



Privacy Impact Assessment

for the

National Flood Insurance Program (NFIP)  
Direct Servicing Agent (NFIP Direct) System

**DHS/FEMA/PIA-048**

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## Abstract

The Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), Federal Insurance and Mitigation Administration (FIMA), National Flood Insurance Program (NFIP) manages the NFIP Direct Servicing Agent (NFIP Direct) and the associated IT system (NFIP Direct System). NFIP Direct is a FEMA program that assists in issuing flood insurance policies under the NFIP in communities designated by FEMA and delivers policies and payment of claims for losses as prescribed by and at the discretion of FEMA. The Government cloud-based (GovCloud) NFIP Direct System is a new system that manages and accounts for key NFIP aspects including policy issuance, claims processing, and financial accounting. FEMA uses the NFIP Direct System to manage the flood insurance underwriting and claims operations for flood policies issued through NFIP Direct. FEMA is conducting this Privacy Impact Assessment (PIA) because the agency collects and maintains the personally identifiable information (PII) of individuals during the flood insurance policy issuance and claims process.

## Overview

Congress created the NFIP through the National Flood Insurance Act of 1968, as amended (NFIA),<sup>1</sup> to, among other things, respond to the rising cost of taxpayer-funded disaster relief for flood victims. The NFIA grants FEMA the authority to establish and carry out a national flood insurance program to enable interested persons to purchase flood insurance. Communities across the United States and its territories participate in the NFIP. Based on the communities' compliance with the NFIP's minimum floodplain management regulations, the NFIP makes flood insurance available to property owners and renters in participating communities.

Property owners can purchase an individual NFIP flood insurance policy, also known as the Standard Flood Insurance Policy (SFIP), either (1) from NFIP Direct through an insurance agent or insurance broker ("agent"), or (2) from a participating Write Your Own (WYO) insurance company<sup>2</sup> through the WYO Program. The SFIPs set out the terms and conditions of insurance. FIMA's Federal Insurance Directorate (FID) serves flood insurance customers directly through NFIP Direct, which uses NFIP Direct System to administer flood insurance policies.

The NFIP Direct System collects, stores, manages, and accounts for flood insurance policy issuance, claims processing, and financial accounting information. The NFIP Direct System collects and uses PII to service SFIPs;<sup>3</sup> Group Flood Insurance Policies (GFIP);<sup>4</sup> and Severe

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<sup>1</sup> 42 U.S.C. § 4001 et seq. Available at [https://www.fema.gov/media-library-data/20130726-1545-20490-9247/fim\\_acts.pdf](https://www.fema.gov/media-library-data/20130726-1545-20490-9247/fim_acts.pdf).

<sup>2</sup> WYOs are private insurance companies that sell and service FEMA SFIPs under their own names.

<sup>3</sup> NFIP Direct issues SFIPs directly to a property owner.

<sup>4</sup> GFIPs are issued in a state's name and cover groups of property owners who are affected by a presidentially-



Repetitive Loss (SRL) policies.<sup>5</sup> NFIP Direct also collects and uses sensitive PII (SPII) to process commission payments to insurance agents who facilitate the purchase of the aforementioned policies. Additionally, SPII such as Social Security number (SSN) may be included on an individual's proof of primary residency<sup>6</sup> document provided to his or her insurance agent. FEMA does not need or request the SSN.

The NFIP Direct System is a Government cloud-based IT system used to carry out the duties of NFIP Direct with several multi-directional exchanges with external entities, which streamline processes, minimize the amount of effort required from the users of the system, and enhance the customer experience. For instance, FEMA's exchange with the Department of Treasury's pay.gov website ([www.pay.gov](http://www.pay.gov))<sup>7</sup> allows policyholders to pay electronically through Treasury's pay.gov website, which in turn, sends NFIP Direct System notification of successful payment. Through a similar exchange, FEMA also meets its legal requirements to report income for tax-related purposes to the Internal Revenue Service (IRS). This exchange includes the sharing of tax identification numbers (TIN), which may be the SSN of insurance companies or agents that issue flood insurance policies.

### *Issuing a New SFIP*

Typically, a SFIP begins with an individual or organization, such as a home owner, renter, mortgage lender, or owner of a commercial property, who is interested in or required to have flood insurance. Should the interested party choose an insurance agent that issues through NFIP Direct, the individual or organization requests flood insurance by completing the FEMA Form (FF) 086-0-1, Flood Insurance Application<sup>8</sup> (Office of Management and Budget (OMB) No. 1660-0006). Through the application, the agent acquires detailed information about the prospective policyholder and the property such as name, address, and supporting documents. Supporting documentation such as Driver's License, Homestead Tax Credit Form for Primary Residence, and documents showing where children attend school are used to validate address and property information on FF 086-0-1. The agent submits the completed FF 086-0-1 and supporting documentation to NFIP Direct by mail, fax, or by electronic submission through a secure web portal into the NFIP Direct System ([www.NFIPDirect.fema.gov](http://www.NFIPDirect.fema.gov)). If the agent submits the application via hard copy, a NFIP Direct employee scans all paper documents received, including

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declared disaster and do not have SFIPs.

<sup>5</sup> SRL are policies issued directly by NFIP Direct that provide coverage to property owners for properties that have a repetitive flood loss and NFIP claims history. These SRL policies generally involve higher premiums and require additional burden to maintain and process.

<sup>6</sup> The Homestead Tax Credit Form differs by state, but most contain SSN. The form is one of several accepted forms of proof of primary residence. It is at the policyholder's discretion which acceptable form of proof they provide to FEMA. FEMA does not use the SSN on the form, and NFIP Direct redacts the SSN during the processing of the document.

<sup>7</sup> The PIA for Pay.gov is accessible at [https://www.fiscal.treasury.gov/fsreports/rpt/fspia/paygov\\_pia.pdf](https://www.fiscal.treasury.gov/fsreports/rpt/fspia/paygov_pia.pdf).

<sup>8</sup> <https://www.fema.gov/media-library/assets/documents/154>.



both the application and any supporting documentation, into the secure web portal as attachments to the electronic file within NFIP Direct System. NFIP Direct redacts files that contain SPII, such as the Homestead Tax Credit Form for Primary Residence, which contains SSN, during the scanning process.

The NFIP Direct System maintains a list of Specially Designated Nationals and Blocked Persons from the Treasury's Office of Foreign Assets Control (OFAC).<sup>9</sup> The NFIP Direct System cross references an individual or organization seeking flood insurance against this list. If there is a match, then the Treasury prohibits the NFIP Direct from issuing the individual or organization a flood insurance policy.

The NFIP requires premium payment along with an application in order to issue a policy. The insured pays the premium via paper check, credit or debit card, automated clearing house (ACH), or electronic check (e-check). The insurance agent collects the payment and submits it to NFIP Direct. If paying via paper check, the agent submits the check directly to the financial institution servicing the account of NFIP Direct for processing. If the agent submits payment via credit or debit card, ACH, or e-check, the agent selects a link within the NFIP Direct System that directs the agent to the Treasury's pay.gov for payment processing. Upon completion, the Treasury pay.gov website electronically notifies the NFIP Direct System of either successful or unsuccessful payment.

