



**Privacy Impact Assessment  
for the**

# **Mapping Information Platform (MIP)**

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**Contact Point**

**Paul Huang, Program Specialist  
Federal Emergency Management Agency  
Emergency Preparedness and Response Directorate  
(202) 646-3252**

**Reviewing Official**

**Maureen Cooney  
Acting Chief Privacy Officer  
Department of Homeland Security  
(571) 227-3813**



## Introduction

- **System Name:** Mapping Information Platform (MIP)
- **Unique System Number:** In a 2005 Department of Homeland Security (DHS) systems audit, all Federal Emergency Management Agency (FEMA) systems were inventoried and assigned numbers. The MIP was assigned EPR-00057-0000.
- **DHS Component That Owns the System:** Mitigation Division and Regional Offices of the Federal Emergency Management Agency (FEMA).
- **General Description:** In 1968, the U.S. Congress passed the National Flood Insurance Act (Title XII of the Housing and Urban Development Act of 1968 [PL 90-448]), which created the National Flood Insurance Program (NFIP). Floods are the most frequent and costly of all natural disasters, killing an average of 100 people in the United States each year. Flood-related property damage in the U.S. totals an average of \$5 billion annually.

The NFIP was designed to reduce future flood losses through local floodplain management and to provide protection for property owners against potential losses through an insurance mechanism that allows a premium to be paid for the protection of those most in need. As part of the agreement for making flood insurance available to a community, the NFIP requires the community to adopt floodplain management ordinances that meet certain minimum requirements intended to reduce future flood losses. Since 1979, FEMA has been charged with assisting communities by producing NFIP flood maps that:

1. Detail areas at risk of flooding;
2. Identify special flood hazard areas (SFHA) where flood insurance is mandatory, i.e., required on structures, such as homes, offices, schools, etc., or parcels of land (“property” or “properties”) that are financed with backing by the Federal government;
3. Help to discourage construction of structures within areas prone to flooding.

In addition to creating NFIP maps, FEMA provides administrative processes to give individuals an opportunity to request amendments to those maps using appropriate technical documentation via the MT-EZ application (short for Mitigation Easy) ([Appendix A](#)) and/or the MT-1 application ([Appendix B](#)) forms. An amendment is requested when an individual believes that his or her property is mistakenly interpreted to be in an SFHA. When FEMA issues a letter of map amendment (LOMA), FEMA is officially stating its position as to whether the property is or is not located outside an SFHA. A property outside an SFHA no longer is required by FEMA to have flood insurance, and often lenders do not require people who are financing or refinancing properties located outside of SFHAs to buy flood insurance policies. Although FEMA may issue a LOMA removing a structure from the SFHA, it is the lending institution's prerogative to require flood insurance as a condition of a loan, if it deems such action as appropriate.

As part of FEMA's Map Modernization effort to update the nation's flood maps, FEMA is developing a Web-based system, called the Mapping Information Platform (MIP). It will enable the management, extraction, sharing, and production of Map Modernization data. The MIP will serve several purposes. Relevant to this PIA, the MIP will provide:

1. An online MT-EZ application for individuals or certifiers to request amendments to NFIP maps.
2. eLOMA, (short for electronic LOMA), an online tool that allows certifiers who have professional credentials to enter data and receive determinations to whether or not properties are in SFHAs for amendments to NFIP maps.

These new online options will improve the speed and accuracy of the flood mapping process. The paper option will also continue to be available.



The online MT-EZ application will be available to individuals and certifiers, Registered Professional Engineers or Licensed Land Surveyors who are requesting a LOMA. After the application is completed, it must be printed, signed, a certifier's seal affixed to it, and mailed to FEMA for processing. The advantage of using the online application is that the applicant's information is automatically placed in the MIP system's temporary database before FEMA receives the official application in the mail. Once the physical application has been received the stored information is accessible by FEMA to process the application, resulting in administrative time savings for data entry and improving database accuracy.

The online eLOMA tool will only be available to certifiers, registered professional engineers or licensed land surveyors, who are qualified to verify the classification and location of the property in question and who are registered users of the Mapping Information Platform (MIP). The online eLOMA allows registered users to submit and receive an official LOMA from FEMA expeditiously.

