

**PRIVACY IMPACT ASSESSMENT (PIA) FOR:  
“DATA COLLECTION TECHNIQUES FOR IDENTIFYING  
THE HOUSING SUBSIDY STATUS OF SURVEY RESPONDENTS”  
(OMB Control# 2528-0226)  
September 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](http://www.usdoj.gov/foia/privstat.htm) 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 Handbook 1325.1 at www.hudclips.org](http://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) ([http://www.usdoj.gov/oip/foia\\_updates/Vol XVII 4/page2.htm](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 \(HUD Handbook 1327.1 at www.hudclips.org\)](http://www.hudclips.org));
- [E-Government Act of 2002](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=107_cong_public_laws&docid=f:publ347.107.pdf) 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](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](http://www.whitehouse.gov/omb/egov/pres_state2.htm));
- [Federal Information Security Management Act of 2002](http://uscode.house.gov/search/criteria.php) (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 \(http://uscode.house.gov/search/criteria.php\)](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) ([http://www.whitehouse.gov/omb/circulars/a130/appendix\\_i.pdf](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.

**Privacy Act.** The [Privacy Act of 1974](http://www.usdoj.gov/foia/privstat.htm), 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.

**Publication of PIA summary.** 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 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:** HUD, Office of Policy Development and Research

**Subject matter expert in the program area:** Harold R. Holzman, Program Evaluation Division, (202) 708-3700

**Program area manager:** Kevin J. Neary, Director, Program Evaluation Division, 202-708-0574

**IT Project Leader:** None assigned (the data is analyzed by the researchers – not part of a larger system)

### For IT Systems:

- **Name of system:**
- **PCAS #:**
- **OMB Unique Project Identifier # (if submitting an Exhibit 300 to OMB):**

### For Information Collection Requests:

- **Name of Information Collection Request:** Data Collection Techniques for Identifying the Housing Subsidy Status of Survey Respondents
- **OMB Control #:** 2528-0226

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

This new Information Collection Request (OMB # 2528-0226) was approved by OMB, and the research project has been completed. At present, there are no plans to conduct further research with those instruments. The survey identified respondents' housing subsidy status, and aggregated results were included in the American Housing Survey (AHS). The AHS is sponsored by HUD, and the U.S. Census Bureau collects the data. The main focus was to elicit a more accurate response than the ones received in the past, yield recommendations for modifying the housing subsidy, and improve information about the Nation's housing needs, as these needs are periodically reported to Congress.

The survey included some personal information, as listed below.

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 (NOTE: Survey asked for full name, including middle name)
X	Social Security Number (SSN): (NOTE: The last four (4) digits of the SSN were collected for possible use in confirming the subsidy status of respondents through a check of HUD databases – Tenant Rental Assistance Certification System (TRACS))

	and Multifamily Tenant Characteristics System (MTCS). The screener was used to identify "false positives," that is, persons who (1) qualified by income level for a housing subsidy and (2) claimed to be receiving a housing subsidy <b>but</b> (3) were <b>not</b> actually receiving a housing subsidy – as indicated by not being in the TRACS or MTCS database. Persons identified as "false positives" were subsequently interviewed to try to determine why they indicated that they were receiving a housing subsidy. The Supporting Statement for PRA Submissions said: “It will be made clear that providing the last 4 digits of the SSN is voluntary. Individuals will be informed that their identity will not be included in any report.”)
	Other identification number (specify type):
	Birth date
X	Home address (NOTE: Survey asked for building and apartment #)
X	Home telephone
	Personal e-mail address
	Fingerprint/ other “biometric”
	Other (specify):

**Personal/ Sensitive Information:**

	Marital status
X	Spouse/ children (NOTE: See “Other” below)
X	Financial data (specify type of data, such as salary, Federal taxes paid, bank account number, etc.): NOTE: Survey asked for all sources of income, including: <ul style="list-style-type: none"> <li>• Total annual income from employment</li> <li>• Other than from employment (Social Security, welfare or Temporary Assistance for Needy Families (TANF), child support, retirement benefits, etc.)</li> <li>• Household assets (amounts in savings account, stocks, bonds, CDs, 401k, IRAs, etc.)</li> </ul>
	Employment history
	Education level
	Medical history/ information
	Criminal record
X	Other (specify): Survey asked for how many people live in the household.

