

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

**PRIVACY THRESHOLD ANALYSIS (PTA)**

**Public/Private Partnerships  
for the Mixed-Finance Development  
of Public Housing Units**

**Office of Public Housing Investments, PI**

Instruction & Template

**November 19, 2018**

## **PRIVACY THRESHOLD ANALYSIS (PTA)**

The PTA is a compliance form developed by the Privacy Branch to identify the use of Personally Identifiable Information (PII) across the Department. The PTA is the first step in the PII verification process, which focuses on these areas of inquiry:

- Purpose for the information,
- Type of information,
- Sensitivity of the information,
- Use of the information,
- And the risk to the information.

Please use the attached form to determine whether a Privacy Impact Assessment (PIA) is required under the E-Government Act of 2002 or a System of Record Notice (SORN) is required under the Privacy Act of 1974, as amended.

Please complete this form and send it to your program Privacy Liaison Officer (PLO). If you have no program Privacy Liaison Officer, please send the PTA to the HUD Privacy Branch:

Marcus Smallwood, Acting, Chief Privacy Officer  
Privacy Branch  
U.S. Department of Housing and Urban Development

[privacy@hud.gov](mailto:privacy@hud.gov)

Upon receipt from your program PLO, the HUD Privacy Branch will review this form. If a PIA or SORN is required, the HUD Privacy Branch will send you a copy of the PIA and SORN templates to complete and return.

**PRIVACY THRESHOLD ANALYSIS (PTA)**

**SUMMARY INFORMATION**

<b>Project or Program Name:</b>	Public/Private Partnerships for the Mixed-Finance Development of Public Housing Units		
<b>Program:</b>	<input type="text"/>		
<b>CSAM Name (if applicable):</b>	NA	<b>CSAM Number (if applicable):</b>	NA
<b>Type of Project or Program:</b>	<input type="text"/>	<b>Project or status:</b>	<input type="text"/>
<b>Date first developed:</b>	October 21, 1998	<b>Pilot launch date:</b>	NA
<b>Date of last PTA update:</b>	July 17, 2015	<b>Pilot end date:</b>	NA
<b>ATO Status (if applicable)</b>	<input type="text"/>	<b>ATO expiration date (if applicable):</b>	N/A

**PROJECT OR PROGRAM MANAGER**

<b>Name:</b>	Robert Mulderig		
<b>Office:</b>	Public Housing Investments	<b>Title:</b>	Acting DAS
<b>Phone:</b>	202-402-4780	<b>Email:</b>	Robert.e.mulderig@hud.gov

**INFORMATION SYSTEM SECURITY OFFICER (ISSO) (IF APPLICABLE)**

<b>Name:</b>	N/A		
<b>Phone:</b>	N/A	<b>Email:</b>	N/A

## SPECIFIC PTA QUESTIONS

<b>1. Reason for submitting the PTA:</b>	
<p>The Quality Housing and Work Responsibility Act of 1998 (P.L. 195-276, approved October 21, 1998), also known as the Public Housing Reform Act, created Section 35 of the U.S. Housing Act of 1937, 42 U.S.C. 1437. Section 35 allows PHAs to own, operate, assist or otherwise participate in the development and operation of mixed-finance projects. Mixed-finance development refers to the development or rehabilitation of public housing, where the public housing units are owned in whole or in part by an entity other than a PHA. Prior to this, all public housing had to be developed and owned by a Public Housing Authority (PHA). However, Section 35 allowed PHAs to provide Section 9 capital and operating assistance to mixed-finance projects, which are also financially assisted by private and other resources. Private and other resources include tax credit equity, private mortgages and other federal, state or local funds. Section 35 also allows non-PHA owner entities to own and operate mixed-finance projects that contain both public housing and non-public housing units, or only public housing units. Along with public housing unit development, mixed-finance real estate development or rehabilitation transactions are used to extend public housing appropriations in housing development and to develop mixed-income housing, where public housing residents are anonymously mixed in with affordable and market rate housing residents.</p> <p>In order to approve the development of mixed-finance projects, HUD collects certain information from each PHA/Ownership Entity. Under current regulations, HUD collects and reviews the essential documents included in this ICR in order to determine whether or not approval should be given. After approval is given and the documents are recorded by the associated county, HUD collects the recorded versions of the documents in this ICR, along with all financing and legal agreements that the PHA/owner entity has with HUD and with third-parties in connection with that mixed-finance project. This includes unique legal documents along with standardized forms and “Certifications and Assurances,” which are not exempted under PRA. Regulations for the processing of mixed-finance public housing projects are at 24 CFR part 905 subpart F (§905).</p>	