Once the NFIP Direct System receives the notification of successful premium payment, the system runs a series of automated data validations. For instance, when an agent enters an address, the system automatically compares the address with U.S. Postal Service (USPS) data from a third-party vendor to ensure it is a valid address and to standardize the address within the system (e.g., abbreviating "Terrace" as "Terr."). The standardized address helps to identify an SRL property. An underwriter, who is a NFIP contractor, also reviews the application when necessary and if NFIP Direct requires more information, the underwriter requests the additional information from the agent by system notification, email, phone, or letter. Additional information often includes a flood zone determination<sup>10</sup> and an elevation certificate, both of which the agent must obtain through a third-party vendor. Once the application and all supporting documentation meets regulatory requirements for flood insurance policies, FEMA underwrites the policy and approves the application in the system, queuing the policy for issuance.

The NFIP Direct System then generates and delivers a declaration page and a copy of the SFIP to the policyholder, with courtesy copies going to the insurance agent and to any mortgagee.

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<sup>9</sup> More information about the Specially Designated Nationals and Blocked Persons is accessible at <https://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/consolidated.aspx>.

<sup>10</sup> The DHS/FEMA/PIA-045 Hazard Mitigation Planning and Flood Mapping Products and Services Support System PIA provides more information about flood zone determinations, *see* <https://www.dhs.gov/sites/default/files/publications/privacy-pia-fema-045-floodmapping-june2017.pdf>.



The NFIP Direct System delivers the declaration page and SFIP to the insured, agent, and mortgagees in real-time for download to those that have access to the record in the secure web portal of the system. Access to records is on a need-to-know basis only. As is currently mandated by the NFIP, the system also triggers a physical copy of the declaration page and SFIP to print upon issuance of the policy, via nightly batch processing, and NFIP Direct mails the information to the policyholder, agent, and mortgagees.

### *Compensating Insurance Agents*

As part of issuing a new or renewed policy, insurance agents earn a commission in connection with policies of flood insurance placed with NFIP Direct.<sup>11</sup> In order to do so, NFIP Direct collects PII, including SPII, specifically TIN/SSN, from agents to issue commission payments and Form 1099 earning statements at the end of the calendar year. The NFIP Direct System processes a commission statement and a commission payment monthly to the insurance agent by way of either ACH to the agent's bank account or by paper check. FEMA reports these payments to Treasury's IRS for tax-related purposes.

### *Issuing a New GFIP*

NFIP Direct issues GFIPs in the name of a state under certain situations in response to a Presidential major disaster declaration. When homeowners or renters who live in a special flood hazard area and do not have an active flood insurance policy receive Individuals and Households Program (IHP) assistance from FEMA's Individual Assistance (IA) program, they each become part of a GFIP and receive a GFIP certificate as part of the IHP assistance. FEMA IA notifies NFIP Direct to issue the group policy certificates under that state's Presidential major disaster declaration number for up to three years, depending on the policy certificate issuance date. NFIP Direct issues the policy within the NFIP Direct System in the state's name, with eligible individuals being named as beneficiaries. Should ownership or occupancy change, the GFIP is transferable to the new owners or occupants as long as the named individual properly notifies NFIP Direct of the change. As GFIP has a fixed coverage and premium, requiring no underwriting services, there is a limited set of PII, including property address and contact information of the IHP assistance recipient involved in the collection of data for the GFIP and there is no insurance agent involvement on these policies. Once the GFIP expires, the individual or organization covered by the GFIP needs to obtain an SFIP under his or her name.

### *Transferring SFIP to SRL Policies*

If FEMA determines that a property has met the criteria to designate it as an SRL property, based on claims history, FEMA must convert the SFIP policy to an SRL policy. FEMA designates

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<sup>11</sup> See 44 C.F.R. § 62.6 (2017) (This regulation sets a minimum commission to be issued to the agent or broker of a policy), available at [https://www.ecfr.gov/cgi-bin/text-idx?SID=ed9d70bc74872c98956fe58d374dc62b&mc=true&node=se44.1.62\\_16&rgn=div8](https://www.ecfr.gov/cgi-bin/text-idx?SID=ed9d70bc74872c98956fe58d374dc62b&mc=true&node=se44.1.62_16&rgn=div8).



a property as an SRL property if there is an established history of frequent or high-value flood claims for an individual property. The current servicer of a policy must transfer any policy and its related records that meets the SRL criteria, as discussed in the Flood Insurance Manual (FIM),<sup>12</sup> to NFIP Direct. The NFIP Direct System notifies affected policyholders, their agents or brokers, and their lenders that the policy is ineligible for coverage outside of an SRL policy, and that NFIP Direct will issue the subsequent renewal. Concurrent to the notifications, NFIP Direct contacts the current servicer of the policy to obtain all relevant documentation related to the policy and the property's claim history. As part of the renewal process, NFIP Direct underwrites the policy as a SRL policy.

### *SFIP/SRL Policy Renewal*

SFIP and SRL policies are both one-year policies, requiring the policyholder to renew the policy annually in order to retain coverage. Prior to the expiration of a policy, the NFIP Direct System confirms that FEMA has not made any changes to area maps, that the structure continues to be in an eligible community, and that the policyholder has made no updates to the structure that would affect the rate of the policy. Once this confirmation is complete, the system issues a renewal notice to the payee with courtesy copies to all other relevant parties. For notices sent to mortgagees, NFIP Direct employs a third-party billing service to generate a consolidated notice containing renewal information for all policies where that mortgagee has an interest.

The renewal notice contains instructions for submitting the premium payment, and the process for premium payment and processing is the same as the process for an SFIP.

The policyholder has a thirty-day grace period from the date of expiration to provide premium payment for the renewal. If NFIP Direct does not receive the premium payment prior to the completion of the thirty-day grace period, the policy expires and the renewal is effectively null.

### *Processing Claims Against Flood Insurance Policies*

After a loss of a building or its contents with coverage under a flood policy, a policyholder informs NFIP Direct directly or through his or her agent. The policyholder has the option to notify NFIP Direct via the secure web portal to the NFIP Direct System, a phone call, or in writing. The agent, if notified, or a customer service representative from NFIP Direct aids in the completion of FF 086-0-11, Notice of Loss<sup>13</sup> (OMB 1660-0005). NFIP Direct then uses the NFIP Direct System to assign an adjuster to assess the damage. The adjuster visits the property and assesses the damage, taking pictures, and completing a series of reports (FFs 086-0-13, 086-0-14, and 086-0-15 reviewed as part of OMB 1660-0005) to submit to NFIP Direct via the secure web portal. Additional worksheets from the OMB 1660-0005 collection may also be required depending on

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<sup>12</sup> Available at <https://www.fema.gov/flood-insurance-manual>.

<sup>13</sup> Form is available at <https://www.fema.gov/media-library/assets/documents/9367>.



the situation. The adjuster also populates FF 086-0-9, Proof of Loss<sup>14</sup> (OMB 1660-0005). The system then sends the completed Proof of Loss form to the policyholder for signature to formally agree to the claim amount. Once the policyholder signs the Proof of Loss and the NFIP Direct claims staff reviews the final claim, the system issues payment to the policyholder via paper check and FEMA mails the check to the policyholder.

