

PRIVACY THRESHOLD ANALYSIS (PTA)

OMB Control Number: 2502-0613

**OMB Collection Title: [Pay for Success Pilot
Application Requirements
]**

[Office of Multifamily Housing Programs]

Instruction & Template

[February 19, 2019]

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 and Civil Liberties Impact Assessment (PCLIA) 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:

John Bravacos, Senior Agency Official for Privacy
Privacy Branch
U.S. Department of Housing and Urban Development

privacy@hud.gov

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

PRIVACY THRESHOLD ANALYSIS (PTA)

SUMMARY INFORMATION

Project or Program Name/OMB #:			
Program:	Office of Housing		
CSAM Name (if applicable):	Pay for Success Pilot Application Requirements	CSAM Number (if applicable):	Grants.gov and Environment Review online System (HEROS)
Type of Project or Program:	Form or other Information Collection	Project or program status:	Existing
Date first developed:	May 25, 2016	Pilot launch date:	N/A
Date of last PTA update:	February 19, 2019	Pilot end date:	N/A
ATO Status (if applicable)	Not started	ATO expiration date (if applicable):	N/A

PROJECT OR PROGRAM MANAGER

Name:	Josh Geyer		
Office:	Office of Environmental Energy	Title:	
Phone:	415-489-6418	Email:	Joshua.m.geyer@hud.gov

INFORMATION SYSTEM SECURITY OFFICER (ISSO) (IF APPLICABLE)

Name:	James Stansell		
Phone:	202-402-2158	Email:	James.W.Stansell@hud.gov

SPECIFIC PTA QUESTIONS

1. Reason for submitting the PTA: New PTA

Please provide a general description of the project and its purpose so a non-technical person could understand. If this is an updated PTA, please describe what changes and/or upgrades triggering the update to this PTA. If this is a renewal please state whether there were any changes to the project, program, or system since the last version.

Also, please be sure to list forms and state the purpose of each form.

HUD is authorized to execute budget-neutral, performance-based agreements with third-party Intermediaries who will design and implement energy and water conservation (EWC) programs targeted to certain HUD-assisted multifamily properties. This pilot program operates under a pay for success (PFS) programmatic framework. The statute allows for up to 20,000 units to participate in the PFS Pilot, constituting approximately 200 to 300 properties. HUD anticipates selecting three to five Intermediaries. The Statute also requires HUD to retrofit properties in the widest possible geographic range. HUD will select Intermediaries under this Notice of Funding Availability and execute agreements with them. Beginning with their selection, Intermediaries will engage Investors for funding (as needed); engage independent third-party evaluators to verify utility savings and payment calculations; recruit and enter into contracts with Owners; and perform necessary due diligence to select the appropriate retrofits at specific properties. Intermediaries will work with Owners to execute retrofits which will result in energy and water savings to Owners and/or tenants. Because it subsidizes utility costs, savings will ultimately accrue to HUD, which will then apply them toward performance payments to the Intermediaries.

HUD will publish a NOFA soliciting applications to serve as Intermediaries under this program. As part of the Office of Multifamily Housing Programs' standard NOFA application process, entities will be required to submit social security numbers for principals through the existing Active Partners Performance System (APPS).

- Form HUD-2530, Previous Participation Certification, is completed by the Intermediary. The Intermediary submits the form to HUD via grants.gov as part of the application package for the PFS pilot. The type of information collected includes the Intermediary's (principals) Name, Address, Social Number/IRS Employee Number, Signature, etc. The form is required to provide HUD with a certified report of all previous participation in HUD multifamily housing projects by those parties making application and is used by HUD to determine eligibility to participate in Multifamily programs.
- Form SF-424, Application for Federal Assistance, is completed by the Intermediary. The Intermediary submits this form to HUD via grants.gov as part of the application for the PFS pilot. The type of information collected includes the Intermediary's Name, EIN/TIN, Address, Email address, etc. This form is required for use as a cover sheet for submission of preapplications and applications and related information under discretionary programs. Applicants are required to submit this form to HUD as part of the application package for the PFS pilot.
- Form HUD-2880, Applicant/Recipient Disclosure/Update Report, is completed by the Intermediary. The Intermediary submits the form to HUD via the grants.gov as part of

the application package for the PFS pilot. The type of information collected includes the Intermediary's Name, address, phone number, social security number and EIN, etc. The Intermediary is required to submit this form in order to provide accountability and integrity in the provision of assistance that is administered by HUD.

