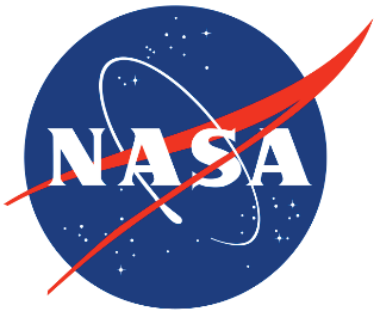


Information Technology Security Handbook

Web Privacy Notices and Redress

July 2022

Version 1.3.0

OFFICE OF THE CHIEF INFORMATION OFFICER

CYBER SECURITY AND PRIVACY DIVISION

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1.0	9/7/2012	Initial Draft
1.1	8/31/2015	Signed and approved by the Acting IT Security Division Director
1.2	1/16/2020	Updated with language regarding PCAT to RISCS transition
1.3	3/29/2021	Updated to reflect transition from PCAT to RISCS. Separation and clarification of sections for Privacy Act records. Other minor edits and updates. Reviewed by privacy personnel at the center and agency level.
1.4	07/14/2022	Reviewed and Reissued.

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Distribution:

CSET

Approved



Associate Chief Information Officer for
Cybersecurity & Privacy

1. INTRODUCTION

To ensure transparency and provide public notice, the National Aeronautics and Space Administration (NASA) has developed a web privacy policy that outlines NASA's privacy and collection obligations, responsibilities, and practices. This document also includes NASA's redress policies which seek to provide fair and equal access to NASA websites and safeguard its customers and a process by which non-Privacy Act inquiries seeking resolution of difficulties or concerns about privacy matters can be addressed. These policies have been designed to reflect that privacy and trust are critical to NASA's mission.

The NASA Chief Information Officer (CIO) is responsible for ensuring that the general privacy policy is posted on all externally facing websites. However, Information System Owners (ISOs) are ultimately responsible for including additional privacy notices that identify specific collection practices and protections, web measurement and customization technology (persistent tracking/cookies) use, and the Children's Online Privacy Protection Act (COPPA) practices.

2. PURPOSE

NASA Procedural Requirement (NPR) 1382.1, NASA Privacy Procedural Requirements designates this handbook as the implementing guidance for privacy notice requirements, when and how web measurement and customization technologies may be used, COPPA notice requirements, the privacy complaint process, and the privacy redress process requirements. The handbook is designed to act as a guide to ISOs to ensure that they are meeting the privacy notice and redress requirements outlined in the NPR.

2.1 Scope

This handbook outlines several requirements that ISOs should be aware, including:

- Collections from children under 13: while collections from children under 13 are permissible, all COPPA requirements outlined in this handbook for notice and consent must be satisfied prior to collection.
- Third-party website or application use: an ISO may use third-party websites and applications so long as a Privacy Impact Assessment (PIA) is completed (in accordance with ITS-HBK-1382.03-01) and the notice identified in this handbook is included on the third-party website or application.
- Web measurement and customization technology (persistent tracking/cookies): as a general rule, ISOs may use web measurement and customization technology for single session and multi-session use without needing additional approvals if no PII is collected, however, if PII is collected when using multi-session web measurement and customization technology, a waiver is required from the NASA CIO following a mandated public comment period.

In addition to notice requirements and processes, this handbook outlines the privacy complaint and redress process and identifies a timeframe for NASA responses.

In this handbook, all mandatory actions (i.e., requirements) are denoted by statements containing the term "shall." The terms "may" or "can" denote discretionary privilege or permission, "should" denotes a good practice and is recommended but not required, "will" denotes expected outcome, and "are/is" denotes descriptive material.

In this handbook, all document citations are assumed to be the latest version unless otherwise noted.

3. POINT(S) OF CONTACT

Stayce Hoult, NASA Chief Privacy Officer (CPO):

- stayce.d.hoult@nasa.gov

Any questions or concerns regarding perceived gaps in policy or implementation guidance, conflicting procedural requirements, lack of clarity pertaining to specified roles and responsibilities, or issues associated with interpretation shall be elevated to the NASA Cybersecurity and Privacy Division (CSPD) and directed to directed to the attention of the point of contact for this particular handbook to address and resolve.

4. APPLICABILITY

This applies to all personnel at NASA Headquarters and NASA Centers. NASA Centers include Component Facilities and Technical and Service Support Centers, such as the Jet Propulsion Laboratory, a Federally Funded Research and Development Center (FFRDC), and other contractors, authorized users, grant recipients, or parties to agreements when specified or referenced in relevant contracts, grants, or agreements.

5. APPLICABLE DOCUMENTS

Federal Law

- Privacy Act of 1974, as amended, 5 U.S.C. § 552a.
- Children's Online Privacy Protection Act of 1998 (COPPA), 15. U.S.C. §§6501 et seq., 16 C.F.R § 312.
- E Government Act of 2002 (e-Gov), as amended, 44 U.S.C. §§ 101 et seq.

