



U.S. Department of Transportation Privacy Impact Assessment

National Highway Traffic Safety Administration (NHTSA)

Artemis

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Executive Summary

In accordance with 49 U.S.C. Chapter 301, the National Highway Traffic Safety Administration (NHTSA), within the Department of Transportation (DOT), carries out various motor vehicle and highway safety programs. Under Chapter 301 and 49 CFR Part 554, NHTSA's Office of Defects Investigation (ODI) is responsible for identifying, investigating and correcting, through safety recalls, safety-related defects in motor vehicles and items of motor vehicle equipment. To accomplish these functions, ODI collects, evaluates and identifies defect trends in information from many different sources: consumers, manufacturers, state and local agencies, insurance companies, automobile dealers and others. To facilitate the defect investigation and recall processes, ODI relies on its Artemis system. Artemis provides for centralized storage of information and includes both document management and data analysis tools. The system collects and stores PII, as necessary, to enable NHTSA to contact consumers and others regarding complaints, and otherwise facilitate the defect investigation and safety recall process.

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 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.

Introduction & System Overview

Under 49 U.S.C. Chapter 301 and 49 CFR § 554, NHTSA's Office of Defects Investigation (ODI) is responsible for identifying, investigating and correcting, through safety recalls, safety-related defects in motor vehicles and items of motor vehicle equipment. To accomplish this ODI has established a defects investigation program consisting of three

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).

processes, Collection, Screening and Investigation. Artemis provides essential defect information collection, cataloging, document management and analysis capabilities that are used in each of these processes.

Collection

Potential defect information is collected from a variety of sources, however, consumers and manufactures are the primary sources of defect information.

Consumers

Consumers file complaints with NHTSA using one of several options, the Vehicle Safety Hotline, Safercare.gov website, SaferCar Mobile Application, or US Mail.

- **Vehicle Safety Hotline (Hotline):** Consumers who call the Hotline provide information to NHTSA staff who enter the information directly into an Artemis Vehicle Owner Questionnaire (VOQ). Once entered into Artemis the VOC is assigned a temporary complaint number (TCN), printed, and sent to the complainant with a written explanation of how the information will be to the consumer for verification and consent to the uses. ODI will not use the VOQ entered into Artemis until it has been verified by the consumer. Once the consumer returns the signed VOQ it is activated in Artemis and the TCN replaced with an active complaint number.
- **SaferCar.gov/SaferCar Mobile Application;** Consumers may complete a using the www.safercar.gov website or [safe mobile application](#). Information submitted via these methods is stored directly in Artemis. Consumers are provided notice about the use of their information directly on the website or application. On-line VOCs are accepted as submitted and receive only an active complaint number
- **U.S. Mail.** VOQs received via US Mail, and any additional supporting documentation, are entered and scanned directly into an Artemis by NHTSA staff. VOQs received via US Mail are verified and in the same manner as those received via the Hotline.

VOQ information includes;

- Personal Contact Information
 - Last Name
 - E-Mail Address
 - Daytime Phone
 - Evening Phone
 - Address
 - City
 - State
 - Zip
- Vehicle Information
 - Vehicle Identification Number (VIN)
 - Make Model, and Year
- Incident Information
 - Date of Incident
 - Was There Fire (Yes/No)
 - Was There Crash (Yes/No)
 - Number Of Injuries

- Number Of Deaths
- Was Medical Attention Required (Y/N)
- Failed Parts
- Vehicle mileage at time of incident (miles)
- Vehicle speed at time of incident (mph)
- Tell Us What Happened (Comments Provided By Consumer)

Personal Contact information is necessary to allow NHTSA to contact the consumer to discuss the complaint, and if necessary collect any additional information that may provide evidence of defect trend, this may include, complaints filed with the manufacture, repair estimates, insurance claims and adjuster reports, police accident reports, emergency room and other health care records of specialists providing treatment as a result of the crash. The VOQ includes a free form text area "Tell Us What Happened" providing the complainant and opportunity to provide additional detail of their incident or complaint. Complainants are advised that because their description may appear in a public NHTSA database, that they should not to provide sensitive information through this forum, however NHTSA cannot prevent individuals from doing so.