<p><b>2. Does this system employ the following technologies?</b></p> <p><i>If you are using these technologies and want coverage under the respective PIA for that technology, please stop here and contact the HUD Privacy Branch for further guidance.</i></p>	<p><input type="checkbox"/> Social Media</p> <p><input type="checkbox"/> Web portal<sup>2</sup> (e.g., SharePoint)</p> <p><input type="checkbox"/> Contact Lists</p> <p><input checked="" type="checkbox"/> Public website (e.g. A website operated by HUD, contractor, or other organization on behalf of the HUD: There is no PII. Contractor site with access limited to HUD personal.</p> <p><input type="checkbox"/> None of these</p>
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<b>3. From whom does the Project or</b>	<input checked="" type="checkbox"/> This program collects no personally identifiable
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<sup>2</sup> Informational and collaboration-based portals in operation at HUD and its programs that collect, use, maintain, and share limited personally identifiable information (PII) about individuals who are “members” of the portal or “potential members” who seek to gain access to the portal.

<p><b>Program collect, maintain, use, or disseminate information?</b> Please check all that apply.</p>	<p>information<sup>3</sup></p> <p><input type="checkbox"/> Members of the public</p> <p><input checked="" type="checkbox"/> HUD employees/contractors (list programs): Mixed-finance development process used on the HOPE VI and Choice Neighborhoods Initiative programs.</p> <p><input checked="" type="checkbox"/> Contractors working on behalf of HUD</p> <p><input type="checkbox"/> Employees of other federal agencies</p> <p><input checked="" type="checkbox"/> Other (e.g. business entity) Real estate developers, PHAs</p>
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4. No information about individuals is collected, generated or retained	
This program collects no personally identifiable information	
<b>4(a) Does the project, program, or system retrieve information from the system about a U.S. Citizen or lawfully admitted permanent resident aliens by a personal identifier?</b>	<input checked="" type="checkbox"/> No. Please continue to next question. <input type="checkbox"/> Yes. If yes, please list all personal identifiers used:
<b>4(b) Does the project, program, or system have an existing System of Records Notice (SORN) that has already been published in the Federal Register that covers the information collected?</b>	<input checked="" type="checkbox"/> No. Please continue to next question. <input type="checkbox"/> Yes. If yes, provide the system name and number, and the Federal Register citation(s) for the most recent complete notice and any subsequent notices reflecting amendment to the system
<b>4(c) Has the project, program, or system undergone any significant changes since the SORN?</b>	<input checked="" type="checkbox"/> No. Please continue to next question. <input type="checkbox"/> Yes. If yes, please describe.
<b>4(d) Does the project, program, or system use Social Security Numbers (SSN)?</b>	<input checked="" type="checkbox"/> No. <input type="checkbox"/> Yes.
<b>4(e) If yes, please provide the specific legal authority and purpose for the collection of SSNs:</b>	N/A
<b>4(f) If yes, please describe the uses of the SSNs within the project, program, or system:</b>	N/A

<sup>3</sup> HUD defines personal information as “Personally Identifiable Information” or PII, which is any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual, regardless of whether the individual is a U.S. citizen, lawful permanent resident, visitor to the U.S., or employee or contractor to the Department. “Sensitive PII” is PII, which if lost, compromised, or disclosed without authorization, could result in substantial harm, embarrassment, inconvenience, or unfairness to an individual. For the purposes of this PTA, SPII and PII are treated the same.

<p><b>4(g) If this project, program, or system is an information technology/system, does it relate solely to infrastructure?</b></p> <p><i>For example, is the system a Local Area Network (LAN) or Wide Area Network (WAN)?</i></p>	<p><input checked="" type="checkbox"/> No. Please continue to next question.</p> <p><input type="checkbox"/> Yes. If a log kept of communication traffic, please answer this question.</p>
<p><b>4(h) If header or payload data<sup>4</sup> is stored in the communication traffic log, please detail the data elements stored.</b></p> <p>Data is not stored in the communication traffic log.</p>	

<p><b>5. Does this project, program, or system connect, receive, or share PII with any other HUD programs or systems?</b></p>	<p><input checked="" type="checkbox"/> No.</p> <p><input type="checkbox"/> Yes. If yes, please list:</p> <p>Click here to enter text.</p>
<p><b>6. Does this project, program, or system connect, receive, or share PII with any external (non-HUD) partners or systems?</b></p>	<p><input checked="" type="checkbox"/> No.</p> <p><input type="checkbox"/> Yes. If yes, please list:</p> <p>Click here to enter text.</p>
<p><b>6(a) Is this external sharing pursuant to new or existing information sharing access agreement (MOU, MOA, etc.)?</b></p>	<p>This program collects no personally identifiable information</p>
<p><b>7. Does the project, program, or system provide role-based training for personnel who have access in addition to annual privacy training required of all HUD personnel?</b></p>	<p><input type="checkbox"/> No.</p> <p><input checked="" type="checkbox"/> Yes. If yes, please list:</p> <p>Training is given to each person that is given access and on an as-needed basis.</p> <p>Although there is no PII, HUD IT and privacy requirements are included in the contract. All users take annual privacy training, even though there is no PII. It's mandatory for all Grant Managers, along with ethics training, etc.</p>

<sup>4</sup> Header: Information that is placed before the actual data. The header normally contains a small number of bytes of control information, which is used to communicate important facts about the data that the message contains and how it is to be interpreted and used. It serves as the communication and control link between protocol elements on different devices.