Office of Management and Budget (OMB)

- OMB M-17-06*, Memorandum for the Heads of Executive Department and Agencies.*
- OMB M-17-25*, Reporting Guidance for Executive Order on Strengthening the Cybersecurity of Federal Networks and Critical Infrastructure, May 19, 2017.*
- OMB M-10-22*, Guidance for Online use of Web Measurement and Customization Technologies, June 25, 2010.*
- OMB M-10-23*, Guidance for Agency Use of Third-Party Websites and Applications, June 25, 2010.*

NASA

- NASA Policy Directive (NPD) 1382.17, *NASA Privacy Policy*
- NPR 1382.1*, NASA Privacy Procedural Requirements*
- Information Technology Handbook (ITS-HBK).00-01*, Format and Procedures for IT Security Policies and Handbooks*
- ITS-HBK-1382.03-01*, Privacy – Collections, PTAs, and PIAs*

6. ROLES AND RESPONSIBILITIES

6.1 The NASA CIO shall:

- Approve of the Web Privacy Policy outlined in Section 7.1.
- Ensure that the policy outlined in Section 7.1 of this handbook is posted (or a link is provided within) on all public facing NASA websites and any official websites and applications hosted through third-party websites and applications, hosted externally or internally. A link to the Web Privacy Policy is included at the bottom of every official NASA webpage.

6.2 The NASA Senior Agency Official for Privacy (SAOP) shall:

- Approve waivers to permit Tier 3 use of web measurement for tracking and customization technology.
- Ensure privacy policy provides clear and conspicuous notice of the use of web measurement for tracking and customization technology.
- Ensure oversight over both the privacy and Privacy Act complaint processes.
- Ensure that the NASA Web Privacy Policy website includes information for both privacy and Privacy Act complaint processes.

6.3 The NASA CPO shall:

- Transmit and track waivers as they move through the approval process.
- Review the NASA web measurement for tracking and customization technology use annually and post the results of the review to www.NASA.gov/open with a mechanism for the public to provide feedback on NASA's results.
- Submit to the SAOP for authorization waivers to permit Tier 3 use web measurement for tracking and customization technology.
- Receive privacy complaints from members of the public and NASA users.
- Respond to privacy complaints in a timely manner.
- Maintain all privacy complaints across the agency.

6.4 The Agency/Center Privacy Manager (A/CPM) shall:

- Consult with the ISO to determine which tier the web measurement for tracking and customization technology use falls.
- Submit notification to the NASA CPO for SAOP awareness when Tier 2 Web measurement customization technology is used.
- Submit to the NASA CPO for SAOP authorization waivers to permit Tier 3 use of the web measurement for tracking and customization technology.
- Receive Center-level privacy complaints from members of the public and NASA users.
- Respond to Center level privacy complaints in a timely manner.
- Provide the NASA CPO with information regarding the Center-level privacy complaints.
- Forward Privacy Act requests to the appropriate system manager according to the guidelines in 14 CFR § 1212.

6.5 The ISO shall:

- Ensure incorporation of the Web Privacy Policy Notice per Section 7.1 and additional privacy notices per Section 7.2 into the public facing NASA websites, as appropriate.
- Ensure that official NASA websites and applications that are hosted on third-party websites or applications include the language outlined in Section 8.

- Determine under what tier the web measurement for tracking and customization technology use falls, in consultation with the A/CPM, utilizing the tier designation decision chart outlined in Section 10.1[1], Figure 1.
    - Tier 1 – permitted without additional action required.
    - Tier 2 – permitted with notification to SAOP.
    - Tier 3 – prohibition may be waived following public comment period NASA SAOP authorization.
- Submit Tier 2 notification through the A/CPM.
- Submit Tier 3 waiver through the A/CPM.
- Use opt-in settings for Tier 3 web measurement and customization technology.
- Ensure that the PIA and SORN is cited in the associated system's online privacy policy.
- Retain the PII collected only if necessary, to achieve NASA's mission/objective.
- Ensure only NASA Users with a need to know the information are provided access.
- Ensure that an additional COPPA Notice is posted or linked to on each applicable public facing website on which a COPPA notice is required.

7. PRIVACY NOTICE – WEB PRIVACY POLICY

The NASA Web Privacy Policy shall be posted on all publicly facing websites. The language that is required for the NASA Web Privacy Policy is outlined within this section.

7.1 Web Privacy Notice Language – Standard

The following language shall be included, at a minimum, in each publicly facing website's Privacy Policy. This web Privacy Policy shall be posted as written within this handbook. While additions may be required in specific areas as identified within this handbook, any other deviations are strictly prohibited. No recreation, modification, or additions to this language are authorized without the expressed concurrence of the NASA CPO.