### *Compensating Claim Adjusters/Adjusting Firms*

The NFIP Direct System compensates adjusters for their work on the claim by payment according to FEMA's NFIP Adjuster Fee Schedule.<sup>15</sup> In order to do so, NFIP Direct collects PII, including SPII, specifically TIN/SSN, from the adjusters to issue fee payments and Form 1099 earning statements at the end of the calendar year. The system processes a fee payment at the conclusion of each claim to the adjuster or firm by way of either ACH to his or her bank account or by paper check. FEMA reports these payments to Treasury's IRS.

### *NFIP Direct System Access*

The NFIP grants access to the NFIP Direct System and its data to FEMA employees, FEMA contractors and sub-contractors involved in the processing and administering of NFIP Direct policies, the insurance agent of record, assigned claims adjusters, and policyholders on a need-to-know basis. Access to the system is role-based, meaning permissions and rights are granted based on a user's NFIP responsibilities, and consequently users are limited to relevant information (i.e., an insurance agent has access only to the agent's book of business, adjusters have access only to the claims assigned to them, policyholders have access only to their policy information).

## **Section 1.0 Authorities and Other Requirements**

### **1.1 What specific legal authorities and/or agreements permit and define the collection of information by the project in question?**

The NFIP receives legal authority to collect information through 42 U.S.C. § 4001 et seq.<sup>16</sup> This code is a combination of several laws, including the following: the National Flood Insurance Act of 1968,<sup>17</sup> the Flood Insurance Protection Act of 1973,<sup>18</sup> the National Flood Insurance Reform

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<sup>14</sup> Available at <https://www.fema.gov/media-library/assets/documents/9343>.

<sup>15</sup> Available at <https://www.fema.gov/media-library/assets/documents/17539>.

<sup>16</sup> Available at <https://www.gpo.gov/fdsys/pkg/USCODE-2010-title42/pdf/USCODE-2010-title42-chap50-sec4001.pdf>.

<sup>17</sup> Pub. L. 90-448, 82 Stat. 572 (1968).

<sup>18</sup> Pub. L. 93-234, 87 Stat. 975 (1973).



Act of 1994,<sup>19</sup> the Flood Insurance Reform Act of 2004,<sup>20</sup> the Biggert-Waters Flood Insurance Reform Act of 2012,<sup>21</sup> the Consolidated Appropriations Act of 2014,<sup>22</sup> and the Homeowner Flood Insurance Affordability Act of 2014.<sup>23</sup> Additionally, Section 6109 of the Internal Revenue Code<sup>24</sup> requires a payee to provide the payee's TIN to NFIP Direct, who are required to file information returns with the IRS to report income paid to the payee.

## 1.2 What Privacy Act System of Records Notice(s) (SORN(s)) apply to the information?

The following SORNs apply to the information within the NFIP Direct System:

- The DHS/FEMA-003 National Flood Insurance Program Files System of Records<sup>25</sup> applies to flood insurance policy and insurance agent information that FEMA maintains in the NFIP Direct System.
- The DHS/ALL-004 General Information Technology Access Account Records System (GITAARS)<sup>26</sup> applies to information FEMA maintains to allow individuals access to the NFIP Direct System.
- The DHS/ALL-007 Accounts Payable System of Records<sup>27</sup> applies to information FEMA maintains and shares for the purpose of processing payments such as commission compensation to insurance agencies and insurance agents.
- The DHS/ALL-008 Accounts Receivable System of Records<sup>28</sup> applies to information FEMA maintains and shares for insurance premium debt collection purposes.
- The Treasury-009 Treasury Financial Management Systems SORN<sup>29</sup> applies to payment information an individual provides to Treasury through Pay.gov.

<sup>19</sup> Pub. L. 103-325, Title V, 108 Stat. 2160, 2255-87 (1994).

<sup>20</sup> Pub. L. 108-264, 118 Stat. 712 (2004).

<sup>21</sup> Pub. L. 112-141, §§ 100201-100249, 126 Stat. 405, 916-69 (2012).

<sup>22</sup> Pub. L. 113-76, 128 Stat. 5 (2014).

<sup>23</sup> Pub. L. 113-89, §§ 3-4, 128 Stat. 1020, 1021-22 (2014).

<sup>24</sup> 26 U.S.C § 6109.

<sup>25</sup> DHS/FEMA-003 National Flood Insurance Program Files System of Records, 79 FR 28747 (May 19, 2014), available at <https://www.gpo.gov/fdsys/pkg/FR-2014-05-19/html/2014-11386.htm>.

<sup>26</sup> DHS/ALL-004 General Information Technology Access Account Records System, 77 FR 70792 (November 27, 2012), available at <https://www.gpo.gov/fdsys/pkg/FR-2012-11-27/html/2012-28675.htm>.

<sup>27</sup> DHS/ALL-007 Accounts Payable System of Records, 80 FR 58286 (September 28, 2015), available at <https://www.gpo.gov/fdsys/pkg/FR-2015-09-28/html/2015-24587.htm>.

<sup>28</sup> DHS/ALL-008 Accounts Receivable System of Records, 80 FR 58289 (September 28, 2015), available at <https://www.gpo.gov/fdsys/pkg/FR-2015-09-28/html/2015-24588.htm>.

<sup>29</sup> Treasury-009 Treasury Financial Management Systems, 81 FR 78279 (November 7, 2016), available at <https://www.gpo.gov/fdsys/pkg/FR-2016-11-07/pdf/2016-26662.pdf>.





### **1.3 Has a system security plan been completed for the information system(s) supporting the project?**

The NFIP Direct System is subject to, and concurrently seeking, an Authority to Operate (ATO). As part of the ATO process, a system security plan is required. FEMA is currently finalizing the system security plan, with coordination and input from the multiple FEMA offices including the Office of the Chief Information Officer (OCIO) and NFIP Direct within FID.

### **1.4 Does a records retention schedule approved by the National Archives and Records Administration (NARA) exist?**

The NFIP Direct System must adhere to guidance from DHS and FEMA with regard to records retention. As referenced in FEMA Manual 141-1-1b, several records schedules were approved by the FEMA Records Officer and NARA with respect to the NFIP.

In accordance with NARA Authority N1-311-86-1, Item 2A13a(2), FEMA retains policy records as long as the property owner maintains enrollment in the flood insurance program and pays the policy premiums. FEMA cuts off records when the policy becomes inactive, and policy records are destroyed five years after the cutoff.

In accordance with NARA Authority N1-311-86-1, Item 2A12a(2), FEMA retains claim records for six years and three months after final action.

In accordance with NARA Authority GRS 1.1, Item 010, FEMA retains official records of financial information for six years from final payment or cancelation. However, longer retention is authorized if required for business use, in which case destruction occurs when the business use ceases. FEMA destroys all other copies of financial information records when the business use ceases, in accordance with NARA Authority GRS 1.1, Item 011.

In accordance with NARA Authority GRS 1.1, Item 001, FEMA retains accounting administrative information, including workload and personnel management information, for three years. However, longer retention is authorized if required for business use, in which case destruction occurs when the business use ceases.

