



DEPARTMENT OF HOMELAND SECURITY
Transportation Security Administration

PRIVACY IMPACT ASSESSMENT
(Preliminary)

Computer Assisted Passenger Pre-Screening System (CAPPS II)

July 30, 2003

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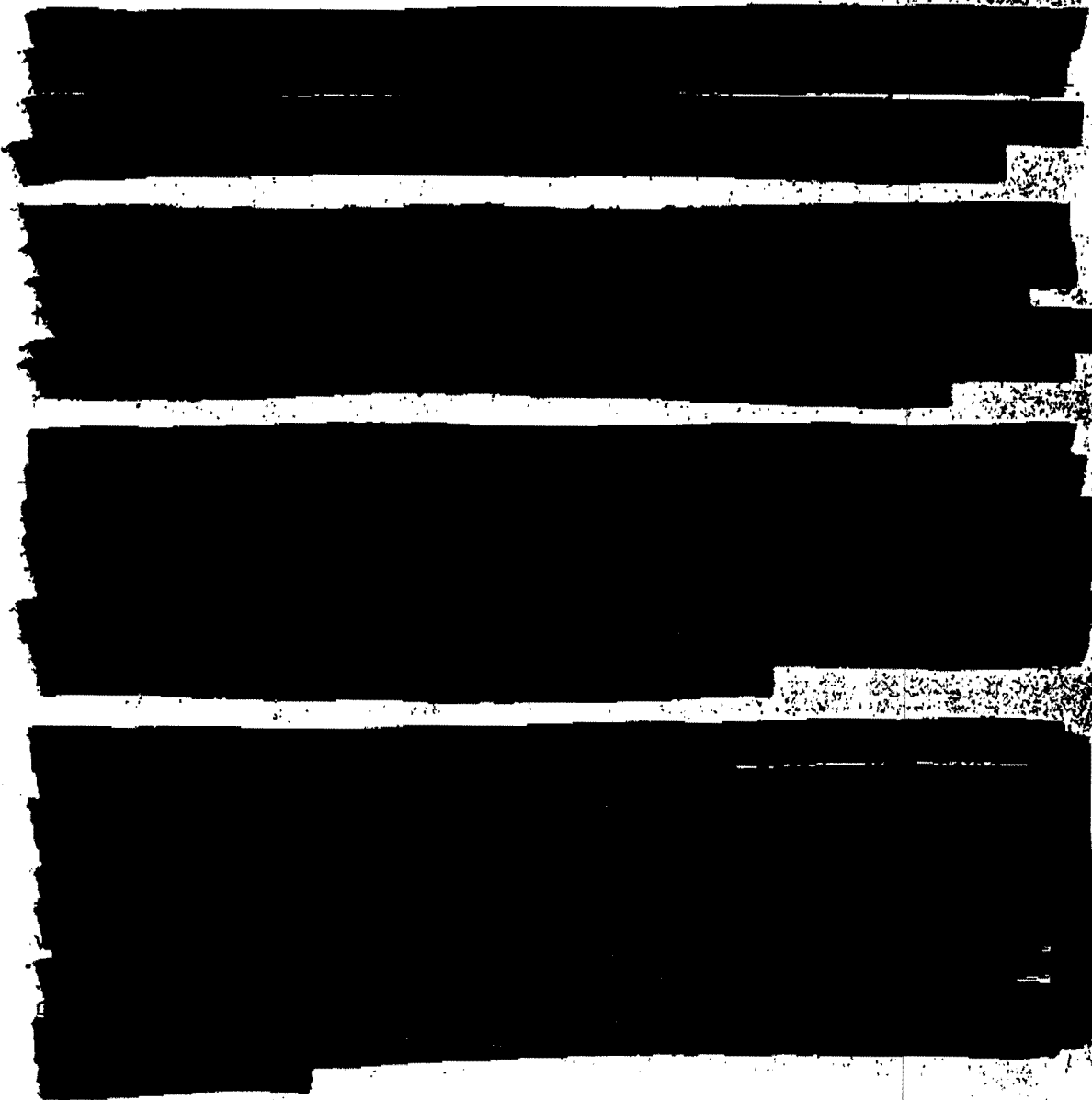
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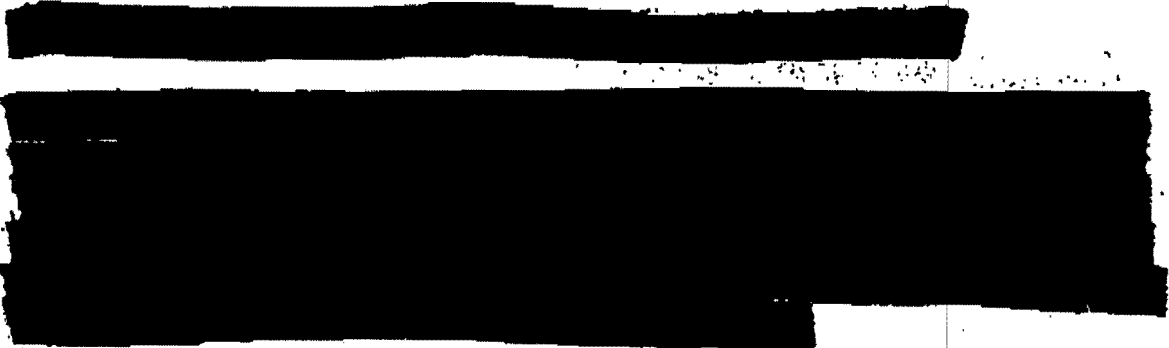
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Overview of CAPPS II privacy management process