> Thank you for visiting the National Aeronautics and Space Administration (NASA) website and reviewing our policy notices. We have integrated these statements into a single posting for ease of use. The following links will help you navigate to a specific section:
>
> - Privacy Policy
>   - Federal Privacy Council
>   - Located here: http://www.fpc.gov
> - Security Notice
> - Accessibility Statement
> - Linking Policy and Disclaimer of Endorsement
> - Other Links
>   - NASA Strategic Plans and Performance Plans
>   - Located here: http://nasa.gov/news/budget/index.html
>   - USA.gov
>   - Located here: http://www.usa.gov
> - Privacy on NASA Social Media Channels
>   - Located here: https://www.nasa.gov/content/privacy-on-nasa-social-media-channels

[1] The Risk Information Security Compliance System (RISCS) shall be utilized to complete this designation process.

- Privacy Impact Assessments (PIAs)
  - Located here: http://www.nasa.gov/privacy/PIA.html
- NASA Officials for Privacy Related Matters
- NASA Privacy Program
  - Located here: http://www.nasa.gov/privacy/index.html
- YouTube Terms of Service
  - Located here: https://www.youtube.com/t/terms

Privacy Policy

This notice provides NASA's policy regarding the nature, purpose, use, and sharing of any information collected via this Web site. The information you provide on a NASA Web site will be used only for its intended purpose. We will protect your information consistent with the principles of the Privacy Act, the e-Government Act of 2002, the Federal Records Act, and, as applicable, the Freedom of Information Act (FOIA).

Submitting information is strictly voluntary. By doing so, you are giving NASA your permission to use the information for the intended purpose. If you do not want to give NASA permission to use your information, simply do not provide it. However, not providing certain information may result in NASA's inability to provide you with the information or services you desire.

There are several types of information NASA collects. These include:

1. Automatically collected information
2. Information collected for tracking and customization (cookies)
3. Personal information
4. Information from children
5. Information maintained within Privacy Act systems of records

NASA will only share your information with another government agency if it relates to that agency, or as otherwise required by law. We may share information with private organizations as part of a service that provides NASA.gov users with increased capabilities or functionality on the site. NASA never creates individual profiles.

Automatically Collected Information

This website uses Google Analytics Premium. Please refer to the following policies on Google's website for more information:

- Google's privacy policy
  - Located here: http://www.google.com/intl/en/policies/privacy/
- Cookies & Google Analytics on websites
  - Located here: https://developers.google.com/analytics/devguides/collection/gajs/cookie-usage
- Opt out of Google Analytics cookies
  - Located here: https://tools.google.com/dlpage/gaoptout?hl=en

We collect and temporarily store certain technical information about your visit for use in site management and security purposes. This information includes:

1. The internet domain from which you access our website (e.g., "xcompany.com" if you use a private Internet access account, or "yourschool.edu" if you connect from an educational domain);
2. The IP address (i.e., a unique number for each computer connected to the Internet) from which you access our website;
3. The type of browser (e.g., Chrome, Firefox, Internet Explorer) used to access our site;
4. The operating system (e.g., Windows, Mac) used to access our site;
5. The date and time you access our site;
6. The URLs of the pages you visit;
7. Your username, if it was used to log in to the Website;
8. If you visited this NASA Website from another website, the URL of the forwarding site; and
9. Anonymous summary demographic information about our visitors such as gender, age range, and areas of interest for adults over the age of 18. We do this by using Google Demographic and Interests reports. When you visit a website that has partnered with the Google Display Network, Google stores a number in your browser using a persistent cookie to remember your visits. This number uniquely identifies a web browser, not a specific person. Browsers may be associated with a demographic category, such as gender or age range, based on the sites that were visited. This demographic information is used to help us better understand our visitors' interests and needs to more effectively develop content to serve you.

This information is generally used to help us make our site more useful for you. With this data we learn about the number of visitors to our site and the types of technology our visitors use. Although the primary purpose of automatically collecting this kind of information is not to track individuals who visit this site, in certain circumstances and consistent with Federal law, NASA may take additional steps to identify you using this information and may share this information, including your identity, with other agencies.

Except for authorized law enforcement investigations, no attempts are made to identify individual users or their usage habits. Raw data logs are retained temporarily as required for security and site management purposes only.

Information Collected for Tracking and Customization (Cookies)

A cookie is a small file that a website transfers to your computer to allow it to remember specific information about your session while you are connected. Your computer will only share the information in the cookie with the website that provided it, and no other website can request it. There are two types of cookies: session and persistent. Session cookies last only as long as your Web browser is open. Once you close your browser, the cookie disappears. Persistent cookies store information on your computer for longer periods of time.

NASA websites may use session cookies for technical purposes such as to enable better navigation through the site, or to allow you to customize your preferences for interacting with the site. A few NASA websites may also make use of persistent cookies to remember you between visits so, for example, you can save your customized preference settings for future visits. Each NASA site using persistent cookies identifies itself as

doing so. If you do not wish to have session or persistent cookies stored on your machine, you can turn them off in your browser. However, this may affect the functioning of some NASA websites.

