

PRIVACY IMPACT ASSESSMENT (PIA)

Prescribing Authority: Public Law 107-347, Section 208(b). Complete this form for Department of Housing and Urban Development (HUD) information systems or electronic collections (referred to as "electronic collections" for the purpose of this form) of information that collect, maintain, use, and / or disseminate personally identifiable information (PII) about members of the public, Federal employees, and contractors. In the case where no PII is collected, the PIA will serve as a conclusive determination that privacy requirements do not apply to the system. Please be sure to use plain language and be as concise as possible.

For further information and instructions on how to fill out the PIA, please see the PIA Reference Guide.

HUD's PIAs describe: (1) the legal authority that permits the collection of information; (2) the specific type of information used by the system; (3) how and why the system uses the information; (4) whether the system provides notice to individuals that their information is used by the system; (5) the length of time the system retains information; (6) whether and with whom the system disseminates information; (7) procedures individuals may use to access or amend information used by the system; and (8) physical, technical, and administrative safeguards applied to the system to secure the information.

1. **HUD INFORMATION SYSTEM:** P323F-Next Generation Labor Standards (NGLS)

2. **HUD DIVISION NAME:** Office of Field Policy and Management, Office of Davis-Bacon and Labor

3. **CSAM ID:** 1284

Section 1: PII Description Summary (For Public Release)

a. **The PII is:** (Check all that apply)

- | | |
|---|--|
| <input type="checkbox"/> From members of the general public | <input type="checkbox"/> From a third-party source |
| <input checked="" type="checkbox"/> From Federal employees and / or Federal contractors | <input type="checkbox"/> Not Collected (Please proceed to Section 4) |
| <input type="checkbox"/> From vendors | <input type="checkbox"/> Other (Please specify in the box below) |

b. **The PII is in a / an:** (Check one)

- | | |
|--|--|
| <input checked="" type="checkbox"/> New HUD information system | <input type="checkbox"/> New collection |
| <input type="checkbox"/> Existing HUD information system | <input type="checkbox"/> Existing collection |
| <input type="checkbox"/> Significantly modified HUD information system
(if selected, please describe the modification in the box below) | |

NGLS is developed in a FedRAMP approved Salesforce cloud environment to provide access to contractors to provide HUD required forms and certified payrolls for HUD staff, also to enforce the Davis-Bacon Act at 29 CFR Part 5

c. **Describe the purpose of this HUD information system or project, including the types of personal information collected in the system.**

The NGLS system is utilized for the enforcement of the Davis-Bacon Act, as directed by 29 CFR Part 5. The NGLS System stores the address of Multi-family construction projects, business email address, business street address, business phone, and business organization which is used for business purposes and the name, address, phone number and social security number for employees hired to work on HUD funded construction projects.

d. **Why is the PII collected and / or what is the intended use of the PII?** (e.g. verification, identification, authentication, data matching, mission-related use, administrative use)

The PII is required to effectively communicate and collaborate between the contractors working on HUD funded construction projects. PII is used for data matching in wage restitution cases, ensuring wage restitution for those workers affected by non-compliance of Davis-Bacon and Related Acts (DBRA).

e. Do individuals have the opportunity to object to the collection of their PII? Yes No

If "Yes," describe the method by which individuals can object to the PII collection.

If "No," state the reason why individuals cannot object to the PII collection.

Individuals have the opportunity to object to the collection of their PII with their contractor/employer. The mechanism for obtaining the PII is obtained via the individuals employer relationship as required by law. Employees have the opportunity to object to having their employer provide their PII. If the individual objects to collection of their PII then...

f. Do individuals have the opportunity to consent to the specific uses of their PII? Yes No

If "Yes," describe the method by which individuals can give or withhold their consent.

If "No," state the reason why individuals cannot give or withhold their consent.

