U.S. Department of Housing and Urban Development

Office of Housing

Single Family Default Monitoring SubSystem - - SFDMS

Privacy Impact Assessment

November 2005

DOCUMENT ENDORSEMENT

I have carefully assessed the Privacy Impact Assessment (PIA) for Single Family Default Monitoring SubSystem. This document has been completed in accordance with the requirement set forth by the E-Government Act of 2002 and OMB Memorandum 03-22 which requires that "Privacy Impact Assessments" (PIAs) be conducted for all new and/ or significantly altered IT Systems, and Information Collection Requests.

MANAGEMENT ENDORSEMENT

Please check the appropriate statement.

X The document is accepted.
_____ The document is accepted pending the changes noted.
_____ The document is not accepted.

Based on our authority and judgment, the data captured in this document is current and accurate.

/s/ Eric M. Stout — **Dec. 15, 2005**
Departmental Privacy Advocate — **Date**
Office of the Chief Information Officer
U. S. Department of Housing and Urban Development

/s/ Jeanette Smith — **Dec. 15, 2005**
Departmental Privacy Act Officer — **Date**
Office of the Chief Information Officer
U. S. Department of Housing and Urban Development

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APPROVED/ FINAL

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
PRIVACY IMPACT ASSESSMENT (PIA) FOR:
"SINGLE FAMILY DEFAULT MONITORING SUBSYSTEM - SFDMS"
(for IT Systems: OMB Unique Identifier N/A and PCAS # 00251280)

November 2005

NOTE: See Section 2 for PIA answers and Section 3 for Privacy Advocate's determination.

SECTION 1: BACKGROUND

Importance of Privacy Protection – Legislative Mandates:
HUD is responsible for ensuring the privacy and confidentiality of the information it collects on members of the public, beneficiaries of HUD programs, business partners, and its own employees. These people have a right to expect that HUD will collect, maintain, use, and disseminate identifiable personal information only as authorized by law and as necessary to carry out agency responsibilities.

The information HUD collects is protected by the following legislation and regulations:

- Privacy Act of 1974, as amended affords individuals the right to privacy in records that are maintained and used by Federal agencies. (See http://www.usdoj.gov/foia/privstat.htm; see also HUD Handbook1325.1 at www.hudclips.org);
- Computer Matching and Privacy Protection Act of 1988 is an amendment to the Privacy Act that specifies the conditions under which private information may (or may not) be shared among government agencies. (See http://www.usdoj.gov/foia/privstat.htm);
- Freedom of Information Act of 1966, as amended (http://www.usdoj.gov/oip/foia_updates/Vol_XVII_4/page2.htm) provides for the disclosure of information maintained by Federal agencies to the public, while allowing limited protections for privacy. See also HUD's Freedom of Information Act Handbook (HUD Handbook 1327.1 at www.hudclips.org);
- E-Government Act of 2002 requires Federal agencies to conduct Privacy Impact Assessments (PIAs) on its electronic systems. (See http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=107_cong_public_laws&docid=f:publ347.107.pdf; see also the summary of the E-Government Act at http://www.whitehouse.gov/omb/egov/pres_state2.htm);
- Federal Information Security Management Act of 2002 (which superseded the Computer Security Act of 1987) provides a comprehensive framework for ensuring the effectiveness of information security controls over information resources that support Federal operations and assets, etc. See also the codified version of Information Security regulations at Title 44 U.S. Code chapter 35 subchapter II (http://uscode.house.gov/search/criteria.php); and

- OMB Circular A-130, Management of Federal Information Resources, Appendix I (http://www.whitehouse.gov/omb/circulars/a130/appendix_i.pdf) defines Federal Agency responsibilities for maintaining records about individuals.

Access to personally identifiable information will be restricted to those staff that has a need to access the data to carry out their duties; and they will be held accountable for ensuring privacy and confidentiality of the data.

What is the Privacy Impact Assessment (PIA) Process?
The Privacy Impact Assessment (PIA) is a process that evaluates issues related to the privacy of personally identifiable information in electronic systems. See background on PIAs and the 7 questions that need to be answered, at: http://www.hud.gov/offices/cio/privacy/pia/pia.cfm. Personally identifiable information is defined as information that actually identifies an individual, e.g., name, address, social security number (SSN), or identifying number or code; or other personal/ sensitive information such as race, marital status, financial information, home telephone number, personal e-mail address, etc. Of particular concern is the combination of multiple identifying elements. For example, knowing name + SSN + birth date + financial information would pose more risk to privacy than just name + SSN alone.