### **1.5 If the information is covered by the Paperwork Reduction Act (PRA), provide the OMB Control number and the agency number for the collection. If there are multiple forms, include a list in an appendix.**

Appendix A contains a list of related information collections and OMB-approved forms that have coverage under the PRA.



## Section 2.0 Characterization of the Information

### 2.1 Identify the information the project collects, uses, disseminates, or maintains.

The NFIP Direct System collects the following information from individuals or business policyholders who request a flood insurance policy for purposes of properly underwriting the policy, calculating premiums in accordance with the FIM, and ensuring appropriate contact information is available to service the policy:

- Individual's Full Name
- Company Name
- Company Number
- Property and Mailing Address(es)
- Legal Description of Property
- Email Address(es)
- Telephone Number(s)
- Fax Number(s)
- Primary Residency Status
- Primary Residence Verification (including any one of the following):
  - Signed Affidavit
  - Driver's License
  - Automobile Registration
  - Proof of Insurance for a Vehicle
  - Voter's Registration
  - Homestead Tax Credit Form for Primary Residence<sup>30</sup>
  - Documents Showing Where Children Attend School
  - Mortgage Information
  - Property Occupancy Type
- Geographical Locations

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<sup>30</sup> This form may differ by state; however, most contain SSN. FEMA does not use the SSN on the form.



- Community Information
- City Name of Where the Property is Located
- U.S. Fish & Wildlife (USF&W) Case Number (in support of the Coastal Barrier Resources System (CBRS)<sup>31</sup> determinations)<sup>32</sup>
- In CBRS/Out CBRS of Area Determination by U.S. Fish & Wildlife
- Name of the CBRS from U.S. Fish & Wildlife
- U.S. Fish & Wildlife Version of the Target Property Address
- CBRS Area/Unit Number (Area Number on U.S. Fish & Wildlife's Map)
- CBRS Area Declaration/Effective Date
- Contact Information of the U.S. Fish & Wildlife Representative
- Map Panel and Suffix
- Zone Determination Data
- Flood Zone Data
- Elevation Certificate Data
- Building Attributes
- Replacement Cost Value of the Structure
- Property Loss History
- Insurance Agent/Broker Name
- Coverage and Rating Information
- Billing Address
- Payment Information (Bank Account Information, Check Number)
- Premium Receipt

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<sup>31</sup> The Coastal Barrier Resources Act of 1982, as amended, removes the Federal Government from financial involvement associated with building and development in undeveloped portions of designated coastal barriers. These areas were mapped and designated as Coastal Barrier Resources System units or "otherwise" protected areas, and properties within a CBRS area require more robust flood management safeguards in order to be eligible for flood insurance. For more information, see <https://www.fema.gov/coastal-barrier-resources-system>.

<sup>32</sup> U.S. Fish & Wildlife runs the Coastal Barrier Resources System, which tracks where building is prohibited. As part of an agreement between USF&W and FEMA, FEMA checks to ensure a policy is not issued to a property where building is discouraged or prohibited. For cases where it is not abundantly obvious, a case is opened with the USF&W to ensure compliance before the policy is issued.



- Signature
- Policy Cancellation Reason
- Cancellation Supporting Documentation. May include: Property sale documentation, copy of new insurance declarations page, bank notice of non-payment, credit card notice of non-payment, tax records, mortgage statements, Residential Condominium Building Association Policy (RCBAP) bylaws, maps, and Letter of Map Amendment (LOMA) or Letter of Map Revision (LOMR).

The system collects the following information from insurance brokers, agents, and companies for commission payments and tax reporting purposes:

- Agent SSN (Only when used as TIN)
- Agent Name (First, Middle, and Last)
- Agency Name
- Agency TIN
- Agency Relationships (i.e., Managing General Agent)
- Mailing Address
- Phone Number
- Fax Number
- Email address
- Commission Rates
- Commission Amounts
- Commissions Paid
- Bank Name
- Bank Account Number
- Bank Routing Number
- Federal Tax Classification
- IRS W-9 Form
- NFIP Direct System Users
- NFIP Direct System User IDs



- Insurance Data (production reports, business in force, policies with claims, etc.)
- Documents Related to Agency Mergers and Acquisitions
- Agency Training Documentation
- Signature

The system collects the following information from individuals/business policyholders who file a claim against a flood insurance policy for purposes of assessing and documenting the damages:

- Date of Loss
- Flood-Policy Number
- Other Insurance Policy Number (e.g., Home Owners, Renters, Wind)
- Individual's Full Name
- Property and Mailing Address(es)
- Email Address(es)
- Telephone Number(s)
- Policy Type
- Policy Period
- Insurance Agent/Broker Name
- Insurance/Claims Data
- Insurance Rate(s)
- Claim Amounts
- Effective Date
- Disaster Assistance Information
- Property Photographs
- Property Loss Information
- Loss Photographs
- Loss Contents/Inventory Lists
- Loss Valuations



- Loss Settlement/Payment Amounts
- Adjuster Reports
- Engineering Reports

The system collects the following information from adjusting firms and adjusters:

- Adjusting company name
- Adjusting Company TIN
- Adjuster SSN (Only when used as TIN)
- Adjuster Name (First, Middle, and Last)
- Mailing Address
- Phone number
- Fax number
- Email address
- Loss Adjustment Expense Paid
- Adjusting Fees Paid
- Bank Name
- Bank Account Number
- Bank Routing Number
- Federal Tax Classification
- IRS Form 1099 statements
- NFIP Direct System Users
- NFIP Direct System User IDs
- Documents Related to Adjusting Firm Mergers and Acquisitions
- Adjuster Training Documentation
- Signature



NFIP Direct collects the following information from individuals requesting or requiring access to NFIP Direct System in order to create a user account and ensure FEMA properly assigns permissions and rights in the system:

- Name
- Agency Identification Number, if applicable
- Agency Name
- User Name
- Password
- Address
- Phone
- Email address
- User Class

The NFIP Direct System may also receive additional information from other systems that FEMA uses to complete and validate the other information received. The FEMA iService Enterprise Environment (iSEE) system provides the NFIP Direct System with lists of properties that are either ineligible for coverage or have a loss history that affects the rates on the policy. The NFIP Direct System cross-references the property address on flood insurance applications with this information as part of the underwriting process.

Treasury's Office of Foreign Assets Control (OFAC) makes available the list of individuals and companies who are barred from doing business with the U.S. Government, such as terrorists and narcotics traffickers, for cross referencing an individual or organization seeking to purchase flood insurance.<sup>33</sup> The NFIP Direct System uses this list to ensure that flood insurance policies are not issued to individuals or organizations on this list.

Treasury's Pay.gov website provides the NFIP Direct System with electronic confirmation when an applicant makes a payment within Treasury's system. The NFIP Direct System uses this confirmation as validation that FEMA has received the premium payment.

Additionally, FEMA receives standardized postal addresses, as well as the latitude and longitude of an address, from third party service provider. The NFIP Direct System uses the standardized address and geo-location of policyholder-provided mailing and property addresses as part of a data validation on each policy prior to issuance.

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<sup>33</sup> <https://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/consolidated.aspx>.



