



March 6, 2026

U.S. Department of the Treasury
Attn: Ryan Law
Deputy Assistant Secretary for Privacy, Transparency, and Records
1500 Pennsylvania Avenue NW
Washington, DC 20220

RE: Notice of a New System of Records (Notice), 91 Fed. Reg. 5155 (February 4, 2026)

Dear Deputy Assistant Secretary Law:

On behalf of our state housing finance agency (HFA) members, the National Council of State Housing Agencies (NCSHA)¹ is writing to express our concern about the U.S. Treasury Department's (Treasury) Notice of a New System of Records. This Notice details Treasury's plan to implement a substantial new data and document collection effort for programs that have either closed or will expire on September 30, 2026. NCSHA appreciates the importance of efforts to monitor program compliance and identify and reduce waste, fraud, and abuse in federal assistance programs. However, we are concerned the Notice proposes onerous, retroactive, and duplicative data and document collection requirements that will prove costly and burdensome for HFAs and other state and local entities that stepped up during an emergency to assist the federal government while ultimately offering limited benefit.

We urge Treasury to rescind the Notice and explore more productive and targeted means to evaluate program performance.

The New System Will Be Duplicative and Burdensome

The Notice pertains to at least eight programs, all of which were disparate in purpose and implementation. The purposes of the programs range from mortgage assistance to struggling homeowners to funding for research in the Gulf Coast. As funding for these programs became available, Treasury developed the compliance requirements, program guidance, and reporting rules for each individual program, tailored to each program's purpose, recipients, intended beneficiaries, and structure. Because Treasury has the authority to audit individual programs, the

¹ NCSHA is a nonprofit, nonpartisan organization. None of NCSHA's activities related to federal legislation or regulation are funded by organizations that are prohibited by law from engaging in lobbying or related activities.

proposed retroactive collection of essentially all information and documentation pertaining to every program is duplicative in intent, unnecessary, and in and of itself wasteful.

Program Budgets Did Not Account for the Associated Costs

While program administrators would have accounted for the potential cost of a program audit, they would not have had any reason to budget for the costs associated with transmitting every document or datapoint for the program, especially if Treasury proscribes, retroactively, a format that is different from that used to retain program files. For programs that have closed, there are no funds available to pay for the conversion of data into a new format or the secured or encrypted transmission of every record tied to each program. For programs nearing completion, program administrators have been managing to the budget for their limited administrative funds and would not have accounted for this new demand. Adding these requirements in such a sweeping manner after the fact, this late in the programs' implementation cycles, and without compensation is unreasonable and unfair.

Secured Transmission of Program Records is Not Properly Addressed

The Notice does not indicate how entities will be required to securely transmit the large amount of data requested, as there is no indication Treasury will establish a secure portal for administering agencies to use that will safeguard the personally identifiable information (PII) contained in files. It also does not indicate how it will accept the data, or how it will address, across such disparate programs, terminology that might have different technical definitions.

The Notice is noticeably silent about how Treasury would protect PII either in transmission or in its dissemination to the Notice's long list of entities and individuals who will have access to it. What code of conduct will individuals accessing the PII through Treasury's new system be required to sign? With so much PII at risk, will Treasury indemnify individuals or organizations harmed by a potential data breach or provide free credit monitoring services as is common when the data security of private sector entities is breached? We also are concerned with the broad nature of information being requested, as not all of it is relevant to the beneficiaries who ultimately received the assistance.

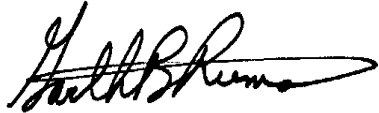
Extra-Contractual Obligations

Treasury entered into agreements with recipient agencies prior to sending them program funds. The Notice makes no mention of these existing agreements between the federal government and state and local governments, but the provisions of those agreements, sufficient for the federal government to disburse billions of dollars, govern the compliance expectations attached to the funds. We are concerned that the retroactive nature of what Treasury could request per the Notice could conflict with provisions of existing Financial Assistance Agreements required by Treasury.

State HFAs are ready to work together with Treasury to examine their activities under the programs they helped administer, including the Emergency Rental Assistance program (ERA), Homeowner Assistance Fund (HAF), and the State and Local Fiscal Recovery Fund. As mentioned above, HFAs and other program participants have maintained their records for each program as prescribed by each program's recordkeeping requirements in effect at the time they administered their programs and can produce them upon request. The Notice would have Treasury collect all data from at least eight programs with different objectives and measurements and aggregate it into a single ill-defined database. A more effective approach would be for Treasury to utilize the tools already at its disposal to conduct more targeted program oversight that takes into account each recipient's contractual obligations with Treasury and does not require additional data collection or reporting except in very limited audit circumstances.

Thank you in advance for considering our comments. We welcome the opportunity to discuss these with you should that be helpful to your efforts.

With Regards,

A handwritten signature in black ink, appearing to read "Garth Rieman", with a long horizontal flourish extending to the right.

Garth Rieman
Director of Housing Advocacy and Strategic Initiatives