U.S. Department of Housing and Urban Development

Public and Indian Housing

Oversight and Monitoring System

Privacy Impact Assessment

November 2004

Document Endorsement

I have carefully assessed the Privacy Impact Assessment (PIA) for Oversight and Monitoring System. 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.

/s/ Eric M. Stout	Dec. 14, 2005
Departmental Privacy Advocate	**Date**
Office of the Chief Information Officer	
U. S. Department of Housing and Urban Development	
/s/ Jeanette Smith	Dec. 14, 2005
Departmental Privacy Act Officer	**Date**
Office of the Chief Information Officer	

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APPROVED/ FINAL

U.S. DEPARTMENT OF HOUSING AND URBAN DEVLEOPMENT
PRIVACY IMPACT ASSESSMENT (PIA) FOR:
"OVERSIGHT AND MONITORING"
(OMB Unique Identifier 025000106010000000301092 and PCAS # 01667980)
November 2004

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 superceded 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 HUD staff who have been authorized because of their duties; and they will be held accountable for ensuring privacy and confidentiality.

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?
Both 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 Act Requirements?

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: Office of Public and Indian Housing – Real Estate Assessment Center (REAC)
Subject matter expert in the program area:
Program area manager: Chris Kubacki, Director, Financial Management Division, 202-708-4932 ext. 3243
IT Project Leader: Charles D. "Dave" Moore (PIH's Information Services Division) 202-708-1445 ext. 4158; and Tom Williams (OCIO, 202-708-0517 ext. 6069)

For IT Systems:

- **Name of system:** Oversight and Monitoring
- **PCAS #:** 01667980
- **OMB Unique Project Identifier #:** 025000106010000000301092

For Information Collection Requests:

- **Name of Information Collection Request:**
- **OMB Control #:**

Question 1: Provide a brief description of what information is collected, and why.
The Public and Indian Housing Information Center (PIC) system had a preliminary PIA conducted in 2003. PIC is being divided into four separate systems, one of which will be the new Oversight and Monitoring system.

Public Housing Agencies (PHAs) administer the Public Housing Choice Voucher Program, which provides affordable, decent, safe, and sanitary housing for over 2 million low-income families, the elderly, and the disabled. Rent subsidies allow eligible families to lease units in the private market. Timely and accurate information regarding unit leasing and expenditures is of critical importance in managing costs, preparing budget projections, and monitoring payments to PHAs.

The Oversight and Monitoring system will ultimately automate manual submissions from grantees to HUD, via a secure web site. It will automate and streamline a staff-intensive document review process, send the approved documents to PHAs electronically, and create an electronic documents library that can be easily researched. The Oversight and Monitoring system will provide a central data warehouse to collect current PHA leasing, vacancy rates, and expense data. It will also enable HUD to fund, obligate, and disburse monthly funding in a timely manner. The system will be integrated with the HUD Central Accounting and Program System (HUDCAPS), Public and Indian Housing's (PIH) future Inventory Management system, PIH's future Resource Allocation tool, PIH's future Enterprise Income Verification system, and the Financial Assessment Sub-system (FASS), in order to:

- Improve the financial reporting process;

- Refine the shortfall funding method;
- Refine additional funding processes;
- Provide up-to-date management information; and
- Develop a streamlined renewal process to minimize staff processing time.

The Oversight and Monitoring system is not a concern of privacy protection, because information is not collected on individuals, but only on the PHA or grantee as a business entity.

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:

	Name
	Social Security Number (SSN)
	Other identification number (specify type):
	Birth date
	Home address
	Home telephone
	Personal e-mail address
	Fingerprint/ other “biometric”
	Other (specify):
X	None
X	Comment: Information is not collected on individuals, but only on the public housing authority or grantee as a business entity. See introductory section in Question 1 above.

Personal/ Sensitive Information:

	Race/ ethnicity
	Marital status
	Gender/ sex
	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):
X	None
X	Comment: Information is not collected on individuals, but only on the public housing authority or grantee as a business entity. See introductory section in Question 1 above.

Question 2: 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):** Is this a new electronic system (implemented after April 2003, the effective date of the E-Government Act of 2002)?

X	Yes
	No

NOTE: Oversight and Monitoring is a new system that will replace part of the existing Public and Indian Housing Information Center (PIC) system.

B. **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):

	Conversion: When paper-based records that contain personal information are converted to an electronic system
	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
	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)
	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)
	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)
	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)
	New Inter-agency Uses: When agencies work together (such as the federal E-Gov initiatives), the lead agency should prepare the PIA
	Business Process Re-engineering: When altering a business process results in significant new uses, disclosures, or additions of personal data
	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)
X	**Comment:** Oversight and Monitoring is a new system that will replace part of the existing Public and Indian Housing Information Center (PIC) system. Information is not collected on individuals, but only on the public housing authority or grantee as a business entity.