## 2.2 What are the sources of the information and how is the information collected for the project?

The NFIP Direct System collects information primarily from policyholders. This is done in coordination with the insurance agent or company who represents the individual or organization seeking a flood insurance policy (OMB 1660-0004, OMB 1660-0006, OMB 1660-0008, OMB 1660-0033, OMB 1660-0040, and OMB 1660-0086) and at a time of loss through claims processing (OMB 1660-0005). Generally, policyholders complete NFIP policy and claims forms with the help of the agent who then submits the form to the NFIP Direct System. In addition, NFIP Direct collects data directly from insurance adjusters who examine a property after a loss (OMB 1660-0005). The system receives the above-mentioned data and supporting documents through several channels, including by mail, fax, phone, or by electronic submission through the secure web portal. NFIP Direct scans mailed or faxed documents into electronic files and uploads to the NFIP Direct System.

The NFIP Direct System also receives data from other FEMA systems or programs. Additional sources include the CBRS report, Section 1316<sup>34</sup> report, and other community information from the FEMA iSEE through a secure File Transfer Protocol (sFTP) site for use in identifying non-qualifying properties and properly rating properties, and IHP information for GFIP issuance from the FEMA IA Program via a Microsoft Excel spreadsheet. In addition to FEMA systems or programs, state emergency management agencies in certain states that receive Other Needs Assistance (ONA) provide NFIP Direct with a list of individuals eligible for a GFIP after each presidentially-declared disaster in place of the FEMA IA Program. The NFIP Direct System also receives information from other Federal Government agencies, including the Treasury's OFAC, which provides via FTP site publicly-available lists of individuals and companies<sup>35</sup> who are barred from doing business with the U.S. Government, such as terrorists and narcotics traffickers, for cross referencing an individual or organization seeking flood insurance, and Treasury's pay.gov website, which provides, through encrypted link over a secure website, verification that the website completed the processing of a premium payment.

Additionally, NFIP Direct receives information from third-party and commercial vendors. Using web services, FEMA is capable of receiving flood zone determinations and elevation certificates from various vendors on behalf of the policyholder, and confirms the correct address and geo-location of policyholder provided mailing and property addresses as part of a data validation on each policy prior to issuance.

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<sup>34</sup> Section 1316 of the National Flood Insurance Act of 1968, as amended, provides for the denial of flood insurance coverage for any property that the Administrator finds has been declared by a duly constituted state or local authority to be in violation of state or local floodplain management regulations. For more information, *see* <https://www.fema.gov/section-1316>.

<sup>35</sup> *See* <https://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/consolidated.aspx>.





## **2.3 Does the project use information from commercial sources or publicly available data? If so, explain why and how this information is used.**

The NFIP Direct System uses commercial sources and publicly-available data such as zone determinations, elevation certificates, and postal addressing data validation services. Flood Zone Determination companies<sup>36</sup> rely on FEMA's NFIP maps, the NFIP Community Status Book, and other supporting documentation to determine<sup>37</sup> which flood zone is applicable to the property. Surveyors, engineers, and architects authorized by law complete elevation certificates<sup>38</sup> to certify building elevations. The NFIP Direct System uses postal address data to validate data received from other sources and to standardize property addresses to ensure all records related to a property have consistent addressing.

## **2.4 Discuss how accuracy of the data is ensured.**

The NFIP Direct System receives policy and claims information directly from the potential or current policyholder. As part of the policyholder data collection, FEMA requires policyholders, those seeking insurance, or insurance agents to sign certain FEMA forms acknowledging accuracy of information. The system accepts signature by way of a traditional "wet signature" or an electronic signature within the secure web portal of the NFIP Direct System. Additionally, the system includes automated data validation checks as well as data cross-checks with other data in the system during data entry. The system also uses a standardized address third-party service to validate addresses provided. When possible, NFIP Direct obtains supporting data via automated mechanisms such as collecting flood zone determinations and elevation certificates via secure web service integrations with various vendors. NFIP Direct underwriting staff also review the records to ensure accuracy. If there is questionable or inconsistent information, NFIP Direct contacts the agent or policyholder for verification or correction. FEMA's NFIP Information Technology Systems (ITS) Transaction Record Reporting and Processing (TRRP) cycle,<sup>39</sup> performed at the end of each month, further checks information outputs from the NFIP Direct System. FEMA further assures data accuracy through internal audit processes and regular operation reviews. FEMA performs these audits and reviews for underwriting, claims, and financial information.<sup>40</sup>

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<sup>36</sup> See <https://www.fema.gov/flood-zone-determination-companies>.

<sup>37</sup> This determination is made using FF 086-0-32, available at <https://www.fema.gov/media-library/assets/documents/225>.

<sup>38</sup> See <https://www.fema.gov/media-library/assets/documents/160>.

<sup>39</sup> See DHS/FEMA/PIA-011 National Flood Insurance Program Information Technology Systems (NFIP ITS), available at [https://www.dhs.gov/sites/default/files/publications/privacy\\_pia\\_fema\\_nfipits\\_10122012\\_0.pdf](https://www.dhs.gov/sites/default/files/publications/privacy_pia_fema_nfipits_10122012_0.pdf).

<sup>40</sup> See DHS/FEMA/PIA-039 Federal Insurance and Mitigation Administration Risk Insurance Underwriting and Claims Operations Review Tool (U-CORT), available at <https://www.dhs.gov/sites/default/files/publications/privacy-pia-fema-039-u-cort-august-2014.pdf>.



## 2.5 Privacy Impact Analysis: Related to Characterization of the Information

**Privacy Risk:** FEMA may collect more information than is necessary for flood insurance policy setup and claims processing.

**Mitigation:** FEMA partially mitigates this risk by only collecting information required to comply with federal statute, regulations, and policy for underwriting and processing claims against flood insurance policies. Additionally, FEMA continually reviews data collection to ensure the need for data elements collected for insurance purposes. FEMA frequently makes modifications to the NFIP via FEMA Bulletins that either add or remove data elements.

In the case of proof of residency, FEMA incidentally collects more information than is needed; however, FEMA does not use the additional information. For instance a property owner applying for a SFIP may choose to provide a Homestead Tax Credit form or declaration as proof of residency. The Homestead Tax Credit form will provide proof of residency, but the form may also contain the property owner's as well as their dependents' SSN. FEMA does not use the SSN, but if the policyholder provides the form as proof of residency, the NFIP Direct System stores the form with the SSNs redacted. FEMA NFIP Direct will redact the SSNs after the documents are received from the agent and during initial scanning or uploading into the NFIP Direct System. FEMA may accept these forms with redacted SSN as FEMA does not need the SSN to process the property owner's policy, claims, or verify identity.

**Privacy Risk:** NFIP may collect inaccurate or incomplete information for flood insurance policy processing or issuance, which can lead to a less favorable rate or complications at the time of a claim.

**Mitigation:** FEMA partially mitigates this risk by obtaining information whenever possible directly from the policyholder, requiring signature from the policyholder, and cross-referencing the information with reputable third-party data to verify accuracy. Additionally, the NFIP Direct System uses automated data validations within the system, underwriting staff reviews, monthly TRRP error outputs, internal audits, and regular operational reviews.

