

**U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT**

[Insert System or Project Name]

[Insert Name of Program Office]

System of Records Notice

[Date]

BACKGROUND INFORMATION

It is HUD's policy to publish a system of records notice (SORN) in the *Federal Register* for any agency-maintained information technology (IT) or paper file system that contains personally identifiable information and retrieves the information by a personal identifier.

It is also HUD's policy to annually certify the accuracy and completeness of existing SORN publications and publish later revisions in the *Federal Register*.

The Department's Office of Administration reviews and approves all SORNs. Once approved, SORNs will be published in the *Federal Register* and placed on HUD's intranet.

Please refer to the [HUD SORN Reference Guide](#) for detailed guidance on completing this template.

- **Instructions and section descriptions are highlighted in yellow.**
- Certain sections have been prepopulated with default standard language.
 - Please replace [\[Blue Placeholder Text\]](#) with information pertaining to the system being described.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Docket No. [FR-XXXX-N-XX] (Replace X's with correct docket number)

Privacy Act of 1974; System of Records

AGENCY: Department of Housing and Urban Development, Privacy Office

ACTION: Notice of a Modified of Records.

SUMMARY: (Insert a plain-language description of the system and please follow the standard language.) Pursuant to the provisions of the Privacy Act of 1974, as amended, the Department of the Housing and Urban Development (HUD) is issuing a public notice of its intent to modify the [Program Office] Privacy Act system of records, [Name of system of records], [add reason for revised notice or the sections being updated].

DATES: (Insert date 30 days after publication in the Federal Register. This is the deadline to submit comments on the proposal and the date on which any routine uses will be effective. Insert the following standard language) This modification will be effective upon publication. New routine uses will be effective [Insert date 30 days after publication in the Federal Register]. Submit comments on or before [Insert date 30 days after publication in the Federal Register].

ADDRESSES: You may submit comments, identified by docket number **HUD-YYYY-XXXXX** by one of the following methods: (Replace YYYY with the year in which the SORN is being filed. Replace XXXX with the correct docket number.)

Federal e-Rulemaking Portal: <http://www.regulations.gov>. Follow the instructions provided on that site to submit comments electronically.

Fax: 202-619-8365

Email: www.privacy@hud.gov.

Mail: Attention: Privacy Office; LaDonne White, Chief Privacy Officer; The Executive Secretariat; 451 Seventh Street, SW, Room 10139; Washington, DC 20410-0001.

Instructions: All submissions received must include the agency name and docket number for this rulemaking. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

Docket: For access to the docket to read background documents or comments received go to <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: The Privacy Office; 451 Seventh Street, SW, Room 10139; Washington, DC 20410-0001; telephone number 202-708-3054 (this is not a toll-free number). Individuals who are hearing- or speech-impaired may access this telephone number via TTY by calling the Federal Relay Service at 800-877-8339 (this is a toll-free number).

SUPPLEMENTARY INFORMATION: The Department of Housing and Urban Development (HUD), [Bureau/Office] maintains the “[Name of system of records]” system of records. [Provide a concise description, including purpose for system.]

HUD is publishing this revised notice to [provide purpose for the modification] to reflect updated information in the sections being revised [summarize the changes in each section].

[Numerical list of any new routine uses that were not included in the previous SORN.]

SYSTEM NAME AND NUMBER: (Please list the name of the system that clearly identifies the purpose and provide a number for the system. For example, HUD-XX, Security Access Files.)

[System number], [Name of system of records].

SECURITY CLASSIFICATION: (Please mark as Classified or Unclassified.)
[Classified/Unclassified].

SYSTEM LOCATION: (Please list the main bureau/office addresses of where the SOR (paper and/or electronic) resides.) Records are maintained at the [Title of location where records are kept], [Location Address].

SYSTEM MANAGER(S): (Add the title, business address with **9-digit postal code**, and contact information of the system manager(s) responsible for the system.) [Name of System Manager], [System Manager’s Title/Position], [System Manager’s Address]

AUTHORITY FOR MAINTENANCE OF THE SYSTEM: (Add the **specific legal authority** (statute section, Executive Order, etc.) that authorizes the maintenance of the records in the system. In addition, list the HUD Directives if applicable.)

PURPOSES OF THE SYSTEM: (Add a description of the agency’s purpose(s) for maintaining the system.)

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM: (List the types of individuals whose PII is contained in the system. Add the categories of ALL individuals on whose information are maintained in the system and retrieved by a personal identifier.)

CATEGORIES OF RECORDS IN THE SYSTEM: (List the types of records maintained by the system. If the system or program collects full name, date of birth, social security number etc., then each of these data elements must be mentioned in this section.)

RECORD SOURCE CATEGORIES: (Identify and list the sources of records in the system. This section must identify all sources, internal as well as external, from which information entered into the system is obtained.)