**Question 2: Type of electronic system or information collection.**

**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)?

	Yes
X	No

**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):

	<b>Conversion:</b> When paper-based records that contain personal information are converted to an electronic system
	<b>From Anonymous (Non-Identifiable) to “Non-Anonymous” (Personally Identifiable):</b> When any systems application transforms an existing database or data collection so that previously anonymous data becomes personally identifiable
	<b>Significant System Management Changes:</b> 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)
	<b>Merging Databases:</b> 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)
	<b>New Public Access:</b> When <u>new</u> 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)
	<b>Commercial Sources:</b> 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)
	<b>New Inter-agency Uses:</b> When agencies work together (such as the federal E-Gov initiatives), the lead agency should prepare the PIA
	<b>Business Process Re-engineering:</b> When altering a business process results in significant new uses, disclosures, or additions of personal data
	<b>Alteration in Character of Data:</b> 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.

X	Yes, this is a new ICR and the data will be automated (NOTE: The data was analyzed by the researcher on his own computer; it did not become part of a formal IT system.)
	No, the ICR does not require a PIA because it is not <u>new</u> or <u>automated</u> )

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

As explained in Question 1, this survey collected information from those receiving public housing rental subsidies, and aggregated the data for statistical analysis. No individual-level data was published.

**Homeownership (home loans):**

	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
X	Characteristics on those receiving rental assistance (for example, race/ethnicity, # of children, age) (NOTE: See answers to Question 1 above)
	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 uses (specify):**


**Question 4: Will you share the information with others (e.g., another agency for a programmatic purpose, or outside the government)? Mark any that apply:**

X	Federal agencies? (specify): (NOTE: Census Bureau collected the individual-level data, and HUD analyzed statistical summaries of the data and findings became part of the latest American Housing Survey.)
	State, local, or tribal governments?
	Public Housing Agencies (PHAs) or Section 8 property owners/ agents?
	FHA-approved lenders?
	Credit bureaus?
	Local and national organizations?
	Non-profits?
	Faith-based organizations?
	Builders/ developers?
X	Others? (specify): (NOTE: The data was aggregated for research purposes, and the resulting study made recommendations to Congress on improving national rental housing assistance programs.)

**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)?**

X	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: (NOTE: See below.)

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): (NOTE: Survey asked only for last four digits of the SSN. “It will be made clear that providing the last 4 digits of the SSN is voluntary. Individuals will be informed that their identity will not be included in any report.”)

**Question 6: 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:**

	System users must log-in with a password
	When an employee leaves: <ul style="list-style-type: none"> <li>• How soon is the user ID terminated (1 day, 1 week, 1 month, unknown)?</li> <li>• How do you know that the former employee no longer has access to your system? (explain your procedures or describe your plan to improve):</li> </ul>
	Are access rights selectively granted, depending on duties and need-to-know? If Yes, specify the approximate # of authorized users who have either: <ul style="list-style-type: none"> <li>• Full access rights to all data in the system (specify #)?</li> <li>• Limited/ restricted access rights to only selected data (specify #)?</li> </ul>
	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):
	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:
X	Other (specify): <b>This is not a formal system, but the data will be analyzed by the researchers and statistically aggregated.</b>

**Question 7: If private information is involved, by what data elements can it be retrieved?**

Mark any that apply:

X	Name
X	Social Security Number (SSN) (NOTE: The last four (4) digits of the SSN were collected for possible use in confirming the subsidy status of respondents through a check of HUD databases – Tenant Rental Assistance Certification System (TRACS) and Multifamily Tenant Characteristics System (MTCS). The screener was used to identify "false positives," that is, persons who (1) qualified by income level for a housing subsidy and (2) claimed to be receiving a housing subsidy <b>but</b> (3) were <b>not</b> actually receiving a housing subsidy – as indicated by not being in the TRACS or MTCS database. Persons identified as "false positives" were subsequently interviewed to try to determine why they indicated that they were receiving a housing subsidy. The Supporting Statement for PRA Submissions said: “It will be made clear that providing the last 4 digits of the SSN is voluntary. Individuals will be informed that their identity will not be included in any report.”)
	Identification number (specify type):
	Birth date
	Race/ ethnicity
	Marital Status
X	Home address
X	Home telephone

	Personal e-mail address
X	Other (specify): (NOTE: The surveys collect the # of people in household and financial information – and presumably could be retrieved on those elements.)
	None
	Comment:

**Other Comments (or details on any Question above):**

### **SECTION 3: DETERMINATION BY HUD PRIVACY ADVOCATE**

This information collection is not a privacy concern because it aggregated the data for statistical analysis – not used for individual data tracking. The research project has been completed, and there are no plans to conduct further research with this questionnaire.

/signed/  
Eric M. Stout  
Privacy Advocate, Office of the Chief Information Officer  
U. S. Department of Housing and Urban Development

September 30, 2004  
date