Providing Information to Third Parties

NASA may share information with private organizations as part of a service that provides NASA users with increased capabilities or functionality on the site. On www.nasa.gov, the "share" function at the top of each page is provided by a third-party, Add This[http://www.addthis.com]. This firm collects information on visitors who use this feature to share NASA content on their Facebook pages, Twitter feeds or other social media or social networking sites. As noted in their privacy policy[http://www.addthis.com/privacy] Add. This uses this information for its own business purposes, including marketing the information to other parties.

Add: This does not collect information from users who do not use the feature.

Personal Information

If you choose to provide NASA with personal information, through such methods as completing a form or sending NASA an email, we will use that information to respond to your message and to help NASA get you the information or services that you have requested.

Remember that email is not necessarily secure. You should never send sensitive or personal information like your Social Security number in an email. Use postal mail or secure websites instead.

Some of our websites ask visitors who request specific information to fill out a registration form. For example, vendors looking for marketing opportunities by visiting the NASA Acquisition Internet Service site may be asked to register to obtain email notices of business opportunities.

Other information collected at websites through questionnaires, feedback forms, or other means, enables us to determine visitors' interests, with the goal of providing better service to customers.

Interaction with Children

The Children's Online Privacy Protection Act (COPPA) governs information gathering online from or about children under the age of 13. Verifiable consent from a child's parent or guardian is required before collecting, using, or disclosing personal information from a child under the age of 13.

We collect no information about you or your child, other than that detailed in the previous section, when you visit our website unless you choose to provide information to us. When a NASA website needs to collect information about a child under 13 years old, COPPA required information and instructions will be provided by the specific web page that collects information about the child. The web page will specify exactly what the information will be used for, who will see it, and how long it will be kept.

There are several exceptions that permit collection of a child's email address without receiving parental consent in advance:

- To provide the parents with notice and to seek consent for communications with the child. Note: this may require collection of the parent's email address as well.
- To respond to a one-time request from a child.
- To respond more than once to a child's request (e.g., a subscription to a newsletter). However, parental consent is required prior to the second communication.
- To protect the safety of a child who is participating on the site (e.g., in a chat room).
- To protect the site or to respond to law enforcement (e.g., in the case of a website compromise).

Personal information about children under 13 years of age may be needed to respond to his/her communication to us, such as to receive a poster or to acquire information for a school project. Personal information about your child will be destroyed immediately upon completion of its intended purpose. On rare occasions, it may be determined that a communication from a child under 13 years old should be maintained for historical purposes. Should such an occasion occur, NASA will obtain the necessary consent from the child's parent.

Finally, we provide many on-line tools and services in support of NASA's mission. A child under 13 years old may inadvertently provide personal information to one of these services. If this should happen, the information about the child will be deleted immediately upon discovery.

Information Maintained within Privacy Act Systems of Records

NASA collects and maintains some records on individuals that are protected under the Privacy Act of 1974 and from which the records are retrieved by individual's name/personal identifier. Such information is included in NASA Privacy Act Systems of Records that are published through notices in the Federal Register. Individuals may request records held by NASA on them in NASA's Systems of Records by following the instructions in 14 CFR 1212.201.

Website Security Notice

For site security purposes and to ensure this web service remains available to all users, this government computer system employs software programs that monitor network traffic to identify unauthorized attempts to upload or change information. Anyone using this system expressly consents to such monitoring and is advised that if such monitoring reveals evidence of possible abuse or criminal activity, such evidence may be provided to appropriate law enforcement officials.

Unauthorized attempts to upload or change information on NASA servers are strictly prohibited and may be punishable by law, such as the Computer Fraud and Abuse Act of 1986 and the National Information Infrastructure Protection Act of 1996. Additionally, NASA information systems may be protected by EINSTEIN cybersecurity capabilities under the operational control of the U.S. Department of Homeland Security United States Computer Emergency Readiness Team (US-CERT). Electronic communications with NASA may

be scanned by government-owned or contractor equipment to look for network traffic indicating known or suspected malicious cyber activity, including malicious content or communications.

Electronic communications within NASA will be collected or retained by US-CERT only if they are associated with known or suspected cyber threats. US-CERT will use the information collected through EINSTEIN to analyze the known or suspected cyber threat and help NASA and other agencies respond and better protect their computers and networks.

For additional information about EINSTEIN capabilities, please see the EINSTEIN program-related Privacy Impact Assessments available on the U.S. Department of Homeland Security cybersecurity privacy website along with other information about the federal government's cybersecurity activities.

Accessibility Statement

NASA is committed to making all Agency's programs and services, including electronic and information technology, accessible to everyone. To ensure that we meet or exceed the requirements of Section 504 of the Rehabilitation Act of 1973 and the 1998 Amendment to Section 508 of the Rehabilitation Act of 1973, we continually review our programs and services, including electronic and information technology, in order to remove accessibility problems for people with disabilities.

