration number (optional), additional operational details about the accident in a free text field, and the location of the accident [city, state (required), and zip code].

The PII collected during the sUAS accident reporting process is used for enforcement and oversight purposes to enable FAA inspectors to identify those involved with sUAS accidents. The FAA may also use the PII information provided within accident reports to provide information about potentially unsafe conditions to sUAS owners or operators and to educate them regarding safety requirements for operation. The FAA will also use this application to support FAA safety programs and agency management, including safety studies and assessments. Additionally, the FAA may use this application to maintain oversight of FAA-issued Waivers and Authorizations, and FAA may use records from this application for enforcement purposes.

Internally, the sUAS Part 107 Accident Reporting Application service provides access to PII with this FAA IT system:

• To create analytical and statistical reports, Tableau has access to sUAS Part 107 Accident Reporting Application service PII mentioned in the System Overview section.

In addition to determining compliance with FAA regulations, the FAA will incorporate the accident report into the FAADroneZone Part 107 Accident Reporting application for aviation safety analyses. The FAA will collect and review sUAS accident data and use that data to promulgate rules, develop aviation safety outreach programs that improve aviation safety, and investigate potential violations of FAA regulations.

#### **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.



The FAA will collect the minimum amount of relevant PII necessary. FAA collects the email address, full name, telephone number, and accident location. Optional fields include remote pilot certificate number, alternate e-mail address, sUASRS registration number, sUAS make and model, and accident location.

These records are maintained in compliance with the National Archives and Records Administration (NARA) records schedule <u>DAA-0237-2021-0015</u>, approved in September 2022, which requires that records be destroyed three years after the accident investigation closure.

#### **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.

DOT/FAA 847, *Aviation Records on Individuals*, 75 FR 68849, November 9, 2010, provides notice of aviation records on individuals that are required to be maintained in connection with FAA's oversight and enforcement of compliance with safety regulations and statutes and orders issued thereunder. 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) DOT/FAA 847. These routine uses include the following:

- Use contact information to inform airmen of meetings and seminars conducted by the FAA regarding aviation safety.
- Disclose information to the National Transportation Safety Board (NTSB) in connection with its investigation responsibilities.
- Provide information about airmen to Federal, State, local and Tribal law enforcement agencies when engaged in an official investigation in which an airman is involved.
- Provide information about enforcement actions or orders issued thereunder to government agencies, the aviation industry, and the public upon request.
- Provide information about airmen to Federal, State, local, and Tribal law
  enforcement, national security, or homeland security agencies whenever such
  agencies are engaged in the performance of threat assessments affecting the safety of
  transportation or national security.



DOT may also disclose Part 107 Accident Reporting application information outside DOT pursuant to 15 additional routine uses applicable to all DOT Privacy Act systems of records. These routine uses are published in the *Federal Register* at 75 Fed. Reg. 82,132 (Dec. 29, 2010), 77 Fed. Reg. 42,796 (July 20, 2012), and 84 Fed. Reg. 55,222 (Oct. 15, 2019).

### **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).

The individual reporting a sUAS accident is responsible for ensuring the accuracy of the information they provide to the FAA in the accident report. When they are creating their report, they can validate or edit the personal information they have entered prior to submitting the accident. Once the accident is submitted, the individual reporting a sUAS accident cannot change the report.

#### Security

DOT shall implement administrative, technical, and physical measures to 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.

The 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 FAADroneZone services have a built-in time-out function, and stakeholders are automatically logged out after 60 minutes of non-activity. In addition, all FAADroneZone services securely transmit information provided by the stakeholders using third-party authentication services, which protect the data using Hypertext Transfer Protocol encrypted by Transport Layer Security/Secure Sockets Layer. The FAADroneZone services are hosted in Amazon Web Services (AWS) United States East/West Public Cloud, which is a Federal Risk and Authorization Management Program Compliant Cloud Service Provider, meeting Moderate Federal Risk and Authorization Management Program security requirements.



AWS received its Authority to Operate from the U.S. Department of Health and Human Services in August 2013. The FAADroneZone was authorized to operate on May 16, 2022.

### **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 Order 1370.121B 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 FISMA, DOT privacy regulations including DOT Privacy Risk Management Policy Order 1351.18, 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 access, protection, retention, and destruction of PIIs. Federal and contract employees are given clear guidance in their duties as they relate to collecting, using, processing privacy data. Guidance is provided in the form of mandatory annual security and privacy awareness training, as well as FAA Order 1370.12.1B. The FAA will conduct periodic privacy compliance reviews of the FAADroneZone services relative to the requirements of OMB Circular A-130.

# **Responsible Official**

Jennifer Audette System Owner Acting Manager, AUS-410

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# **Approval and Signature**

Karyn Gorman
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