



Privacy Impact Assessment Update
for the

Vessel Requirements for Notices of Arrival and Departure and Automatic Identification System to add the Notice of Arrival on the Outer Continental Shelf

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Abstract

This is a Privacy Impact Assessment (PIA) update to the previous “Vessel Requirements for Notice of Arrival and Departure and Automatic Identification System Notice of Proposed Rulemaking” (NOA/D and AIS) PIA dated November 19, 2008. The United States Coast Guard (USCG) is publishing a notice of proposed rulemaking (NPRM) entitled “Notice of Arrival on the Outer Continental Shelf.” The USCG has conducted this update because portions of this rulemaking will require an expansion of an existing collection of personally identifiable information (PII) and because the system, Ship Arrival Notification System (SANS), which maintains the NOA information, will maintain this new collection of PII.

Introduction

In October 2006, the Security and Accountability for Every Port Act of 2006 Public Law 109-347 (SAFE Port Act) was enacted. One purpose of the SAFE Port Act is to improve maritime and cargo security. Section 109 of the SAFE Port Act requires the promulgation of rules detailing notice of arrival procedures for foreign vessels planning to engage in Outer Continental Shelf (OCS) activities. The Coast Guard initiated this rulemaking to meet the security requirements of section 109 of the SAFE Port Act. The Coast Guard also proposes extending the notice of arrival requirements to U.S. vessels, mobile offshore drilling units (MODUs) and floating facilities. Extending the NOA OCS requirements to U.S. units is essential for overall maritime domain safety and security awareness. Moreover, obtaining knowledge of all individuals and vessels engaging in OCS activities will better equip the Coast Guard to prevent and respond to a safety or security incident on the OCS.

This rulemaking proposes that U.S. and foreign units, with the exception of those U.S. units traveling directly from U.S. ports or places, notify the National Vessel Movement Center (NVMC) at least 96 hours before their intended arrival on the OCS. If voyage time to the OCS is less than 96 hours, then this rulemaking proposes shorter notice.

Once final, this rulemaking will expand the applicability of the NOA/D and AIS PIA to include a new population not previously collected. Specifically, this rulemaking would require certain owners or operators of floating facilities (i.e., those described in the paragraph above), MODU’s, and vessels to submit NOA information to the NVMC prior to engaging in OCS activities. The proposed amendments are intended to enhance maritime safety and security by increasing U.S. maritime domain awareness on units and personnel engaging in OCS activities.

Reason for the PIA Update

The USCG has conducted this update to the PIA because the NOA OCS rulemaking will increase the number of individuals about whom PII is collected and stored in the SANS.



Privacy Impact Analysis

In each of the below sections, consider how the system has changed and what impact it has on the below fair information principles. In some cases, there may be no changes and indicate as such.

The System and the Information Collected and Stored within the System

The proposed rule, once final, would require vessel owners and operators of floating facilities, mobile offshore drilling units (MODU's), and vessels to submit an advance notice of arrival electronically to the NVMC prior to engaging in OCS activities. This requirement would require a change in the previously approved OMB Collection 1625-0100 because it expands the NOA requirement to include units engaging in OCS activities. The respondents are vessel owners and operators who arrive on the OCS from foreign ports and engage in OCS activities. The proposed rule would increase the number of respondents in this OMB-approved collection by no more than 144 respondents. OCS units such as MODU's and floating production facilities may stay on the OCS for long periods, such as a year or more, so the Coast Guard does not expect these units to have more than one NOA submittal per year.

The NPRM proposes a collection of the following information for each individual onboard a vessel that intends to engage in OCS activities:

- i. Full name;
- ii. Date of birth;
- iii. Nationality;
- iv. Passport number or marine documentation number (type of identification and number);
- v. Position or duties of the mariner; and
- vi. Name of the port, or place, and country where the individual embarked.

Uses of the System and the Information

The uses of the personally identifiable information have not changed with this update, and no new privacy risks have been identified.

Retention

The retention schedules have not changed. NARA's Request for Records Disposition Authority, dated 5.31.05, job Number N1-026-05-11.

Internal Sharing and Disclosure

The internal sharing and disclosure have not changed with this update, and no new privacy risks have been identified.

External Sharing and Disclosure

The external sharing and disclosure have not changed with this update, and no new privacy risks have been identified.



Notice

Information in SANS is retrieved by Vessel Name, Vessel ID Number, State, Port, or Captain of the Port Zone (geographical location). Information is not retrieved by a personal identifier. As outlined below, SANS data is used by other IT systems in order to vet, screen, or analyze information on individuals.

In order to provide greater transparency to the traveling public, DHS published a SORN for Notice of Arrival and Departure (NOAD, DHS/USCG-029, December 11, 2008, 73 FR 75455) information which details the scope, sharing, and information access procedures for NOAD data at USCG. In addition to the SORN, USCG has previously provided notice of the use of NOAD information in the Marine Information for Safety and Law Enforcement (MISLE, DOT/CG-679, April 22, 2002, 67 FR 19612) and the Maritime Awareness Global Network (MAGNet, DHS/USCG-061, May 15, 2008, 73 FR 28143).

Individual Access, Redress, and Correction

Access, redress, and correction have not changed with this update, and no new privacy risks have been identified.

Technical Access and Security

The technical access and security have not changed with this update, and no new privacy risks have been identified.

Technology

The technology has not changed with this update, and no new privacy risks have been identified.

Responsible Official

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Approval Signature

Original signed and on file with the DHS Privacy Office.

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