- Form HUD 424-CBW (excel spreadsheet), Detailed Budget Worksheet, is completed by the Intermediary. The Intermediary submits this form to HUD via email or US mail for approval. The type of information collected includes a detailed description of budget as it pertains to each participating property. The Intermediary submits this form to HUD in program phases for completion of the retrofits in all participating properties in the PFS program.
- Form HUD-9250, Funds Authorization, is completed by the Owner. The Owner submits this form by email or by US mail to HUD for approval. The type of information collected includes Owner's name, address, mortgagee, etc. Owners are required to submit this form to HUD to request withdrawal from the Reserve for Replacements or Residual Receipts Funds.
- Pay for Success Pilot Application Template, HUD is authorized to execute budget-neutral, performance-based agreements with third-party who will design and implement energy and water conservation programs targeted to certain HUD-assisted multifamily properties. This pilot program operates under a pay for success programmatic framework. Applications are submitted to HUD via grants.gov.
- Certification of Owner Eligibility, Owner must complete this form to be eligible to participate in the Pay for Success pilot. Owner submits certification to HUD for approval via email or by US mail. The type of information collected includes Owner's name, iREMS number, address, signature, etc. Owners must provide a certification to HUD that they and the property meet HUD eligibility requirements in order to be able to participate in the Pilot.
- Cooperative Agreement is administered by HUD's Office of Multifamily Housing Programs, which will have oversight of the Intermediaries, ensuring compliance with all included provisions and authorizing payments when and if required conditions are met. The type of information collected includes Date agreement was entered with Intermediary, total of units HUD awarded intermediary, signature and HUD official. The form is submitted to HUD/Intermediary via email or by US mail.
- Site-Specific Environment Review (Part 1 of 2), this form should be used only to initiate site-specific reviews for individual HUD-assisted properties undertaking energy and water conservation retrofits under the Multifamily Energy and Water Conservation Pay for Success Pilot. Intermediary completes the form and any relevant documents for each

site identified to participate in the PFS Pilot and submits it to HUD to upload in the HUD Environmental Review Online System (HEORS).

- Office of Multifamily Housing Pay for Success Program Narrative Template is completed by the Intermediary and is submitted to HUD via grants.gov. The type of information collected includes the Intermediary's name, EIN, organization name, etc. The narrative template is provided to Applicants under the Pay for Success Pilot program and will be evaluated by HUD.

2. Does this system employ the following technologies?

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.

- Social Media
- Web portal¹ (e.g., SharePoint)
- Contact Lists
- Public website (e.g. A website operated by HUD, contractor, or other organization on behalf of the HUD)
- None of these

3. From whom does the Project or Program collect, maintain, use, or disseminate information?

Please check all that apply.

- This program collects no personally identifiable information²
- Members of the public
- HUD employees/contractors (list programs):
- Contractors working on behalf of HUD
- Employees of other federal agencies
- Other (e.g. business entity)

4. What specific information about individuals is collected, generated or retained?

¹ 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.

² 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.

Name, EIN, TIN, and social security number and address	
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?	<input type="checkbox"/> No. Please continue to next question. <input checked="" type="checkbox"/> Yes. If yes, please list all personal identifiers used:
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?	<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.
4(c) Has the project, program, or system undergone any significant changes since the SORN?	<input checked="" type="checkbox"/> No. Please continue to next question. <input type="checkbox"/> Yes. If yes, please describe.
4(d) Does the project, program, or system use Social Security Numbers (SSN)?	<input type="checkbox"/> No. <input checked="" type="checkbox"/> Yes.
4(e) If yes, please provide the specific legal authority and purpose for the collection of SSNs:	The Department of Housing and Urban Development (HUD) is authorized to collect this information by law (42 U.S.C. 3535(d), and by regulation at 24 CFR Subpart H §200.210. HUD is authorized to collect the Social Security Number (SSN) by Section 165(a) of the Housing and Community Development Act of 1987, Public Law 100-242 (42 U.S.C. 3543).
4(f) If yes, please describe the uses of the SSNs within the project, program, or system: The information is used by HUD to determine if participants meet the standards established to ensure that all principal participants in HUD projects will honor their legal, financial and contractual obligations and are acceptable risks from the underwriting standpoint of an insurer, lender or governmental agency.	
4(g) If this project, program, or system is an information technology/system, does it relate solely to infrastructure? <i>For example, is the system a Local Area Network (LAN) or Wide Area Network (WAN)?</i>	<input checked="" type="checkbox"/> No. Please continue to next question. <input type="checkbox"/> Yes. If a log kept of communication traffic, please answer this question.
4(h) If header or payload data³ is stored in the communication traffic log, please detail the data elements stored.	