## Section 3.0 Uses of the Information

### 3.1 Describe how and why the project uses the information.

The NFIP Direct System collects information from individual or business policyholders who file a request for flood insurance or those involved in normal flood business processes (i.e., mortgagee, agent, policyholder) for the purpose of processing and issuing an insurance policy. Uses of the information include properly communicating with each entity, assessing risk,



determining if purchase of flood insurance is mandatory, rating the policy, issuing an invoice and processing payments, canceling policies, processing claims filed against a flood insurance policy, and assessing and documenting damages.

The NFIP Direct System collects information from agents, adjusting firms, and adjusters for the purpose of calculating and processing commission payments to insurance brokers as an incentive to market the NFIP and initiate flood insurance policies directly with FEMA and to flood insurance claim adjusters to facilitate the processing of flood insurance claims against properties covered by a flood insurance policy.

NFIP Direct collects information from individuals requesting or requiring access to the NFIP Direct System in order to create a user account and ensure FEMA properly assigns permissions and rights in the system.

### **3.2 Does the project use technology to conduct electronic searches, queries, or analyses in an electronic database to discover or locate a predictive pattern or an anomaly? If so, state how DHS plans to use such results.**

FEMA does use Business Intelligence<sup>41</sup> to discover and locate patterns, trends, or anomalies in order to be more proactive in addressing survivor support and in understanding loss potential for pending disasters. Additionally, FEMA analyzes this information to find better ways to ensure better coverage of at-risk properties by the NFIP product offerings and to potentially identify fraud or potential errors. In certain cases, FEMA also uses this information to identify the impact of certain program changes or regulations. However, FEMA does not use Business Intelligence in determining total payment of claims.

### **3.3 Are there other components with assigned roles and responsibilities within the system?**

No other DHS components have assigned roles and responsibilities within the NFIP Direct System.

### **3.4 Privacy Impact Analysis: Related to the Uses of Information**

**Privacy Risk:** Individuals could use information collected and maintained in the NFIP

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<sup>41</sup> Business Intelligence (BI) is a technology-driven process for analyzing data and presenting timely and actionable information to help corporate executives, business managers, and other end users make more informed business decisions. BI encompasses a wide variety of tools, applications, and methodologies that enable organizations to collect data from internal systems and external sources, prepare it for analysis, develop and run queries against the data, and create reports, dashboards, and data visualizations to make the analytical results available to corporate decision makers as well as operational workers.



Direct System for purposes other than their intended purpose.

**Mitigation:** FEMA mitigates this risk by carefully controlling access to the information and the sharing of any information. Access to the system is role-based, need-to-know access to avoid users from accessing information not vital to their purpose. NFIP Direct also limits the risk of inappropriate use of information by not allowing other DHS components to access the NFIP Direct System. Additionally, NFIP Direct enters into Service Level Agreements (SLA) with all third-party vendors that prohibit the use of the information without written consent from FEMA.

## Section 4.0 Notice

### **4.1 How does the project provide individuals notice prior to the collection of information? If notice is not provided, explain why not.**

FEMA provides notice by way of this PIA, the DHS/FEMA/PIA-011 NFIP ITS PIA, the SORNs mentioned in section 1.2, the Privacy Notices associated with the approved forms listed in Appendix A, and the Privacy Notice within the NFIP Direct System.

### **4.2 What opportunities are available for individuals to consent to uses, decline to provide information, or opt out of the project?**

Individuals that are required by either the NFIA, their respective state, or their mortgage company to purchase flood insurance policies may not have an option to opt out of purchasing or obtaining flood insurance for a property. Individuals, whether required to obtain or voluntarily obtaining flood insurance, consent to FEMA's use of their information upon accepting the Privacy Act statement within the NFIP Direct System and submission of their information to their insurance agent for flood insurance issuing and servicing. If submission is by mailed or faxed by hard copy, the signature on OMB-approved forms constitutes acceptance. Failure to provide the information the NFIP requires may prevent property owners or renters from acquiring flood insurance or processing a claim against their policy. Additionally, failure to provide information that is required to create a new user account in the NFIP Direct System will prevent access to the system.

The NFIP Direct System also offers flood zone determinations through third-party vendors within the system. Before engaging these third-parties, the NFIP Direct System user must accept a prompt that states that these services are through a third-party and are solely for their convenience. These services are not required within the NFIP Direct System and the agent is free to seek these services outside of the NFIP Direct System, if preferred. Any engagement between



the NFIP Direct System and third-party vendors and commercial services is covered under SLA and privacy policies by the entities to ensure no further uses are permitted.

### **4.3 Privacy Impact Analysis: Related to Notice**

**Privacy Risk:** The individuals applying for flood insurance may not be aware of FEMA's collection, use, maintenance, and dissemination of their information.

**Mitigation:** FEMA mitigates this privacy risk by providing notice by way of this PIA, the DHS/FEMA/PIA-011 NFIP ITS PIA, the SORNs in Section 1.2, the Privacy Notices associated with the approved forms listed in Appendix A, and the Privacy Notice within the NFIP Direct System.

## **Section 5.0 Data Retention by the project**

### **5.1 Explain how long and for what reason the information is retained.**

FEMA retains policy records as long as the property owner maintains enrollment in the flood insurance program and pays the policy premiums. FEMA cuts off records when the policy becomes inactive. Policy records are destroyed five years after the cutoff in accordance with NARA Authority N1-311-86-1, Item 2A13a(2).

FEMA retains claim records for six years and three months after final action. Records are disposed in accordance with NARA Authority N1-311-86-1, Item 2A12a(2).

FEMA retains official records of financial information for six years from final payment or cancelation in accordance with NARA Authority GRS 1.1, Item 010. However, longer retention is authorized if required for business use, in which case destruction occurs when the business use ceases. FEMA destroys all other copies of financial information records when the business use ceases in accordance with NARA Authority GRS 1.1, Item 011.

FEMA retains accounting administrative information, including workload and personnel management information, for three years in accordance with NARA Authority GRS 1.1, Item 001. However, longer retention is authorized if required for business use, in which case destruction occurs when the business use ceases.

### **5.2 Privacy Impact Analysis: Related to Retention**

**Privacy Risk:** FEMA may retain information for longer than necessary.

**Mitigation:** FEMA partially mitigates this risk by requiring that records are maintained within the NFIP Direct System in accordance with FEMA Records Management Branch approved retention schedule and NARA Authorities.



## Section 6.0 Information Sharing

### **6.1 Is information shared outside of DHS as part of the normal agency operations? If so, identify the organization(s) and how the information is accessed and how it is to be used.**

FEMA routinely shares information maintained by NFIP Direct with: federal, state, local, and tribal government agencies, and established voluntary organizations in performing the duties of the NFIP Direct; Claims Adjuster firms so that damage can be assessed and a claim processed; Commercial Standardized Address companies so that NFIP Direct can validate addresses and geographic locations; Flood Zone Determination companies to validate the flood zone of a property; Elevation Certificate providers so that an elevation certificate can be obtained; Insurance Industry Exchange vendors so that agents can effectively manage their book of business; Lockbox service providers so that the handling of mail and paper checks is handled securely; third-party billing companies to consolidate mailings sent to mortgagees and save on postage costs; and the financial institution servicing the account of NFIP Direct so that premium payments can be accepted and payments to agents (commission) and survivors (claims) can be disbursed. Additionally, FEMA shares information with the Treasury so that the IRS may track and report tax-related payments to agents and adjusters.