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
	No, the ICR does not require a PIA because it is not new or automated)
X	N/A
	Comment:

Question 3: Why is the personally identifiable information being collected? How will it be used?
Mark any that apply:

Homeownership:

	Credit checks (eligibility for loans)
	Loan applications and case-binder files (via lenders) – including borrower SSNs, salary, employment, race, and other information
	Loan servicing (MIP collections/refunds and debt servicing for defaulted loans assigned to HUD)
	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 inventory (address of development, # of units, etc.)
	Property inspections
	Other (specify):
X	Comment: No individual level information is collected. See Question 1 above.

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):
X	Comment: No individual level information is collected. See Question 1 above.

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 4: 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:

	Federal agencies? (specify):
	State, local, or tribal governments?
X	Public Housing Agencies (PHAs) or Section 8 property owners/agents? NOTE: PHAs will submit leasing, vacancy rates, and expense data to HUD via a secure web site. Any information shared back with the PHAs will pertain only to that PHA's operations, not other PHA's operations.
	FHA-approved lenders?
	Credit bureaus?
	Local and national organizations?
	Non-profits?
	Faith-based organizations?
	Builders/ developers?
	Others? (specify):
X	Comment: Information is not collected on individuals, but only on the public housing authority or grantee as a business entity.

Question 5: 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
	No, they can't "opt-out" – all personal information is required
X	Comment: Information is not collected on individuals, but only on the public housing authority or grantee as a business entity.

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 6: How will the privacy of the personally identifiable 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: • How soon is the user ID terminated (1 day, 1 week, 1 month, unknown)? 1 day PIH-REAC follows the HUD's policies and procedures for hiring, transferring, and termination of employees. Procedures are identified in HUD Security Program Policy Handbook, Section 4.3.2.1 and the WASS Security Plan 2004. • How do you know that the former employee no longer has access to your system? (explain your procedures or describe your plan to improve): Yes, through the PIH-REAC roll on and roll off process. Users establish an account through WASS. Procedures are identified in HUD Security Program Policy Handbook, Section 4.3.12.1 and the WASS Security Plan 2004.
X	Are access rights selectively granted, depending on duties and need-to-know? If Yes, specify the approximate # of authorized users who have either: • Full access rights to all data in the system (specify #)? Over 10 • Limited/ restricted access rights to only selected data (specify #)? 20-100 Access rights have not been established for Oversight and Monitoring. WASS will be the authentication avenue and the security modular in the Oversight and Monitoring system will set access based on pre-defined roles. WASS verifies and validates user's identity, controls users access to certain systems, and allows only the appropriate privileges for each user.

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): The hardware used to develop, test, and operate WASS is in a secure area under control of the Computer Services Group of the Office of Information Technology (OIT). WASS data integrity controls protect data from accidental or malicious alteration or destruction and provide assurance that the information meets expectations about its quality and that it has not been altered. Validation controls refer to tests and evaluations used to determine compliance with security specifications and requirements. WASS controls that provide assurance that the system's information has not been altered and that the system functions as expected are virus detection and elimination software, password crackers/checkers, integrity verification programs, intrusion detection tools, system performance monitoring, penetration testing, and message authentication. The ??ISG?? maintains these activities for the system.
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: At this time the System does not contain Privacy Act Information. If so in the future, inter-connectivity security and privacy plans are created as Oversight and Monitoring is being developed and configured.
X	Other methods of protecting privacy (specify): WASS, which is comprised of Secure Connection and Secure Systems, is the application that controls system security for HUD's Internet and Intranet applications. 'Secure Systems' provides application level security in terms of application access and system administration (i.e. maintaining user rights to data and functionality with an application) and 'Secure Connection' provides Internet users a secure connection to access the 'Secure Systems' functionality.
X	Comment: Users are granted different levels of access to the data, based on authorized need.

Question 7: If private information is involved, by what data elements can it be retrieved?
Mark any that apply:

	Name
	Social Security Number (SSN)
	Identification number (specify type):
	Birth date
	Race/ ethnicity
	Marital status
	Spouse name
	Home address
	Home telephone

	Personal e-mail address
	Other (specify):
	None
X	Comment: Information is not collected on individuals, but only on the public housing authority or grantee as a business entity.

Other Comments (or details on any Question above):

SECTION 3: DETERMINATION BY HUD PRIVACY ADVOCATE

The Oversight and Monitoring system is not a concern for privacy protection, because information is not collected on individuals, but only on the public housing authority or grantee as a business entity.