Manufacturers

Manufacturers provide information to NHTSA to meet defect Early Warning Reporting (EWR) obligations under the TREAD Act² EWR data includes aggregate data on Death & Injury Claims, Consumer Complaints, Property Damage, Warranty Claims and Field Report by vehicle make, model and model year; detailed information is not included in these submissions. Manufactures may also provide information in response to a NHTSA initiated comprehensive inquiry, or formal investigation Information Request (IR). In response to a comprehensive inquiry or Investigation IR manufacturers provide additional information to that which is reported by consumers including specific information and details about individuals related to the aggregate data provided in the EWR.

In the course of an investigation NHTSA may also pursue information from other sources, such as insurance companies, or healthcare providers in support of manufacturer or consumer defect information submissions. .

Screening

Once information is captured in Artemis it goes through a series of review, follow-up inquiry and validation steps by NHTSA's Defects Assessment Division (DAD) in an effort to identify trends that indicate a potential defect. DAD also reviews incoming service bulletins and other documents prepared by the manufacturers to identify foreign safety recalls, customer satisfaction campaigns, consumer advisories, and similar campaigns that should have been conducted as safety recalls in the United States. If DAD determines the available information indicates a safety related trend or that a catastrophic failure is developing, this information is presented to an ODI panel for a recommendation on whether to open a safety defect investigation.

Information provided by consumers is essential for making the correct safety defect investigation decision, and plays a significant role in expediting the recall and defect remedy. Vehicle Information provided in the VOQ's, including the VIN, Manufacture, Make and Model Year are used to identify complaint trends related to a specific vehicle, down to the assembly plant and production run. Vehicle incident information, including date/time of

² The Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act (Public Law 106-414) was enacted on November 1, 2000. This Act includes a requirement that the National Highway Traffic Safety Administration (NHTSA) conduct Early Warning Reporting (EWR) rulemaking to require manufacturers of motor vehicles and motor vehicle equipment to submit information, periodically or upon NHTSA's request, that includes claims for deaths and serious injuries, property damage data, communications from customers and others, information on incidents resulting in fatalities or serious injuries from possible defects in vehicles or equipment in the United States or in identical or substantially similar vehicles or equipment in a foreign country, and other information that would assist NHTSA in identifying potential safety-related defects. The intent of this legislation is to provide early warning of such potential safety-related defects.

incident, crash, fire, injuries, deaths, medical services, speed, mileage, affected parts and description of what happened, enables investigators to narrow the scope of the potential problem, identify the root cause(s) and potential for harm. This information is then used to expedite the manufacture recall and remedy.

Investigations

Investigations are conducted in two stages: the Preliminary Evaluation (PE) and the (EA) Engineering Analysis.

Preliminary Evaluation

Most PEs are opened on the basis of information submitted by DAD, but they may be opened on the basis of other information as well. During the PE phase, ODI obtains information from the manufacturer or consumer(s) as needed, including, but not limited to, data on complaints, crashes, injuries, warranty claims, modifications, and part sales) and determines whether further analysis is warranted.

At this stage, the manufacturer has an opportunity to present its views regarding the alleged defect. PE's are generally resolved within four months from the date they are opened. They are either closed on the basis that further investigation is not warranted, or because the manufacturer has decided to conduct a recall. In the event that ODI believes further analysis is warranted, the PE is upgraded to an Engineering Analysis.

Engineering Analysis

During an EA, ODI conducts a more detailed and complete analysis of the character and scope of the alleged defect. The EA builds on information collected in Artemis during the PE and supplements it with appropriate inspections, tests, surveys, and additional information obtained from the manufacturer and suppliers. ODI attempts to resolve all EAs within one year from the date they are opened, but some complex investigations require more time. At the conclusion of the EA, the investigation may be closed if the manufacturer has notified the agency that it will conduct a safety recall or if the agency has not identified a safety-related defect. However, if ODI believes that the data developed indicates that a safety-related defect exists, the ODI investigator prepares a briefing to be presented to a panel of experts from throughout the agency for peer review. If the agency panel concurs with ODI's recommendation that a recall should be conducted, ODI notifies the manufacturer of the panel's concurrence and may, if appropriate, provide a final opportunity for the manufacturer to present new analysis or data. ODI then sends a Recall Request Letter to the manufacturer.