If you have a problem accessing any NASA program or if you have questions about our accessibility policy, please contact our hotline at 866-654-1440 or by email at AssistedProgramComplaint@nasa.gov.

NASA's commitment to accessibility includes making its web content accessible. Detailed information on website accessibility can be found here.

Linking Policy and Disclaimer of Endorsement

NASA links to many websites created and maintained by other public and/or private organizations. NASA provides links to these websites as a service to our users. The presence of a link is not a NASA endorsement of the site.

When users follow a link to an outside website, they are leaving NASA and are subject to the privacy and security policies of the owners/sponsors of the outside website(s). NASA is not responsible for the information collection practices of non-NASA sites.

Other Links

- NASA Privacy Impact Assessments (PIAs) [Click here]
- 14 CFR 1212 - NASA Privacy Act Regulations [Click here]
- NASA Systems of Records Notices (SORNs) [Click here]
- The ability to electronically request NASA Privacy Act records on yourself. Meanwhile, such requests may also be made via a Freedom of Information Act request.

- For Privacy concerns not related to Systems of Record Notices (SORNs) or NASA Privacy Act, please email a description of your concern along with a preferred return email address to NASA-Privacy.

NASA Officials for Privacy Related Matters

NASA SAOP
Jeff Seaton
Chief Information Officer

NASA CPO
Controlled Unclassified Information (CUI) Program Manager
Stayce Hoult
NASA Office of the Chief Information Officer, NASA Headquarters
Washington, DC 20546-690001
Contact: (256) 544-7705
Email: stayce.d.hoult@nasa.gov

NASA Privacy Act Officer
Patti F. Stockman
NASA Office of the Chief Information Officer, NASA Headquarters
Washington, DC 20546-690001
Contact: (202) 358-4787
Email: patti.stockman@nasa.gov

7.2 Web Privacy Policy Notice Language – Additional Privacy Notice

The following language may be required depending on what information is being collected from the public and from whom the information is being collected. If it is required, it shall be posted or linked to on each applicable public facing website.

Additional Privacy Notice

Web Measurement for Tracking and Customization Technology Usage (Cookies) Notice

Web measurement and tracking customization technology is used by this website. Specifically, cookies have been engaged. A cookie is a small file that a website transfers to your computer to allow it to remember specific information about your session while you are connected. Your computer will only share the information with the website that provide the information, and no other website can request it.

This NASA website uses persistent cookies to remember you between visits so, for example, you can save your customized preference settings for future visits. Persistent cookies store information on your computer for longer periods of time.

[CHOOSE THE APPROPRIATE:

The web measurement and customization technology is not collecting PII.

The web measurement and customization technology is collecting PII. The PII is not shared with third parties as they have no right to that information.]

If you do not wish to have session or persistent cookies stored on your machine, you can turn them off in your browser. However, as this website utilizes them, it may affect how this website functions.

Children's Online Privacy Protection Act of 1998 (COPPA) Notice

COPPA governs information gathered online from children under the age of 13. NASA requires verifiable consent from a child's parent or guardian prior to the collection, use, or disclosure of personal information form a child under the age of 13. The website your child is accessing seeks to collect information and is therefore subject to the requirements of COPPA. Please note that NASA does not collect more information than is reasonably necessary to participate in this website's related activity.

[INSERT appropriate language for the collection relating to: What Information is being collected from children by NASA; How the information will be used; Who will see the information NASA collects; How long the information will be retained by NASA; What NASA's disclosure practices include; What the parental notice and consent process is; and what mechanisms exist for parents to review the information collected and to refuse to allow NASA future use of the information or future collection of the information.]

8. PRIVACY NOTICE – THIRD-PARTY SOCIAL MEDIA WEBSITE OR APPLICATION

NASA may use authorized third-party social media websites and applications; however, NASA must provide appropriate privacy notice to users to ensure that the public is aware of the related NASA privacy protections.

The language outlined in this section supports the requirements outlined in *OMB Memorandum M-10-23*.

Privacy Notice: This is not a government [website/application], the [website/application] is controlled and operated by a third party. NASA's Web Privacy Policy does not apply to this [website/application]. NASA will not maintain, use, or share Personally Identifiable Information (PII) that becomes available through the use of this third-party websites or applications unless expressly stated and consent is obtained from the user. [Insert additional language as appropriate pertaining to PII use, etc.]

For additional information on NASA's Third-Party Privacy Notice please go to

NASA Web Privacy Policy and Important Notices | NASA

9. PRIVACY NOTICE – WRITTEN NOTICE

PII is controlled unclassified information, so certain protections and notice requirements are needed. To satisfy those requirements, the following language has been created to facilitate the requirements of NPR 1382.1 , Chapter 6.

CUI

This document/media, etc. (choose as appropriate) contains Personally Identifiable Information and is considered to be Controlled Unclassified Information, subject to protection and controls per the Privacy Act of 1974, e-Gov Act of 2002 and, NASA Privacy Policy (NPR 1382.1 and NID 2810.135 Controlled Unclassified Information as appropriate.

