



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, D.C. 20410-3000

MEMORANDUM FOR: Distribution

FROM: LaDonne White, Chief Privacy Officer (CPO)

SUBJECT: Privacy Office Memorandum 01-00, Privacy Threshold Assessment (PTA) Elimination Determination

DATE ISSUED: December 2019

Per [E-Government Act of 2002](#), Section 208, agencies that develop, procure, or update information technology that collects, maintains, or disseminates information in an identifiable form are required to conduct Privacy Impact Assessments (PIAs). As such, the U.S. Department of Housing and Urban Development (HUD) has determined PIAs are necessary for any HUD information system, including general support systems. Some agencies use a Privacy Threshold Analysis (PTA) to determine whether a system collects and maintains personally identifiable information (PII), thus whether a PIA or Systems of Records Notice (SORN) are necessary.

The updated HUD PIA form asks whether PII is collected, and thus will serve as a conclusive determination of whether privacy requirements apply to the system. Regarding audit finding 2018-OE-0001-19 (determining whether PTAs or PIAs are needed for general support systems), HUD has determined that PTAs are not necessary as their purpose and function are met by other forms and procedures, namely the PIA and System of Records Notice (SORN). The PIA collects information on how HUD collects, stores, protects, shares and manages PII, while the SORN describes what, why, and how HUD collects, maintains, uses, and disseminates records in their systems.

Typically, PTAs focus on:

- Purpose of the Information
- Type of Information
- Sensitivity of the information
- Use of the information
- Risk of the information

The HUD PIA form describes:

1. The legal authority that permits the collection of information
2. The specific type of information used by the system
3. How and why the system uses the information
4. Whether the system provides notice to individuals that their information is used by the system
5. The length of time the system retains information
6. Whether and with whom the system disseminates information

7. Procedures individuals may use to access or amend information used by the system
8. Physical, technical, and administrative safeguards applied to the system to secure the information

HUD's SORN is designed to:

1. Inform HUD's clients and partners about the kinds of personal information the agency maintains
2. State the legal authority under which the agency collects and maintains individuals' information
3. Describe the purpose for which the agency may use the information
4. Describe the categories of information contained in the system of records
5. Describe the physical, administrative, and technical safeguards used to secure the information
6. Describe how an individual may request access to or amend their information
7. Describe with whom the agency may share information contained within the system of records without obtaining prior consent of the data subject

Further, while NIST Special Publication (SP) 800-122, *Guide to Protecting the Confidentiality of PII* recommends the use of PTAs, they are not mandated. The updated HUD PIA form is to be used for all HUD information systems or projects. The first question asks about PII, including whether it is collected at all. If not, that serves as the record that PII is not needed, making the PTA redundant.

Eliminating PTAs will eliminate this redundancy and enable a more efficient, streamlined process for determining whether a system collects PII and therefore requires a PIA and / or SORN. PTAs are not needed for general support systems as their areas of inquires overlap with HUD's SORN and PIA by having the same function of engaging with the purpose, type, sensitivity, use and risk of information.

Please direct all questions and comments to the Privacy Office at privacy@hud.gov.