The Transportation Security Administration ("TSA") within the Department of Homeland Security ("Homeland Security") has been charged with establishing and operating the passenger risk assessment and pre-screening system (CAPPS II) for all major airports and all commercial airlines.

This Privacy Impact Assessment ("PIA") is based upon the current design of the CAPPS II program. The program is still under design and the PIA will be updated as necessary in order to reflect any changes in the program which may have an impact upon privacy.





How the CAPPS II information will be shared

As described below, the information contained in the CAPPS II system will be shared with other government agencies or parties involved in protecting passenger and aviation security, and for additional specified purposes.

CAPPS II information may be disclosed to appropriate federal, state, local, international, or foreign agencies or authorities, including those concerned with law enforcement, visas and immigration, and to agencies in the Intelligence Community, with respect to persons who may pose a risk of air piracy or terrorism or who may pose a threat to aviation, passenger safety or national security.

CAPPS II information may be disclosed to appropriate federal, state, local, international, or foreign agencies or authorities responsible for investigating or prosecuting the violations of, or for enforcing or implementing, a statute, rule, regulation, or order, or in accordance with law or international agreements, where DHS becomes aware of an outstanding state or federal arrest warrant for a crime of violence.

CAPPS II information may be disclosed to airports and aircraft operators, only to the extent the disclosure is deemed required for counterterrorism or passenger or aviation security purposes.

CAPPS II information may be disclosed to contractors, grantees, experts, or consultants when necessary to perform a function or service related to the CAPPS II system for which they have been engaged.

CAPPS II information may be disclosed to the Department of Justice or other Federal agencies conducting litigation, or in a proceeding before a court, adjudicative or administrative body, when: (a) TSA, or (b) any employee of TSA in his/her official capacity, or (c) any employee of TSA in his/her individual capacity where DOJ or TSA has agreed to represent the employee, or (d) the United States or any agency thereof, is a party to litigation or has an interest in such litigation, and TSA determines that the records are both relevant and

necessary to the litigation and the use of such records is compatible with the purpose for which TSA collected the records.

CAPPS II information may be disclosed to the General Services Administration and the National Archives and Records Administration (NARA) in records management inspections being conducted under the authority of 44 U.S.C. 2904 and 2906.

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

System of records

CAPPS II will create a system of records under Section 552a of title 5, U.S.C. (i.e., the Privacy Act). Exemptions are being requested under one or more provisions of the Privacy Act. This system contains information regarding TSA's conduct of risk assessments required by 49 U.S.C. §§ 114 and 44903. [REDACTED]