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) v3³, 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 Organizations⁴.

³ <http://www.cio.gov/documents/FEA-Security-Privacy-Profile-v3-09-30-2010.pdf>

⁴ http://csrc.nist.gov/publications/drafts/800-53-Appendix-J/IPDraft_800-53-privacy-appendix-J.pdf

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.

NHTSA informs the public that their PII is collected, stored, and used in a number of ways. Through this Privacy Impact Assessment, published on the DOT website, we identify the information collection's purpose, NHTSA authority to collect, store, and use the PII, and all uses of the PII collected, stored, and transmitted through the Artemis system. The SaferCar website and Mobile Application contain a link to the DOT Website Privacy Policy which outlines our online information practices, <http://www.nhtsa.gov/Privacy>. The consumer complaints website, <https://www-odi.nhtsa.dot.gov/ivoq/> also includes specific notice referencing the inclusion of the VOQ in the [DOT/NHTSA 415 - Artemis System/Vehicle Owner Compliant Information](#) Privacy Act system of records (65 FR 53971 - September 3, 2004). Artemis constitutes a system of records because VOQ complaints are retrieved by name, and the unique ODI reference complaint number. In accordance with provisions of the Paper Work Reduction Act, information practices associated with the collection of information via the Vehicle Owner Questionnaire (VOQ) is available via OMB Information Collection Request (ICR) Reference No. [201501-2127-005](#).

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.

Consumers filing complaints via the Hotline or Safercars.gov can make changes, or delete complaint information by contacting ODI at (202)-366-4000.

Changes to PII received from motor vehicle manufacturers, insurance companies, and other public and private entities are permitted, but only by the entity that originally promulgated the document. This is required to preserve the integrity of NHTSA's investigation information.

Privacy Act requests for access to an individual's record must be in writing (either handwritten or typed). DOT regulations require that the request include a description of the records sought, the requester's full name, current address, and other relevant contact information. The request must be signed and either notarized or submitted under penalty of perjury. Additional information and guidance regarding DOT's FOIA/PA program may be found on the DOT website. Privacy Act requests concerning Artemis information may be addressed to:

U.S. Department of Transportation (DOT)
National Highway Traffic Safety Administration
Office of Defects Investigation (NVS-210) West Building
1200 New Jersey Ave SE
Washington, DC 20590

Consumers with concerns about any data privacy or accuracy matter are encouraged to contact the NHTSA Privacy Officer at any time at the following email address: NHTSA.Privacy@Dot.Gov.

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.

The TREAD Act⁵ and 49 U.S.C. Chapter 30166 provide NHTSA with the legal basis for the collection of PII for the purpose of identifying, investigating and correcting, through safety recalls, safety-related defects in motor vehicles and items of motor vehicle equipment, specifically we collect PII for the purpose of contacting consumers regarding vehicle defect complaint they have filed with NHTSA; identify patterns in other consumer complaint information (vehicle, injury, property damage, alleged defective parts and insurance claim) that indicates a manufacture defect; identify similar trends in manufacturer quarterly EWR information (Make, Model, Year, Fatality Claims and Notices, Injury Claims and Notices, Number of Property Damage Claims, Numbers of Consumer Complaints, Number of Warranty Claims, Number of Field Reports) that indicate a manufacture defect; providing a manufacture with the necessary evidence of the existence of a defect to compel a recall, or if necessary to provide sufficient evidence in a Federal Court to force a manufacturer to issue a recall.

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.

VOQ information provide by consumers is retained for 10 years. VOQ information that is used as part of an investigation is retained as part of the investigation file, at the close of the investigation, in accordance with approved NARA Scheduled [N1-416-05-003 - Office of Defect Investigation Files](#), 15 years.