The PIA:
- Identifies the type of personally identifiable information in the system (including any ability to combine multiple identifying elements on an individual);
- Identifies who has access to that information (whether full access or limited access rights); and
- Describes the administrative controls that ensure that only information that is necessary and relevant to HUD's mission is included.

Who Completes the PIA?
The program area System Owner and IT Project Leader work together to complete the PIA. The System Owner describes what personal data types are collected, how the data is used, and who has access to the personal data. The IT Project Leader describes whether technical implementation of the System Owner's requirements presents any risks to privacy, and what controls are in place to restrict access of personally identifiable information.

When is a Privacy Impact Assessment (PIA) Required?

1. New Systems: Any new system that will contain personal information on members of the public requires a PIA, per OMB requirements (this covers both major and non-major systems).

2. Existing Systems: Where there are significant modifications involving personal information on members of the public, or where significant changes been made to the system that may create a new privacy risk, a PIA is required.

3. Information Collection Requests, per the Paperwork Reduction Act (PRA): Agencies must obtain OMB approval for new information collections from ten or more

members of the public. If the information collection is both a new collection and automated, then a PIA is required.

What are the Privacy Requirements?

Privacy Act. The Privacy Act of 1974, as amended (http://www.usdoj.gov/foia/privstat.htm) requires that agencies publish a Federal Register Notice for public comment on any intended information collection. Privacy Act Systems of Records are created when information pertaining to an individual is collected and maintained by the Department, and is retrieved by the name of the individual or by some other identifying number, symbol, or other identifying particular assigned to an individual. The E-Government Act of 2002 requires PIAs for electronic systems as well as information collection requests that are automated. So, there is a relationship between the new PIA requirement (when automation is involved) and the long-standing Privacy Act System of Records Notices (for both paper-based and automated records that are of a private nature). For additional information, contact the Departmental Privacy Act Officer in the Office of the Chief Information Officer.

Why is the PIA Summary Made Publicly Available?

The E-Government Act of 2002 requires that the analysis and determinations resulting from the PIA be made publicly available. The Privacy Advocate in HUD's Office of the Chief Information Officer (OCIO) is responsible for publishing the PIA summary on HUD's web site. See: http://www.hud.gov/offices/cio/privacy/pia/pia.cfm.

SECTION 2 – COMPLETING A PRIVACY IMPACT ASSESSMENT

Please submit answers to the Departmental Privacy Advocate in the Office of the Chief Information Officer (OCIO). If any question does not apply, state Not Applicable (N/A) for that question, and briefly explain why it is not applicable.

Program Area: Housing, Office of Evaluation
Subject matter expert in the program area: William F. Shaw, Housing, Office of Evaluation, Housing (202) 401-0450 Ext. 3224
Program Area Manager: Judith V. May, Director, Office of Evaluation, (202) 7555-7500
IT Project Leader: Chuck Yoshida, Office of the Chief Information Officer, Office of Systems Integration and Efficiency, (202) 708-0517 Ext. 7605; David O. Ramsey, Deputy Director, Real Estate Insurance Division, Office of the Chief Information Officer, Office of System Integration and Efficiency, (202) 708-0517 Ext. 7605

For IT Systems:

- **Name of system:** Single Family Default Monitoring SubSystem - SFDMS
- **PCAS #:** 00251280
- **OMB Unique Project Identifier #:**

For Information Collection Requests:

- **Name of Information Collection Request:** FHA Single Family Delinquency and Default Data
- **OMB Control #:** 2502-0060

Question 1: Provide a brief description of what personal information is collected.

The Single Family Default Monitoring System is a subsystem of F42. When a mortgage is 90 or more days or more delinquent, the Mortgagee or Servicer must submit a Single Family Form 92068-a to HUD on a monthly basis until its status has been completed by all Mortgagees and/or is terminated or deleted. Mortgagees and Servicers provide default data via Electronic Data Interchange (EDI) or using the WEB via FHA connection to HUD where they are sorted, pre-screened, edited, processed and reports are generated for HUD Headquarters and Field Offices review.

If this automated system (or Information Collection Request) involves personally identifiable information on members of the public, then mark any of the categories that apply below:

Personal Identifiers:

X	Name (Mortgagor/Co-Mortgagor's Last Name, and Initials)
X	Social Security Number (SSN) (Mortgagor/Co-Mortgagor's)
X	Other identification number (specify type): (Loan #, FHA Case Number, ADP Code, Case File Number)
	Birth date
X	Property address
	Home telephone
	Personal e-mail address

	Fingerprint/ other "biometric"
	Other (specify):
	None
	Comment:

Personal/ Sensitive Information:

	Race/ ethnicity
	Gender/ sex
	Marital status
	Spouse name
	# of children
	Income/ financial data (specify type of data, such as salary, Federal taxes paid, bank account number, etc.):
	Employment history:
	Education level
	Medical history/ information
	Disability
	Criminal record
	Other (specify):
	None
X	Comment: A status is only given for the reason or cause of default. No other detail. Which made be medical , financial or other reasons.