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES: (List each routine use of the records in the system, including the categories of users and the purpose of such use. See [80 FR 81837 Appendix I](#) for all HUD Routine Uses. Please use the following standard language.) In addition to those 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 of HUD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

(1) General Service Administration Information Disclosure Routine Use:

To the National Archives and Records Administration (NARA) and the General Services Administration (GSA) for records having sufficient historical or other value to warrant its continued preservation by the United States Government, or for inspection under authority of Title 44, Chapter 29, of the United States Code.

(2) Congressional Inquiries Disclosure Routine Use:

To a congressional office from the record of an individual, in response to an inquiry from the congressional office made at the request of that individual.

(3) Health and Safety Prevention Disclosure Routine Use:

To appropriate Federal, State, and local governments, or persons, pursuant to a showing of compelling circumstances affecting the health or safety or vital interest of an individual or data subject, including assisting such agencies or organizations in preventing the exposure to or transmission of a communicable or quarantinable disease, or to combat other significant public health threats, if upon such disclosure appropriate notice was transmitted to the last known address of such individual to identify the health threat or risk.

(4) Consumer Reporting Agency Disclosure Routine Use:

To a consumer reporting agency, when trying to collect a claim owed on behalf of the Government, in accordance with 31 U.S.C. 3711(e).

(5) Computer Matching Program Disclosure Routine Use:

To Federal, State, and local agencies, their employees, and agents for the purpose of conducting computer matching programs as regulated by the Privacy Act of 1974, as amended (5 U.S.C. 552a).

(6) Prevention of Fraud, Waste, and Abuse Disclosure Routine Use:

To Federal agencies, non-Federal entities, their employees, and agents (including contractors, their agents or employees; employees or contractors of the agents or designated agents); or contractors, their employees or agents with whom HUD has a contract, service agreement, grant, cooperative agreement, or computer matching agreement for the purpose of: (1) Detection, prevention, and recovery of improper payments; (2) detection and prevention of fraud, waste, and abuse in major Federal programs administered by a Federal agency or non-Federal entity; (3)

detection of fraud, waste, and abuse by individuals in their operations and programs, but only to the extent that the information shared is necessary and relevant to verify pre-award and prepayment requirements prior to the release of Federal funds, prevent and recover improper payments for services rendered under programs of HUD or of those Federal agencies and non-Federal entities to which HUD provides information under this routine use.

(7) Research and Statistical Analysis Disclosure Routine Uses:

(a) To contractors, grantees, experts, consultants, Federal agencies, and non-Federal entities, including, but not limited to, State and local governments and other research institutions or their parties, and entities and their agents with whom HUD has a contract, service agreement, grant, or cooperative agreement, when necessary to accomplish an agency function, related to a system of records, for the purposes of statistical analysis and research in support of program operations, management, performance monitoring, evaluation, risk management, and policy development, or to otherwise support the Department's mission. Records under this routine use may not be used in whole or in part to make decisions that affect the rights, benefits, or privileges of specific individuals. The results of the matched information may not be disclosed in identifiable form.

(b) To a recipient who has provided the agency with advance, adequate written assurance that the record provided from the system of records will be used solely for statistical research or reporting purposes. Records under this condition will be disclosed or transferred in a form that does not identify an individual.

(8) Information Sharing Environment Disclosure Routine Uses:

To contractors, grantees, experts, consultants and their agents, or others performing or working under a contract, service, grant, or cooperative agreement with HUD, when necessary to accomplish an agency function related to a system of records. Disclosure requirements are limited to only those data elements considered relevant to accomplishing an agency function. Individuals provided information under these routine use conditions are subject to Privacy Act requirements and disclosure limitations imposed on the Department.

(9) Data Testing for Technology Implementation Disclosure Routine Use:

To contractors, experts and consultants with whom HUD has a contract, service agreement, or other assignment of the Department, when necessary to utilize relevant data for the purpose of testing new technology and systems designed to enhance program operations and performance.

(10) Data Breach Remediation Purposes Routine Use:

To appropriate agencies, entities, and persons when:

(a) HUD suspects or has confirmed that the security or confidentiality of information in a system of records has been compromised;

(b) HUD has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft, or fraud, or harm to the security or

integrity of systems or programs (whether maintained by HUD or another agency or entity) that rely upon the compromised information; and

(c) The disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with HUD's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm for purposes of facilitating responses and remediation efforts in the event of a data breach.

When appropriate, HUD may disclose records compatible to one of its system of records notices during case specific circumstances, as follows: information relating to, but not in and of itself constituting, law enforcement information, as defined below, may only be disclosed upon a showing by the requester that the information is pertinent to the conduct of investigation.

(11) Disclosures for Law Enforcement Investigations Routine Uses:

(a) To appropriate Federal, State, local, tribal, or governmental agencies or multilateral governmental organizations responsible for investigating or prosecuting the violations of, or for enforcing or implementing, a statute, rule, regulation, order, or license, where HUD determines that the information would assist in the enforcement of civil or criminal laws.