Individuals have the opportunity to consent to the specific uses of their PII with their contractor/employer. The mechanism for obtaining the PII is obtained via the individuals employer relationship as required by law. Employees have the opportunity to object to having their employer provide their PII. If the individual objects to collection of their PII then...

g. When an individual is asked to provide PII, a Privacy Act Statement (PAS) and / or a Privacy Advisory must be provided. (Check as appropriate and provide the actual wording)

- Privacy Act Statement Privacy Advisory Not Applicable

At the point of log-in to the application the user (contractor/employer) has a series of standard HUD policy language including Rules of Behavior, HUD Privacy Policy and a Privacy Act Statement that includes the following information.

h. With whom will the PII be shared through data exchange, both within your HUD Division and outside your Division? (Check all that apply)

- Within the HUD Office / Division Office of Davis-Bacon and Labor Standards
- Other HUD Office(s) / Division(s) Office of Multifamily Housing and Office of +
- Other federal agencies U.S. Department of Labor
- State & local agencies
- Contractors (Include name of contractor and describe the language in the contract that safeguards PII in the box below.) +
- Other

i. Source(s) of the PII collected is / are: (Check all that apply & list all information systems if applicable)

- Individuals Databases
- Existing HUD information systems Publicly available data (e.g., obtained from internet, news feeds, court records)
- Other Federal information systems

Source of PII is coming from individual's employer/contractor.

j. How will the information be collected? (Check all that apply & list all Official Form Numbers if applicable)

- Email Telephone interview
- Face-to-face contact Website / e-form
- Fax Paper
- Information sharing /system-to-system Other (if selected, enter information in the box)
- Official form

k. Does this HUD information system or project require a Privacy Act System of Records Notice (SORN)?

A SORN is required if the information system or project contains information about U.S. citizens or lawful permanent U.S. residents that is retrieved by name of another unique identifier. PIA and Privacy Act SORN information must be consistent.

Yes No

If "Yes," enter SORN System Identifier:

If a SORN has not yet been published in the Federal Register, enter date of submission for approval.

If "No," explain why the SORN is not required.

Office of Davis Bacon and Labor Standards standard business practices are to retrieve the system of record by the project identifier and not individual personal information identifiers.

l. What is the National Archive and Records Administration (NARA) approved, pending, or general records schedule (GRS) disposition authority for the system or for the records maintained in the system?

(Please consult Office of Records Management to assure that the following information is accurate)

(1) NARA Job Number or GRS Authority: DAA-GRS-2013-0003-0003/ DAA-GRS-2013-0003-0001

(2) If pending, provide the date the SF-115 was submitted to NARA: DAA-0207-2021-0003, February 7, 

(3) Retention instructions:

For Contractor Payroll Records: Destroy 3 years after completion of contract or conclusion of contract being subject to an enforcement action, but longer retention is authorized if required for business use; For Financial Information: Destroy 6 years after final payment or cancellation, but longer retention is authorized if required for business use.

m. What is the authority to collect information? A Federal law or Executive Order must authorize the collection and maintenance of a system of records. For PII not collected or maintained in a system of records, the collection or maintenance of the PII must be necessary to discharge the requirements of a statute or Executive Order.

The federal laws and executive orders authorizing the collection of these records include the Davis-Bacon and Related Acts (DBRA), the Department of Labor (DOL) Regulations promulgated under DBRA, Reorganization Plan No. 14 of 1950, 29 CFR Part 5 and HUD Davis Bacon Handbook 1344.2.

n. Does this information system or project have an active and approved Office of Management and Budget (OMB) Control Number?

This number indicates OMB approval to collect data from 10 or more members of the public in a 12-month period regardless of form or format.

Yes No Pending

If "Yes," list all applicable OMB Control Numbers, collection titles, and expiration dates.

If "No," explain why OMB approval is not required in accordance with proper HUD authority.

If "Pending," provide the date for the 60 and / or 30 day notice and the Federal Register citation.

OMB Control Number 1235-0008, Department of Labor Payroll expiration date: 4/30/2021

OMB Control Number 2501-0011, Report of Additional Classification and Wage Rate and Maintenance Wage Rate Recommendation and Maintenance Wage Survey, expiration date: 8/31/2022

OMB Control Number 2501-0018, Advance of Escrow Funds, 1/31/2024