³ 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

Click here to enter text.

<p>5. Does this project, program, or system connect, receive, or share PII with any other HUD programs or systems?</p>	<p><input checked="" type="checkbox"/> No. <input type="checkbox"/> Yes. If yes, please list: Click here to enter text.</p>
<p>6. Does this project, program, or system connect, receive, or share PII with any external (non-HUD) partners or systems?</p>	<p><input checked="" type="checkbox"/> No. <input type="checkbox"/> Yes. If yes, please list: Click here to enter text.</p>
<p>6(a) Is this external sharing pursuant to new or existing information sharing access agreement (MOU, MOA, etc.)?</p>	<p>Choose an item. Not applicable. Please describe applicable information sharing governance in place:</p>
<p>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?</p>	<p><input checked="" type="checkbox"/> No. <input type="checkbox"/> Yes. If yes, please list:</p>
<p>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?</p>	<p><input checked="" type="checkbox"/> No. What steps will be taken to develop and maintain the accounting: <input type="checkbox"/> Yes. In what format is the accounting maintained:</p>
<p>9. Is there a FIPS 199 determination?⁴</p>	<p><input checked="" type="checkbox"/> Unknown. <input type="checkbox"/> No. <input type="checkbox"/> Yes. Please indicate the determinations for each of the following: Confidentiality:</p>

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.

⁴ 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.

	<input type="checkbox"/> Low <input type="checkbox"/> Moderate <input type="checkbox"/> High Integrity: <input type="checkbox"/> Low <input type="checkbox"/> Moderate <input type="checkbox"/> High Availability: <input type="checkbox"/> Low <input type="checkbox"/> Moderate <input type="checkbox"/> High
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PRIVACY THRESHOLD ANALYSIS REVIEW

(TO BE COMPLETED BY PROGRAM PLO)

Program Privacy Liaison Reviewer:	Vivian Herring
Date submitted to Program Privacy Office:	April 17, 2019
Date submitted to HUD Privacy Branch:	April 22, 2019
Program Privacy Liaison Officer Recommendation: <i>Please include recommendation below, including what new privacy compliance documentation is needed.</i>	
N/A	

(TO BE COMPLETED BY THE HUD PRIVACY BRANCH)

HUD Privacy Branch Reviewer:	Cindy Etheridge
Date approved by HUD Privacy Branch:	April 11, 2019
PTA Expiration Date:	This PTA will suffice, however, if there are any changes, an update will be required.

DESIGNATION

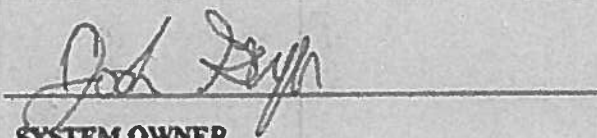
Privacy Sensitive System:	Choose an item. If "no" PTA adjudication is complete.
Category of System:	Choose an item. If "other" is selected, please describe: Click here to enter text.
Determination:	<input checked="" type="checkbox"/> PTA sufficient at this time. <input type="checkbox"/> Privacy compliance 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 checked="" type="checkbox"/> Privacy Act Statement required. <input type="checkbox"/> Privacy and Civil Liberties Impact Assessment (PCLIA) required.

SORN:	Choose an item. If covered by existing SORN, please list: Click here to enter text.
HUD Privacy Branch Comments: <i>Please describe rationale for privacy compliance determination above.</i>	
Click here to enter text.	

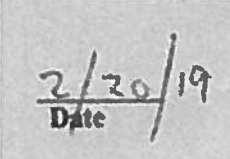
DOCUMENT ENDORSEMENT

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.



SYSTEM OWNER

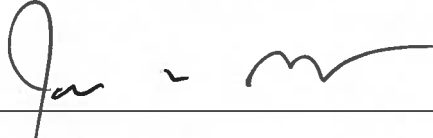


Date

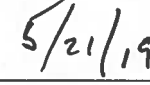
SYSTEM OWNER

Date

Josh Geyer
Office of Economic Development



John Bravacos



Date

Senior Agency Official for Privacy
Privacy Branch
OFFICE OF ADMINISTRATION