Hardcopy VOQ's, and any other supporting documentation, provided by the consumer are shredded after being scanned into Artemis.

PII is removed or redacted from information that is made available to the general public for researching recalls, complaints and investigations.

⁵ The Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act (Public Law 106-414) was enacted on November 1, 2000. This Act includes a requirement that the National Highway Traffic Safety Administration (NHTSA) conduct Early Warning Reporting (EWR) rulemaking to require manufacturers of motor vehicles and motor vehicle equipment to submit information, periodically or upon NHTSA's request, that includes claims for deaths and serious injuries, property damage data, communications from customers and others, information on incidents resulting in fatalities or serious injuries from possible defects in vehicles or equipment in the United States or in identical or substantially similar vehicles or equipment in a foreign country, and other information that would assist NHTSA in identifying potential safety-related defects. The intent of this legislation is to provide early warning of such potential safety-related defects.

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.

NHTSA limits the use of PII to that which is necessary for identifying, investigating and correcting, through safety recalls, safety-related defects in motor vehicles and items of motor vehicle equipment, and to maintain and managed the Artemis application and supporting infrastructure. Accordingly, routine uses of records by authorized users are necessary to; permit ODI to review complaints about defects in motor vehicles and items of motor vehicle equipment in order to identify trends that could result in defect investigations, and ultimately in safety-related recalls; permit ODI to review complaints to identify uncorrected recall performance problems which require investigation into the adequacy of the notification or remedy in accordance with agency regulations; make complaints about recall performance available to manufacturers in order to allow them to research the root cause and, if necessary rectify owner complaints and problems; to refer complaints to the appropriate State or Federal agency for actions involving matters of law or regulation beyond the responsibility of the agency or Department, such as the Federal Trade Commission in matters involving warranties. NHTSA also shares information in accordance with the Department's General Routine Uses. The Department's system of records notices may be found at www.dot.gov/privacy.

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).

ODI has established quality assurance processes and systems related checks and balances that help preserve the integrity of PII used in support of defect investigations. These include but are not limited to; collecting PII directly from consumers, automated checks in Artemis to ensure completeness and accuracy of reported information, i.e. check sum verification of the Vehicle Identification Number to make sure it's a valid VIN number, files which have undergone our PII redaction process are periodically scanned to validate the effectiveness of the processes, we performing periodic quality assurance reviews of consumer reported information for accuracy and compliance to standard operating procedures.

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.

NHTSA Security Policy and Practices are based on National Institute of Standards and Technology (NIST) Information Risk Management and Security standards. These are supplemented by privacy specific guidance provided in NIST 800-122.

The NIST security guides and standards are used by NHTSA to, among other things; assess information confidentiality, integrity and availability risks, identify required security safeguards, and adjust the strength and rigor of those safeguards to reduce risks to appropriate acceptable levels. Based on the most recent risk assessment, Artemis has

been identified as a Moderate Impact system. Based on this, NHTSA has implemented appropriate Administrative, Physical and Technical safeguards to protect the confidentiality, availability and integrity of the Artemis system and information.

The Artemis application is subject to the Federal Information Security Management Act which requires the system to be audited, certified and authorized to operate every 3 years. Artemis received its last authorization to operate on April 21, 2015.

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.

NHTSA is responsible for identifying, training and holding operating administration personnel accountable for adhering to NHTSA privacy and security policies, and regulations. NHTSA follows the fair information practice principles as best practices for the protection of information associated with Artemis records. In addition to these practices, policies and procedures will be consistently applied, especially as they relate to the protection, retention and destruction of records. Contractor employees will be given clear guidance in their duties as they relate to collecting, using, processing and security data. Guidance will be provided in the form of mandatory annual security and privacy awareness training, as well as acknowledgement of system rules of behavior. The NHTSA Security and Privacy Officers will conduct regular periodic security and privacy reviews of Artemis consistent with the Office of Management And Budget circular A-130, Section 8b(3), Securing Agency Information Systems.

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Approval and Signature

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