Wrongful mishandling, dissemination or willful unauthorized use or access to this information may result in substantial penalties including fines, administrative or termination of employment. Control, store, handle, transmit, distribute and dispose of strictly in accordance with current NASA Privacy Policy.

Violations or suspected breaches should be reported immediately to:

Security Operations Center at 877-NASA-SEC (627-2732).

For additional information on NASA's Third-Party Privacy Notice please go to http://www.nasa.gov/about/highlights/HP_Privacy.html.

10. WEB MEASUREMENT FOR TRACKING AND CUSTOMIZATION TECHNOLOGY (COOKIES) USE

Web measurement and customization technology is permitted for single session and multisession use as long as PII is not collected, and the requirements outlined in NPR 1382.1 and this handbook are satisfied. Multi-session use that involves the collection of PII is prohibited unless a waiver is obtained from the OCIO by an ISO. The waiver process may include a public comment period and clear and concise notice of the collection within the associated privacy policy. ISOs should work with A/CPMs to determine what tier (as outlined in OMB Memorandum M-10-22) the use of web measurement and customization falls under and how to comply with the NPR and handbook.

The process outlined below supports the requirements outlined in OMB Memorandum M-10-22.

10.1 Web Measurement for tracking and Customization Technology (Cookies) Use Process

The following outlines the steps required for use of Web Measurement and Customization Technology when PII will be collected:

1	ISO determines that the use of the technology is necessary to meet a NASA program and/or its associated mission.	
2	ISO determines whether the use of the technology is Tier 1, Tier 2, or Tier 3 using the designation decision chart (Figure 1) and in consultation with the A/CPM.[2]	
3	If Tier 1, use is permitted.	**STOP**: No additional action required to use single session Web Measurement and Customization Technology.
	If Tier 2, use is permitted.	**STOP**: No additional action required to use multi session Web Measurement and Customization Technology as long as no PII is being collected.
	If Tier 3, ISO obtains a waiver from the SAOP.	ISO seeks a waiver from the SAOP using the form provided in *Appendix D*.[3] *Go to Steps 4-9*.
4	If Tier 3, ISO submits waiver request to the A/CPM for SAOP approval. (see Appendix D)	
5	The SAOP solicits comments through www.NASA.gov/open for 30 days regarding the new or substantive change to existing use of web measurement and customization technology. The notice and comments include: • Proposed use and description of the use • Purpose of the web measurement and/or customization technology • Usage tier, session type, and technology used • Nature of information collected • Purpose and use of the information • Whether and to whom the information will be disclosed • Privacy safeguards • Data retention policy • Whether technology is enabled by default or not and why • Mechanism for opting out • Statement that opting out does not limit users' ability to access comparable information or services • Third-party vendors involved, if applicable	
6	The SAOP reviews and makes changes to use where appropriate.	
7	The SAOP approves the waiver as appropriate and notifies the ISO.[4]	
8	The ISO may then use multisession web measurement and customization technology that collects PII.	
9	Annually, thereafter, the ISO submits a renewal of waiver request to the SAOP. (*see Appendix D*).[5]	

[2] RISCS shall be utilized to complete this process.
[3] *Id.*
[4] *Id*.
[5] RISCS shall be utilized to complete this process. Waiver renewals are reviewed during Federal Information Security Management Act (FISMA) end of year reporting. The SAOP will determine whether waiver renewals are required during this period. If an ISO is no longer using Web Measurement and Customization Technology, his or her waiver will not be renewed.

