

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

PRIVACY THRESHOLD ANALYSIS (PTA)

**Low-Income Housing Tax Credit (LIHTC)
Data Collection
PD&R**

Office of Policy Development and Research

May 14, 2019

PRIVACY THRESHOLD ANALYSIS

The Privacy Threshold Analysis (PTA) is a compliance form developed by the Privacy Branch to identify, across the Department, the use of Personally Identifiable Information (PII). 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
- The risks 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 Records Notice (SORN) is required under the Privacy Act of 1974, as amended.

Complete the form and send it to your program Privacy Liaison Officer (PLO). If you have no program Privacy Liaison Officer, please send the PTA to Marcus R. Smallwood, Acting Chief Privacy Officer, Privacy Branch, U.S. Department of Housing and Urban Development, 451 7th Street, SW, Room 10139, Washington, DC 20410 or privacy@hud.gov.

Upon its receipt from your program PLO, the HUD Privacy Branch will review the completed form. If it determines that 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 to the Branch.

PRIVACY THRESHOLD ANALYSIS (PTA)

SUMMARY INFORMATION

Project or Program Name:	Low-Income Housing Tax Credit (LIHTC) Data Collection PD&R		
Program:	Policy Development and Research (PD&R)		
CSAM Name (if applicable):	N/A	CSAM Number (if applicable):	N/A
Type of Project or Program:	Form or other Information Collection	Project or program status:	Existing
Date first developed:	2010	Pilot launch date:	N/A
Date of last PTA update:	2016	Pilot end date:	N/A
ATO Status (if applicable)	Choose an item.	ATO expiration date (if applicable):	N/A

PROJECT OR PROGRAM MANAGER

Name:	Michael Hollar		
Office:	PD&R	Title:	Senior Economist
Phone:	202-402-5878	Email:	michael.k.hollar@hud.gov

INFORMATION SYSTEM SECURITY OFFICER (ISSO) (IF APPLICABLE)

Name:	N/A		
Phone:	N/A	Email:	N/A

SPECIFIC PTA QUESTIONS

1. Reason for submitting the PTA: Choose an item.

Please provide a general description of the project and its purpose so a nontechnical person could understand. If this is an updated PTA, please describe the 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.

Section 2835(d) of the Housing and Economic Recovery Act, or HERA, (Public Law 110-289, approved July 30, 2008) amended Title I of the U.S. Housing Act of 1937 (42 U.S.C. 1437 et seq.) (1937 Act) to add a new section 36 (codified as 42 U.S.C. 1437z-8) that requires each state agency that administers low income housing tax credits under section 42 of the Internal Revenue Code of 1986 (low-income housing tax credits or LIHTC) to furnish to HUD, not less than annually, information concerning the race, ethnicity, family composition, age, income, use of rental assistance under section 8(o) of the U.S. Housing Act of 1937 or other similar assistance, disability status, and monthly rental payments of households residing in each property receiving such credits through such agency. This data collection implements this mandate.

The PTA is being updated because the data collection forms are being renewed in accordance with the PRA Act.

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 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)

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, as 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.

	<input type="checkbox"/> Contractors working on behalf of HUD <input type="checkbox"/> Employees of other Federal agencies <input type="checkbox"/> Other (e.g., business entity)
--	---

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

Please provide a specific description of information collected, generated, or retained (such as full names, maiden name, mother's maiden name, alias, Social Security number, passport number, driver's license number, taxpayer identification number, patient identification number, financial account, credit card number, street address, internet protocol, media access control, telephone number, mobile number, business number, photograph image, x-rays, fingerprints, biometric image, template data (e.g., retain scan, well-defined group of people), vehicle registration number, title number, and information about an individual that is linked or linkable to one of the above (e.g., date of birth, place of birth, race, religion, weight, activities, geographical indicators, employment information, medical information, education information, financial information, etc.

Name, race, ethnicity, disability status, date of birth and last 4 digits of SSN for all LIHTC household members, building address of all LIHTC units, household income and rent of all LIHTC tenants.

4(a) Does the project, program, or system retrieve information about U.S. Citizens or lawfully admitted permanent resident aliens using personal identifiers?	<input checked="" type="checkbox"/> No. Please continue to the next question. <input 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 <i>Federal Register</i> that covers the information collected?	<input checked="" type="checkbox"/> No. Please continue to the next question. <input type="checkbox"/> Yes. If yes, provide the system name and number, and the <i>Federal Register</i> 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 type="checkbox"/> No. Please continue to the next question. <input checked="" type="checkbox"/> Yes. If yes, please describe. The data collection migrated to HUD's Secure Systems environment.
---	--

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 to 4(d), please provide the specific legal authority and purpose for the collection of SSNs.	Section 2835(d) of the Housing and Economic Recovery Act, or HERA, (Public Law 110-289, approved July 30, 2008). The last 4 digits of SSN are collected to facilitate matching data with HUD programs.
---	--

<p>4(f) If yes to 4(d), please describe the uses of the SSNs within the project, program, or system.</p>	<p>The last 4 digits of tenant SSNs are collected in order to facilitate matching data with HUD programs for research purposes.</p>
<p>4(g) If this project, program, or system is an information technology/system, does it relate solely to infrastructure?</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. <input type="checkbox"/> Yes. If a log of communication traffic is kept, please provide that information here.</p>
<p>4(h) If header or payload data³ is stored in the communication traffic log, please detail the data elements stored.</p>	
<p>N/A</p>	

<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 a new or existing information sharing access agreement (MOU, MOA, etc.)?</p>	<p><input checked="" type="checkbox"/> No. <input type="checkbox"/> Yes. If yes, please choose from the dropdown menu below: Choose an item. Please describe applicable information sharing governance in place:</p>

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 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>7. Does the project, program, or system provide role-based training for personnel who have access, in addition to the annual privacy training required of all HUD personnel?</p>	<p><input checked="" type="checkbox"/> No.</p> <p><input type="checkbox"/> Yes. If yes, please list: This is a Public Use Database.</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:</p> <p><input type="checkbox"/> Yes. In what format is the accounting maintained:</p>
<p>9. Is there a FIPS 199 determination?⁴</p>	<p><input type="checkbox"/> Unknown.</p> <p><input checked="" type="checkbox"/> No.</p> <p><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)**

Program Privacy Liaison Reviewer:	Ronald Hill
Date submitted to Program Privacy Office:	April 3, 2019
Date submitted to HUD Privacy Branch:	April 4, 2019
<p>Program Privacy Liaison Officer Recommendation: <i>Please include recommendation below, including what new privacy compliance documentation is needed.</i></p>	

⁴ FIPS 199 (Federal Information Processing Standard Publication 199, Standards for Security Categorization of Federal Information and Information Systems) is used to establish security categories of information systems.

(TO BE COMPLETED BY THE HUD PRIVACY BRANCH)

HUD Privacy Branch Reviewer:	Conique Key
Date approved by HUD Privacy Branch:	Click here to enter a date.
PTA Expiration Date:	Every 3 years

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 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 checked="" 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.
PIA:	New PIA is required. If covered by existing PIA, please list: Click here to enter text.
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 OFFICIAL'S NAME: Conique Key

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

Michael Hollar

Office of Policy Development and Research

5-14-19

Date

CHIEF PRIVACY OFFICER

John Bravacos

OFFICE OF ADMINISTRATION

Date