Question 2: Will any of the personally identifiable information be accessed remotely or physically removed?

Yes	No	
☐	☒	**If yes, what security controls are in place to protect the information e.g., encryptions (give details below)?** The FHA Connection is used and security controls are in place. FHA Connection is a secure connection which requires external user authentication
☐	☒	If yes, have the security controls been reviewed and approved by the Information Security Officer? Yes in the Security Plans for FHA Connection, SFDW, SFNW and SFDMS.
		Not applicable, no personally identifiable information is collected in the system.
		Comment:

Question 3: Type of electronic system or information collection.

Fill out Section A, B, or C as applicable.

A. If a new electronic system (or one in development):

Yes	No	
☐	☒	Is this a new electronic system (implemented after April 2003, the effective

		date of the E-Government Act of 2002)?
☐	☒	a. Does the system require authentication? However, FHA Connection and the Electronic Data Interchange (EDI) requires authentication. The data exchange is through FHA Connection and EDI.
☐	☒	b. Is the system browser-based (with external users that require authentication)? However, FHA Connection is browser-based
☒	☐	c. Is the system external-facing (with external users that require authentication)? Yes through the FHA Connection or EDI
		Comment:

A. If an existing electronic system: Mark any of the following conditions for your existing system that OMB defines as a "trigger" for requiring a PIA (if not applicable, mark N/A):

N/A	**Conversion:** When paper-based records that contain personal information are converted to an electronic system
N/A	**From Anonymous (Non-Identifiable) to "Non-Anonymous" (Personally Identifiable):** When any systems application transforms an existing database or data collection so that previously anonymous data becomes personally identifiable
N/A	**Significant System Management Changes:** When new uses of an existing electronic system significantly change how personal information is managed in the system. (Example #1: when new "relational" databases could combine multiple identifying data elements to more easily identify an individual. Example #2: when a web portal extracts data elements from separate databases, and thereby creates a more open environment for exposure of personal data)
X	**Merging Databases:** When government databases are merged, centralized, matched, or otherwise significantly manipulated so that personal information becomes more accessible (with special concern for the ability to combine multiple identifying elements) Data from this system is extracted to CAIVRS, Single Family Neighborhood Watch (A80W) and Single Family Data Warehouse. In CAIVRS credit checking is performed.
N/A	**New Public Access:** When new public access is given to members of the public or to business partners (even if the system is protected by password, digital certificate, or other user-authentication technology)
N/A	**Commercial Sources:** When agencies systematically incorporate into databases any personal data from commercial or public sources (ad hoc queries of such sources using existing technology does not trigger the need for a PIA)
N/A	**New Inter-agency Uses:** When agencies work together (such as the federal E-Gov initiatives), the lead agency should prepare the PIA
N/A	**Business Process Re-engineering:** When altering a business process results in significant new uses, disclosures, or additions of personal data
N/A	**Alteration in Character of Data:** When adding new personal data raises the risks to personal privacy (for example, adding financial information to an existing database that contains name and address)

C. If an Information Collection Request (ICR): Is this a new Request that will collect data that will be in an automated system? Agencies must obtain OMB approval for information collections from 10 or more members of the public. The E-Government Act of

2002 requires a PIA for ICRs only if the collection of information is a new request and the collected data will be in an automated system.

	Yes, this is a new ICR and the data will be automated
X	No, the ICR does not require a PIA because it is not new or automated)
	Comment:

Question 4: Why is the personally identifiable information being collected? How will it be used?

Mark any that apply:

Homeownership:

X	Credit checks (eligibility for loans)
	Loan applications and case-binder files (via lenders) – including borrower SSNs, salary, employment, race, and other information
X	Loan servicing (MIP collections/refunds and debt servicing for defaulted loans assigned to HUD)
X	Loan default tracking
	Issuing mortgage and loan insurance
	Other (specify):
	Comment:

Rental Housing Assistance:

	Eligibility for rental assistance or other HUD program benefits
	Characteristics on those receiving rental assistance (for example, race/ethnicity, # of children, age)
	Property inspections –
	Other (specify):
	Comment:

Grants:

	Grant application scoring and selection – if any personal information on the grantee is included
	Disbursement of funds to grantees – if any personal information is included
	Other (specify):
	Comment:

Fair Housing:

	Housing discrimination complaints and resulting case files
	Other (specify):
	Comment:

Internal operations:

	Employee payroll or personnel records
	Payment for employee travel expenses

	Payment for services or products (to contractors) – if any personal information on the payee is included
	Computer security files – with personal information in the database, collected in order to grant user IDs
	Other (specify):
	Comment:

Other lines of business (specify uses):

Question 5: Will you share the personally identifiable information with others?
For Example, another agency for a programmatic purpose, or outside the government.
Mark any that apply:

X	Federal agencies? (specify): Possibly IRS and General Accounting Office as a one time request..
X	State, local, or tribal governments? State banking agencies
	Public Housing Agencies (PHAs) or Section 8 property owners/agents?
X	FHA-approved lenders? FHA lenders are the providers of the information
	Credit bureaus?
X	Local and national organizations? Counseling agencies
	Non-profits?
	Faith-based organizations?
	Builders/ developers?
X	Others? (specify): CAIVRS - SSN and delinquency data.
	Comment:

Question 6: Can individuals "opt-out" by declining to provide personal information or by consenting only to particular use (e.g., allowing their financial information to be used for basic rent eligibility determination, but for not for sharing with other government agencies)?

	Yes, they can "opt-out" by declining to provide private information or by consenting only to particular use
X	No, they can't "opt-out" – all personal information is required
	Comment:

If Yes, please explain the issues and circumstances of being able to opt-out (either for specific data elements or specific uses of the data): .

Question 7: How will the privacy of the information be protected/ secured? What are the administrative and technological controls?

Mark any that apply and give details if requested:

X	System users must log-in with a password
X	When an employee leaves: When process out from HUD. HUDGone process – approximately 1 week • How soon is the user ID terminated (1 day, 1 week, 1 month, unknown)? Prior to departure date – notification from GTR- usually 1 day. • How do you know that the former employee no longer has access to your system? (explain your procedures or describe your plan to improve): Security Administrator is notified of all proposed user changes prior to action. Security Administrator must approve all additions and deletions to user/access list. Under the new Department procedures, CHAMP is used to control all HUD users to all HUD systems. This was initiated in August 2007.
X	Are access rights selectively granted, depending on duties and need-to-know? Yes. If Yes, specify the approximate # of authorized users who have either: Full access rights to all data in the system (specify #)? One person – EDS personal under HITS contract. Limited/restricted access rights to only selected data (specify #) 3 contract employees under IT contract, otherwise No, Only read access is given.
X	Are disks, tapes, and printouts that contain personal information locked in cabinets when not in use? (explain your procedures, or describe your plan to improve): Yes, Mortgagees and Servicers provide default data on a tape, disk or electronic file transfer to HUD where they are sorted, pre-screened, edited, and processed. Only summary data is reported on. Computer facilities are secured and accessible only by authorized personnel, and all files are stored in a secured area. Technical restraints are employed with regard to accessing the computer and data files. Reports are maintained in desks and lockable file cabinets; Access to automated systems is by passwords and code identification cards access limited to authorized personnel. Additionally, the transmittal of the data from the mortgagee and servicers provides secure connectivity. Paper records do not exist.
X	If data from your system is shared with another system or data warehouse, who is responsible for protecting the privacy of data that came from your system but now resides in another? Explain the existing privacy protections, or your plans to improve: Yes, Single Family Housing Enteprise Data Warehouse (D64A), Single Family Neighborhood Watch (A80W), and the Credit Alert Interactive Voice Response System (F57). The system owner and security administrator are responsible for protecting the data in each system.
N/A	Other methods of protecting privacy (specify):
	Comment:

Question 8: If <u>privacy</u> information is involved, by what data elements can it be retrieved?

Mark any that apply:

X	Name: (Mortgagor/ Co-Mortgagor's Last Name, and Initials)
X	Social Security Number (SSN) (Mortgagor/ Co-Mortgagor's)
X	Identification number (specify type): Case file number

	Birth date
	Race/ ethnicity
	Marital status:
	Spouse name:
X	Property address
	Home telephone
	Personal e-mail address
	Other (specify):
	None
	Comment:

Other Comments (or details on any Question above):

SECTION 3: DETERMINATION BY HUD PRIVACY ADVOCATE

The Single Family Default Monitoring System (F42D) is a subsystem of F42 and is used to track and monitor mortgages that are 90 days or more delinquent for the first time. Based on the current administrative controls in place for protecting the data in F42D I have determined that there are adequate safeguards and procedures in place to protect the privacy of the data that's collected, maintained and disseminated by the system.

In November of 2007 a Privacy Act System of Records was published in the Federal Register for F42D and minor updates were applied to the PIA by the System Owner. The updates provide additional clarification concerning the userability of PII data and can be reviewed by referring to questions 2, 3, 5, 7, and 8.