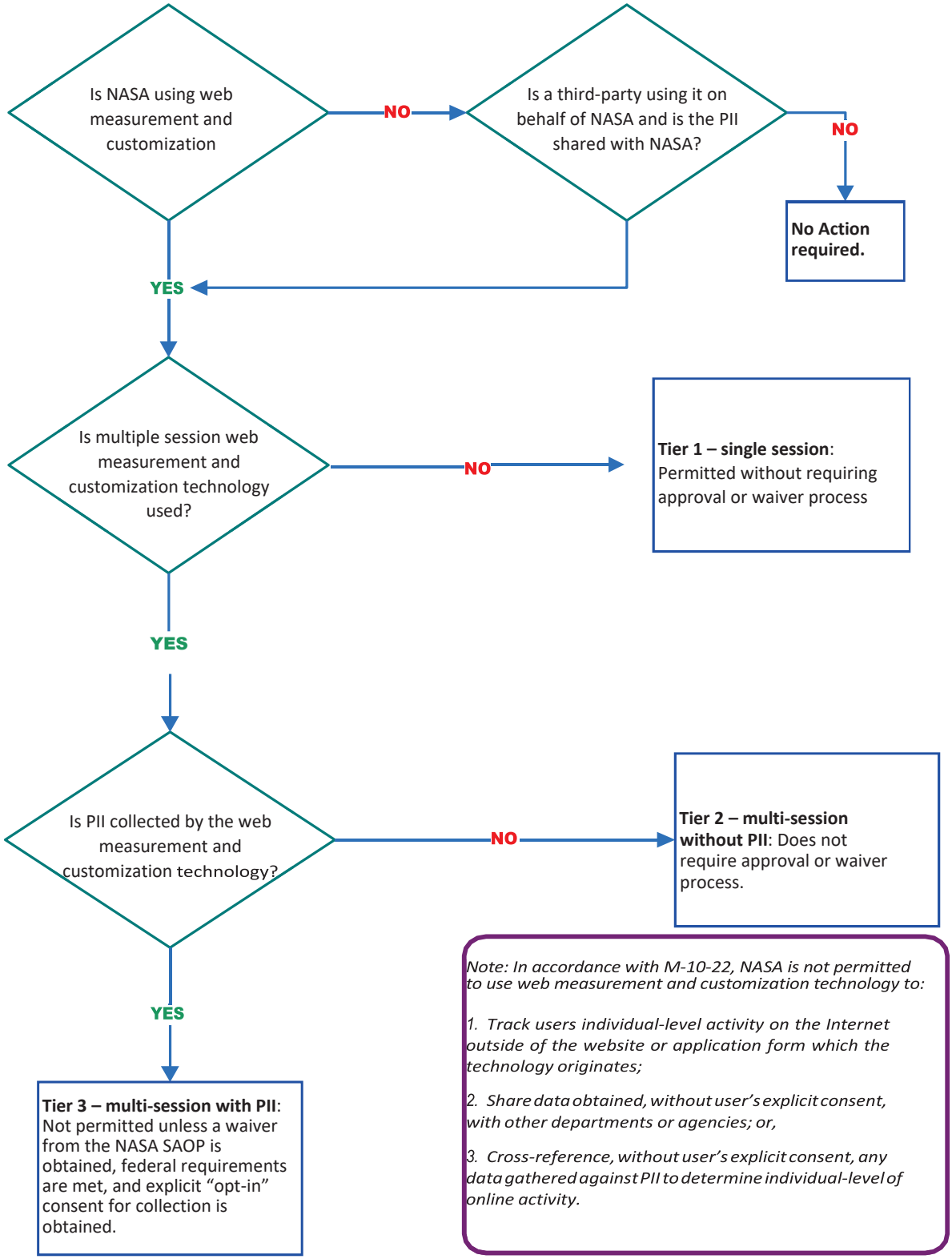


Figure 1: Web MeasurementandCustomizationTechnology(PersistentTracking)UseTierDesignationDecisionChart

11. COPPA NOTICE

NASA websites that target children and collect PII from children under the age of 13 are required to provide COPPA notice. The specific language related to a/the COPPA Notice is outlined in Section 2.2 above.

Factors to be considered in determining whether a website is directed to children under 13 years of age include the subject matter, visual or audio content, the age of models on the site, language, whether advertising on the website is directed at children, information regarding the age of the actual or intended audience, and whether a website uses animated characters or other child-oriented features.

11.1 Exceptions to Parental Consent

Exceptions to parental consent exist when the website collects information from a child under the age of 13 to:

- Respond to a one-time request from the child (e.g., providing a poster, responding to a question) after which the PII is deleted.
- Contact the parent.
- Ensure the safety of the child or the website.
- Fulfill a NASA newsletter request for a single use (NOTE: a continuation of a subscription requires parental consent).

12. PRIVACY COMPLAINTS AND REDRESS

The following outlines the privacy complaints notification process. This section does not provide guidance on how to respond to individual complaints. Rather, the section outlines the privacy complaints requirements. For assistance on addressing specific complaints, contact the SAOP or the NASA CPO.

12.1 Privacy Complaints Notification Process

The following outlines steps required for privacy complaints notification to the NASA CPO:

1	Member of the public or NASA User contacts NASA CPO, A/CPM, or ISO to file a complaint.
2	The complaint is addressed as appropriate.
3	If the A/CPM receives the complaint, the A/CPM shall provide the NASA CPO with the following information: 1. Type of complaint: process and procedural complaint; redress complaint; operational complaint; or referrals complaint. 2. Date the complaint was reported 3. The status of the complaint (e.g., open, resolved) 4. Description of the complaint
4	If the NASA CPO receives the complaint first-hand or from the A/CPM, the NASA CPO shall update the complaints log as appropriate.

12.2 Privacy Redress Process and Timeline

For non-Privacy Act related privacy redress, the following timeline may be used. While this timeline is not mandatory, the SAOP should be notified if deviations are necessary.

1	Member of the public or NASA user contacts SAOP, NASA CPO, A/CPM, or ISO, seeking redress from misuse or mishandling of PII and for correcting inaccuracies.
2	No later than 15 business days after the issue is brought forward, the NASA CPO, A/CPM, or ISO will respond to the member of the public or NASA user.
3	No later than 45 business days after the issue is brought forward, the NASA CPO, A/CPM, or ISO will provide the member of the public or NASA user the appropriate redress.