### **6.2 Describe how the external sharing noted in 6.1 is compatible with the SORN noted in 1.2.**

Routine Use S of the NFIP Files SORN<sup>42</sup> allows FEMA to share TIN and financial information of insurance agents with a financial institution for purposes of issuing commission payments to the insurance agent to share their cost of marketing and selling a flood insurance policy. This is compatible with the original collection because the information is being shared to manage policy marketing and issuance.

Routine Use F of the same SORN allows FEMA to share NFIP information with contractors and their agents, experts, consultants, and others performing or working on a contract, service, grant, cooperative agreement, or assignment for DHS, when necessary to accomplish an agency function related to the NFIP Files system of records. This includes Claims Adjuster firms, Commercial Standardized Address companies, Flood Zone Determination companies, Elevation Certificate providers, Insurance Industry Exchange vendors, Lockbox service providers, and third-party billing companies. This is compatible with the purpose for the original information collection because NFIP Direct requires a variety of information to help determine flood insurance eligibility and administer policies.

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<sup>42</sup> DHS/FEMA-003 National Flood Insurance Program Files, 79 FR 28747 (May 19, 2014).



Additionally, Routine Use J of the DHS Accounts Payable Records SORN<sup>43</sup> allows FEMA to share TIN and other tax-related information about insurance agents with the Department of the Treasury for the purpose of tax-related reporting of reimbursable commission payments to insurance agents.

Any individuals provided information under these routine uses are subject to the same Privacy Act requirements and limitations on disclosure as are applicable to DHS officers and employees.

### **6.3 Does the project place limitations on re-dissemination?**

Yes. FEMA limits re-dissemination of information maintained in the NFIP Direct System. Routine Use Letters accompany shared information which expressly state the allowable uses and restrictions set forth by FEMA. Additionally, SLAs between the NFIP Direct and third-party vendors prohibit vendors from re-dissemination without consent. Also, federal agencies within the Executive Branch that FEMA shares information with must comply with the Privacy Act (PA) and can only share information pursuant to their appropriate routine use(s) in accordance with the applicable SORN.

### **6.4 Describe how the project maintains a record of any disclosures outside of the Department.**

NFIP Direct maintains all emails and file transfer logs corresponding to disclosed information to maintain the capability to reconstruct the record if necessary. The NFIP Direct System documents policy and claim disclosure documentation, which the NFIP Direct System stores as memos. These records include letters sent to interested parties. Disclosures of information such as declaration of policy and claims information are maintained in system of under the respective policy record. Additionally, the FEMA Disclosure Branch maintains an accounting of all disclosure of PII pursuant to any Freedom of Information Act (FOIA)/PA request.

### **6.5 Privacy Impact Analysis: Related to Information Sharing**

**Privacy Risk:** FEMA may inappropriately share flood insurance policyholder, adjuster, or agent information outside of DHS.

**Mitigation:** FEMA mitigates this risk by only sharing information within the NFIP Direct System with organizations and individuals pursuant to the routine uses within the SORNs mentioned in Section 1.2 of this PIA. NFIP reviews information requests to ensure that the sharing of information is related to the NFIP program and consistent with the purpose of the appropriate SORNs mentioned in Section 1.2 of this PIA. For instance while FEMA NFIP may contain address information of policyholders, FEMA will not release such information if the request is for another

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<sup>43</sup> DHS/ALL-007Accounts Payable System of Records, 80 FR 58286 (September 28, 2015).



purpose covered by another FEMA program such as for a state public assistance grant. Additionally, FEMA provides written notice to recipients of NFIP Direct data that further sharing of information is not permitted.

## Section 7.0 Redress

### **7.1 What are the procedures that allow individuals to access their information?**

Individuals with user accounts can access their information via a secure web portal within the NFIP Direct System. Access is role-based and granted on a need-to-know basis.

Individuals may also follow procedures outlined in the SORNs mentioned in Section 1.2. Individuals requesting their personal information must make the request in writing, clearly marked as a “Privacy Act Request” for U.S. Citizens and Lawful Permanent Residents (LPR), or as “Freedom of Information Act Request” for all other members of the public. Requests must clearly indicate the name of the requester, the nature of the record sought, and the verification of identity elements required.<sup>44</sup> Requests made on behalf of third parties with a demonstrable interest in the information stored in the system must include documentation asserting the intent of the interested party, and authenticating that party’s identity.

Interested parties should send requests to: Chief, Disclosure Branch, Information Management Division, Office of the Chief Administrative Officer, Federal Emergency Management Agency, Department of Homeland Security, 500 C Street SW, Washington, D.C., 20472.

### **7.2 What procedures are in place to allow the subject individual to correct inaccurate or erroneous information?**

U.S. Citizens and LPRs may use the procedures outlined in the Agency’s SORNs mentioned in Section 1.2 or those noted in Section 7.1 of this PIA to correct erroneous information using the DHS/FEMA Privacy Act request process. Also, all policyholders regardless of citizenship can contact their insurance agent to update their information or make updates in the NFIP Direct System user profile for the individual. Additionally, individuals’ information collected by Pay.gov is accessible in accordance with the Treasury-009 Financial Management System SORN.

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<sup>44</sup> Pursuant to 6 CFR § 5.21(d), required elements are: full name, current address, and date and place of birth and signature either notarized or submitted under penalty of perjury as a substitute for notarization.





### **7.3 How does the project notify individuals about the procedures for correcting their information?**

Determinations with a potential to negatively impact policyholders and other interested parties prompt the system to send a notification letter to all affected parties. Instructions on how to address problems with this information are included in the letters. Also, generally, insurance agents and brokers provide their own notice to flood insurance applicants and policyholders on how to correspond with them to correct information that they have received or that was provided to NFIP Direct. Additionally, this PIA and the SORNs mentioned in Section 1.2 of this PIA provide notification to individuals on accessing and correcting their information in the NFIP Direct System.

### **7.4 Privacy Impact Analysis: Related to Redress**

**Privacy Risk:** Individuals may not be able to access or correct erroneous information in their records within the NFIP Direct System.

**Mitigation:** FEMA mitigates this risk by providing several ways for individuals to access and correct their information, regardless of citizenship. These methods include a request to their insurance agent or broker and directly to FEMA. The insurance agent or broker can access and enter the information directly into the NFIP Direct System, or send the information to FEMA. FEMA must rely on the relationship and interactions between the policyholder and the insurance agent for accuracy of the policyholder's information. The policyholder can contact FEMA any time to ensure their information was updated and accurate.

**Privacy Risk:** There is also a risk that individuals are not aware of the procedures for accessing and correcting their information within the NFIP Direct System.

**Mitigation:** FEMA and insurance agents mitigate this risk by providing instructions to policyholders for correcting their information via letters directly to policyholders, publication of this PIA, and the SORNs mentioned in Section 1.2 of this PIA.