(b) To third parties during the course of a law enforcement investigation, to the extent necessary to obtain information pertinent to the investigation, provided the disclosure of such information is appropriate to the proper performance of the official duties of the officer making the disclosure.

(12) Court or Law Enforcement Proceedings Disclosure Routine Uses:

(a) To a court, magistrate, administrative tribunal, or arbitrator in the course of presenting evidence, including disclosures to opposing counsel or witnesses in the course of civil discovery, litigation, mediation, or settlement negotiations; or in connection with criminal law proceedings; or in response to a subpoena or to a prosecution request when such records to be released are specifically approved by a court provided order.

(b) To appropriate Federal, State, local, tribal, or governmental agencies or multilateral governmental organizations responsible for investigating or prosecuting the violations of, or for enforcing or implementing, a statute, rule, regulation, order, or license, where HUD determines that the information would assist in the enforcement of civil or criminal laws.

(c) To third parties during the course of a law enforcement investigation to the extent necessary to obtain information pertinent to the investigation, provided disclosure is appropriate to the proper performance of the official duties of the officer making the disclosure.

(d) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the agency that maintains the record, specifying the particular portion desired and the law enforcement activity for which the record is sought.

(13) Department of Justice for Litigation Disclosure Routine Use:

To the Department of Justice (DOJ) when seeking legal advice for a HUD initiative or in response to DOJ's request for the Start Printed Page 81840 information, after either HUD or DOJ determine that such information is relevant to DOJ's representatives of the United States or any other components in legal proceedings before a court or adjudicative body, provided that, in each case, the agency also determines prior to disclosure that disclosure of the records to DOJ is a use of the information contained in the records that is compatible with the purpose for which HUD collected the records. HUD on its own may disclose records in this system of records in legal proceedings before a court or administrative body after determining that the disclosure of the records to the court or administrative body is a use of the information contained in the records that is compatible with the purpose for which HUD collected the records.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS: (Describe the policies and practices of the agency regarding the storage of records.)

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS: (Describe the policies and practices of the agency regarding retrieval of records such as by name, email address or another unique identifier associated with the individual. This section **must be consistent with the Categories of Records** section above.)

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS: (Describe the policies and practices of the agency regarding the retention and disposal of records. The retention period is the period of time records are held in the system before disposal.)

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS: (Add a description of the administrative, technical, and physical safeguards to which the system is subject (e.g., locked cabinets, locked rooms, passwords, audit trail, electronic data encryption, security, privacy and record management training) that are in place to ensure the records are not accessed, used or disclosed in an unauthorized manner.)

RECORD ACCESS PROCEDURES: Individuals seeking to determine whether this System of Records contains information on themselves should address written inquiries to the Department of Housing Urban and Development 451 7th Street, SW Washington, DC, 20410-0001. For verification purposes, individuals should provide full name, current address, and telephone number. In addition, the requester must provide either a notarized statement or an unsworn declaration made in accordance with 28 U.S.C. 1746, in the following format:

If executed outside the United States: "I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (Date). (Signature)."

If executed within the United States, its territories, possessions, or commonwealths: “I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (Date). (Signature).”

CONTESTING RECORD PROCEDURES: The HUD rule for accessing, contesting, and appealing agency determinations by the individual concerned are published in 24 CFR part 16 or may be obtained from the system manager.

(If portions of the system are exempt, also include the following, include the following standard language.)

HUD is proposing to exempt portions of this system from the notification, access, and amendment procedures of the Privacy Act pursuant to sections [Insert applicable sections here – for example, “(k)(2) and (k)(5)”]. HUD will make amendment determinations on a case by case basis.

An individual requesting correction or the removal of material from his or her records should send a signed, written request to the applicable System Manager as identified above. The request must include the specific bureau or office that maintains the record to facilitate location of the applicable records. A request for corrections or removal must meet the requirements of 43 CFR 2.246

NOTIFICATION PROCEDURES: Individuals seeking to determine whether information about themselves is contained in this system should address written inquiries to the Department of Housing Urban Development [Program Office], 451 7th street SW, Washington, DC 20410-0001. For verification purposes, individuals should provide full name, office or organization where currently assigned, if applicable, and current address and telephone number. In addition, the requester must provide either a notarized statement or an unsworn declaration made in accordance with 28 U.S.C. 1746, in the following format:

If executed outside the united states: “I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. executed on (Date). (Signature).”

If executed within the United States, its territories, possessions, or commonwealths: “I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. executed on (Date). (Signature).”

EXEMPTIONS PROMULGATED FOR THE SYSTEM: (Identify and add any Privacy Act exemptions claimed for the system and the applicable regulations. Under limited circumstances, the Privacy Act permits agencies to exempt a system of records from compliance with certain provisions of the Act (see 5 U.S.C. 552a (j) and (k)).)

HISTORY: (Add citation(s) to the last full *Federal Register* notice that includes the elements required to be in a SORN, and any later notices of revisions.)

Nancy Corsiglia
Senior Agency Official for Privacy