Payload data: The actual data to be transmitted, often called the payload of the message (metaphorically borrowing a term from the space industry!) Most messages contain some data of one form or another, but some actually contain none: they are used only for control and communication purposes. For example, these may be used to set up or terminate a logical connection before data is sent.

<p><b>8. Per NIST SP 800-53 Rev. 4, Appendix J, does the project, program, or system maintain an accounting of disclosures of PII to individuals/agencies who have requested access to their PII? maintain an accounting of disclosures of PII to individuals/agencies who have requested access to their PII?</b></p>	<p><input checked="" type="checkbox"/> No. What steps will be taken to develop and maintain the accounting:  <b>This program collects no personally identifiable information</b></p> <p><input type="checkbox"/> Yes. In what format is the accounting maintained:</p>
<p><b>9. Is there a FIPS 199 determination?<sup>5</sup></b></p>	<p><input type="checkbox"/> Unknown.  <input checked="" type="checkbox"/> No.  <input type="checkbox"/> Yes. Please indicate the determinations for each of the following:</p> <p>Confidentiality:  <input type="checkbox"/> Low <input type="checkbox"/> Moderate <input type="checkbox"/> High</p> <p>Integrity:  <input type="checkbox"/> Low <input type="checkbox"/> Moderate <input type="checkbox"/> High</p> <p>Availability:  <input type="checkbox"/> Low <input type="checkbox"/> Moderate <input type="checkbox"/> High</p>

**PRIVACY THRESHOLD ANALYSIS REVIEW**

**(TO BE COMPLETED BY PROGRAM PLO)**

<b>Program Privacy Liaison Reviewer:</b>	<b>John Bravacos, Senior Agency Official for Privacy</b>
<b>Date submitted to Program Privacy Office:</b>	<b>November 28, 2018</b>
<b>Date submitted to HUD Privacy Branch:</b>	November 28, 2018
<p><b>Program Privacy Liaison Officer Recommendation:</b>  <i>Please include recommendation below, including what new privacy compliance documentation is needed.</i>  Click here to enter text.</p>	

**(TO BE COMPLETED BY THE HUD PRIVACY BRANCH)**

<sup>5</sup> FIPS 199 is the [Federal Information Processing Standard](#) Publication 199, Standards for Security Categorization of Federal Information and Information Systems and is used to establish security categories of information systems.

<b>HUD Privacy Branch Reviewer:</b>	<b>Cindy Etheridge</b>
<b>Date approved by HUD Privacy Branch:</b>	Click here to enter a date.
<b>PTA Expiration Date:</b>	Click here to enter a date.

**DESIGNATION**

<b>Privacy Sensitive System:</b>	<input type="text"/> If "no" PTA adjudication is complete.
<b>Category of System:</b>	<input type="text"/> If "other" is selected, please describe: Click here to enter text.
<b>Determination:</b>	<input type="checkbox"/> PTA sufficient at this time. <input type="checkbox"/> Privacy compliance documentation determination in progress. <input type="checkbox"/> New information sharing arrangement is required. <input type="checkbox"/> HUD Policy for Computer-Readable Extracts Containing Sensitive PII applies. <input type="checkbox"/> Privacy Act Statement required. <input type="checkbox"/> Privacy Impact Assessment (PIA) required. <input type="checkbox"/> System of Records Notice (SORN) required. <input type="checkbox"/> Paperwork Reduction Act (PRA) Clearance may be required. Contact your program PRA Officer. <input type="checkbox"/> A Records Schedule may be required. Contact your program Records Officer.
<b>PIA:</b>	<input type="text"/> If covered by existing PIA, please list: Click here to enter text.
<b>SORN:</b>	<input type="text"/> If covered by existing SORN, please list: Click here to enter text.
<b>HUD Privacy Branch Comments:</b> <i>Please describe rationale for privacy compliance determination above.</i>	
Click here to enter text.	



## DOCUMENT ENDORSEMENT

DATE REVIEWED:
PRIVACY REVIEWING OFFICIALS NAME:

By signing below, you attest that the content captured in this document is accurate and complete and meet the requirements of applicable federal regulations and HUD internal policies.

Signed

11/23/2018

Date

**Robert E. Mulderig**

**Acting Deputy Assistant Secretary**

**Office of Public Housing Investments**

\_\_\_\_\_  
**Marcus Smallwood**

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**Date**

**ACTING CHIEF PRIVACY OFFICER  
OFFICE OF ADMINISTRATION**