Appendix A: Definitions

Operational complaint	Complaint involving inquiries regarding Privacy Act matters, not including Privacy Act requests for access and/or correction.
Process and procedural complaint	Complaint involving consent, collection, and appropriate notice.
Redress complaint	Complaint involving non-Privacy Act inquiries seeking resolution of difficulties or concerns about privacy matters.
Referral complaints	Involving complaints referred to another agency with jurisdiction.
System Manager	The term system manager means the NASA official who is responsible for a system of records as designated in the system notice of that system of records published in the Federal Register. When a system of records includes portions located at more than one NASA Center, the term system manager includes any subsystem manager designated in the system notice as being responsible for that portion of the system of records located at the respective Center. 14 CFR § 1212.101(c)
Tier 1 – single session	Refers to any use of single session web measurement and customization technology. Single session includes technologies "… that remember a user's online interactions within a single session or visit. Any identifier correlated to a particular user is used only with that session, is not later reused, and is deleted immediately after the session ends." OMB Memorandum M-10-22
Tier 2 – multi-session without PII	Refers to any use of multisession web measurement and customization technology when no PII is collected. Multiple session includes technologies that "remember a user's online interactions through multiple sessions … requires the use of a persistent identifier for each user, which lasts across multiple sessions or visits." OMB Memorandum M-10-22
Tier 3 – multi-session with PII	Refers to any use of multisession Web Measurement and Customization Technology when PII is collected. OMB Memorandum M-10-22
Third-party websites or applications	"web-based technologies that are not exclusively operated or controlled by a government entity, or web-based technologies that involve significant participation of a nongovernment entity. Often these technologies are located on a '.com' website or other location that is not part of an official government domain. However, third-party applications can also be embedded or incorporated on an agency's official website." OMB Memorandum M-10-23
Web measurement tracking and customization technology	Technologies that "… are used to remember a user's online interactions with a website or online application in order to conduct measurement and analysis of usage or to customize the user's experience." OMB Memorandum M-10-22

Appendix B: Acronyms

CIO	Chief Information Officer
CISO	Chief Information Security Officer
COPPA	Children's Online Privacy Protection Act of 1998
A/CPM	Agency/Center Privacy Manager
CPO	Chief Privacy Officer
CSPD	Cybersecurity and Privacy Division
CUI	Controlled Unclassified Information
eGov	E Government Act of 2002
FOIA	Freedom of Information Act
HBK	Handbook
IP	Internet Protocol
ISO	Information System Owner
ITS	Information Technology Security
NASA	National Aeronautics and Space Administration
NPD	NASA Policy Directive
NPR	NASA Procedural Requirement
OCIO	Office of the Chief Information Officer
OMB	Office of Management and Budget
PDF	Portable Document Format
PIA	Privacy Impact Assessment
PII	Personally Identifiable Information
RISCS	Risk Information Security Compliance System
SAOP	Senior Agency Official for Privacy
SORN	System of Records Notice
URL	Uniform Resource Locator

Appendix C: Web Measurement and Customization Technology Use Waiver

Date

TO: OCIO/NASA/Senior Agency Official for Privacy
THRU: OCIO/NASA Chief Privacy Officer
FROM: ISO
SUBJECT: Waiver to allow multisession Web Measurement and Customization Technology that collects PII

Background

Proposed use and description of the use:
Purpose of the Web Measurement and/or Customization Technology:
Usage Tier, session type, and technology used:
Nature of information collected:
Purpose and Use of the Information:
Whether and to whom the Information will be disclosed:
Privacy Safeguards:
Data Retention Policy:
Whether technology is enabled by default or not and why:
Mechanism for opting out:
Statement that opting out does not limit users ability to access comparable information or services:
Identify third-party vendors involved:

Justification

[State the compelling need and how the information will be used, the benefits to NASA of its use, and the consequences of not employing it]:

Concurrences:

[NASA Responsible Official] _____ Date

NASA Chief Privacy Officer _____ Date

Approved:

Senior Agency Official for Privacy/CIO _____ Date

Appendix D: Web Measurement and Customization Technology Use Waiver Renewal

Date

TO: OCIO/NASA Senior Agency Official for Privacy
THRU: OCIO/NASA Chief Privacy Officer
FROM: ISO

SUBJECT: Waiver Renewal to continue to allow multi-session Web Measurement and Customization Technology that collects PII

Renewal of Waiver requested for:

Justification
[State the continued compelling need and how the information will be used, the benefits to NASA of its use, and the consequences of not employing it]:

Concurrences:

[NASA Responsible Official] _____ Date

NASA Chief Privacy Officer _____ Date

_____ Date

Approved:

Senior Agency Official for Privacy/CIO _____ Date