## **Section 8.0 Auditing and Accountability**

### **8.1 How does the project ensure that the information is used in accordance with stated practices in this PIA?**

FEMA conducts biennial audits of all program participants, selecting an appropriate number of records to examine based on the number of records kept in the system at the time of audit. Audits validate the accuracy of the information, conformity to program rules, validation of



notifications required by the program, and the accuracy of financial transactions associated with the inspected records.

NFIP Direct reports all inappropriate access of PII to the FEMA Cyber Security, Office of the Chief Security Officer (OCSO) or Privacy Office for investigation. FEMA provides mitigation plans to include Privacy Act awareness and compliance training and other remedial actions in accordance with federal regulations, statutes, and policies. Inappropriate handling of PII by NFIP Direct may result in disciplinary action, including access revocation and possible legal action. Additionally, FEMA will consider any inappropriate sharing of information or the lack of timely reporting of inadvertent disclosures of PII by FEMA contractors as a breach of contract with FEMA and subject to remedial actions prescribed by the Federal Acquisition Regulations (FAR) and the Homeland Security Acquisition Regulations (HSAR).

## **8.2 Describe what privacy training is provided to users either generally or specifically relevant to the project.**

All FEMA employees and contractors must participate in DHS/FEMA-approved privacy awareness training prior to accessing DHS/FEMA information and complete annual privacy awareness refresher training. Additional training includes protection of financial data, ethical considerations, information disclosures, information classification, and cyber security training. Each individual is required to take and pass a test on the material presented, the results of which FEMA retains and audits.

## **8.3 What procedures are in place to determine which users may access the information and how does the project determine who has access?**

NFIP Direct, through the direction of FEMA's Contracting Officer Representative (COR), grants systematic role-based access to users according to their responsibilities within the NFIP Direct System and their need-to-know. Role-based user accounts allow for tailored access to the information. The NFIP Direct System groups users according to job function. Personnel are assigned access rights by way of a template containing the base level of access for the individual's job function, to which additional access can be added by a system administrator after the creation of the profile. This can be further restricted through the use of read-only and read-write restrictions. Likewise, FEMA grants external users (i.e., insurance agents, adjusters, and policyholders) access to system resources on a need-to-know basis according to role. The COR approves all other access to the NFIP Direct System, such as view-only information to an auditor.

In accordance to DHS and other federal regulations, all FEMA employees and contractors (including sub-contractors) must successfully obtain a minimum background investigation (MBI) and participate in DHS/FEMA-approved privacy awareness training before accessing DHS/FEMA



information. They must also complete IT Security and Privacy Awareness training and have a Non-Disclosure Agreement (NDA) on file with FEMA before accessing the NFIP Direct System.

## **8.4 How does the project review and approve information sharing agreements, MOUs, new uses of the information, new access to the system by organizations within DHS and outside?**

FEMA's process for reviewing and approving Memorandum of Understanding (MOU) and Information Sharing Access Agreements involve FEMA's IT Security Branch, FEMA Privacy Officer, and the Office of Chief Counsel, as well as the appropriate authorities from the other agency or organization to the agreement. FEMA reviews these agreements on an annual basis and reviews appropriate security documents for any newly identified risks. FEMA mitigates any newly identified risks between the partnering agencies in accordance with applicable laws.

### **Responsible Officials**

William H. Holzerland  
Privacy Officer  
Federal Emergency Management Agency  
U.S. Department of Homeland Security

### **Approval Signature**

Original, signed copy on file with the DHS Privacy Office

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Philip S. Kaplan  
Chief Privacy Officer  
Department of Homeland Security



## Appendix A - OMB Collection & FEMA Forms Associations

OMB Control Number	Collection	Title	FEMA Form Number
1660-0004	Application for Participation in the National Flood Insurance Program (NFIP)	Application	FF 086-0-30
1660-0004	Application for Participation in the National Flood Insurance Program (NFIP)	Floodplain Development Documentation	
1660-0005	National Flood Insurance Program Claims Forms	National Flood Insurance Program Worksheet - Contents - Personal Property	FF 086-0-6
1660-0005	National Flood Insurance Program Claims Forms	Worksheet - Building	FF 086-0-7
1660-0005	National Flood Insurance Program Claims Forms	Worksheet - Building (continued)	FF 086-0-8
1660-0005	National Flood Insurance Program Claims Forms	Proof of Loss	FF 086-0-9
1660-0005	National Flood Insurance Program Claims Forms	Increase of Compliance Proof of Loss	FF 086-0-10
1660-0005	National Flood Insurance Program Claims Forms	Notice of Loss	FF 086-0-11
1660-0005	National Flood Insurance Program Claims Forms	Statement as to Full Cost of Repair or Replacement under the Replacement Cost Coverage, Subject to the Terms and Conditions of this Policy (this is being removed with the new packet)	FF 086-0-12
1660-0005	National Flood Insurance Program Claims Forms	National Flood Insurance Program Preliminary Report	FF 086-0-13
1660-0005	National Flood Insurance Program Claims Forms	National Flood Insurance Program Final Report	FF 086-0-14
1660-0005	National Flood Insurance Program Claims Forms	National Flood Insurance Program Narrative Report	FF 086-0-15
1660-0005	National Flood Insurance Program Claims Forms	Cause of Loss and Subrogation Report	FF 086-0-16



1660-0005	National Flood Insurance Program Claims Forms	Manufactured (Mobile) Home/Travel Trailer Worksheet	FF 086-0-17
1660-0005	National Flood Insurance Program Claims Forms	Manufactured (Mobile) Home/Travel Trailer Worksheet (Continued)	FF 086-0-18
1660-0005	National Flood Insurance Program Claims Forms	Increased Cost of Compliance (ICC) Adjuster Report	FF 086-0-19
1660-0005	National Flood Insurance Program Claims Forms	Adjuster Preliminary Damage Assessment	FF 086-0-20
1660-0005	National Flood Insurance Program Claims Forms	Adjuster Certification Application	FF 086-0-21
1660-0005	National Flood Insurance Program Claims Forms	NFIP Claims Appeal	
1660-0006	National Flood Insurance Program Policy Forms	Flood Insurance Application	FF 086-0-1
1660-0006	National Flood Insurance Program Policy Forms	Flood Insurance Cancellation/Nullification Request	FF 086-0-2
1660-0006	National Flood Insurance Program Policy Forms	Flood Insurance General Change Endorsement	FF 086-0-3
1660-0006	National Flood Insurance Program Policy Forms	V-Zone Risk Factor Rating Form and Instructions	FF 086-0-4
1660-0006	National Flood Insurance Program Policy Forms	Flood Insurance Preferred Risk Policy Application	FF 086-0-5
1660-0008	Elevation Certificate / Floodproofing Certificate	Elevation Certificate	FF 086-0-33
1660-0008	Elevation Certificate / Floodproofing Certificate	Floodproofing Certificate For Non-Residential Structures	FF 086-0-34
1660-0033	Residential Basement Floodproofing Certificate	Residential Basement Floodproofing Certificate	FF 086-0-24
1660-0040	Standard Flood Hazard Determination Form	Standard Flood Hazard Determination Form	FF 086-0-32