In order to become a registered user of the MIP, a certifier requests to be registered through FEMA and is asked to submit his or her professional license and registration information for validation. Once FEMA registers the certifier as an eLOMA user, he or she will be provided a username and password for subsequent use. This allows the registered certifier the ability to submit LOMA applications electronically without mailing in the proof of his/her credentials (traditionally a hardcopy professional seal with expiration date) and supporting data on a LOMA as shown in the application forms for review by FEMA.

## Section 1.0 Information collected and maintained

### 1.1 What information is to be collected?

The following personally identifying information will be collected from applicants, who are either private individuals or professional certifiers. An application for a LOMA is not complete unless both the individual and/or the professional certifier submit the following information.

#### Individuals Wanting Properties to be Declared Outside of SFHAs

The following information for individuals is *required*:

- **Individual's Name** – The name of the person requesting a LOMA. (Person(s) financing or refinancing a property).
- **Individual's Mailing Address** – The applicant's address (potentially the individual's home address).
- **Individual's Signature** – The signature of the individual or the certifier representing the individual [Note: While the online MT-EZ application helps the individual fill out the form, it must be printed, signed, dated, and submitted in hard copy to FEMA. However, eLOMA allows for electronic submissions for registered eLOMA users who have already submitted their credentials with the system.]
- **Signature Date** – The date the application is signed [Note: Although the information is completed online, as previously stated, the application must be printed, signed, dated, sealed by a professional certifier, and submitted in hard copy to FEMA.]

The following information for individuals is *requested* (optional) for the purpose of contacting an individual if there are questions about the application: If this information isn't submitted, then communication will be with the certifier.



- **Individual's Daytime Telephone Number** – Where the applicant can be reached during business hours (potentially the individual's home phone).
- **Individual's E-mail Address** – E-mail address of the individual (potentially the individual's personal e-mail address).
- **Individual's Fax Number** – To fax relevant documents to the individual.

### **Certifier (Registered Professional Engineer or Licensed Land Surveyor)**

The following information for the certifier is **required**:

- **Certifier's Company** – The name of the certifier's employer who is representing the applicant.
- **Property Address** – The address of the property being considered in the LOMA request (potentially the individual's home address) or the legal description of the property.
- **Certifier's Name** – Who submits engineering data on the property.
- **Certifier's Professional License Number and Expiration Date** – Verification of the certifier's professional credentials.
- **Certifier's Business Telephone Number** – Where the certifier can be reached during business hours.
- **Certifier's E-mail Address** – To receive tracking number and audit information related to the property.

The following information for the certifier is **requested** but optional for the purpose of contacting a certifier if questions arise about the application:

- **Certifier's Business Fax Number** – To send the certifier relevant documents.

First-time certifiers using eLOMA who wish to register with MIP must submit a written request to FEMA and are asked to submit the above required information (under Certifier). Once FEMA registers the certifier as an eLOMA user he or she will be provided a username and password for subsequent use. This allows the registered certifier the ability to submit LOMA applications electronically without mailing in the backup documentation regarding his/her credentials and supporting data on a LOMA.

Upon submission of any eLOMA, the request is subject to random audits. If audited, the certifier receives a request from FEMA to submit a hard copy of required data for validation. Upon audit approval, the certifier will be notified by email and provided the official LOMA.

## **1.2 From whom is information collected?**

The information is collected from LOMA applicants – **individuals** and/or professional **certifiers**. Examples of individuals are home owners, investors, and property developers, who are seeking Federally-backed loans to finance or refinance properties. Certifiers are either Registered Professional Engineers or Licensed Land Surveyors.

For **individuals** submitting a paper LOMA application, the individual will only submit the individual's information; however, the **certifier** must complete the certifier's information. For **certifiers** using the MT-



EZ form, the certifier will submit the individual's and certifier's information. For **registered eLOMA certifiers** using eLOMA, all information will be submitted by the registered certifier.

### 1.3 Why is the information being collected?

The information about **individuals** is collected for the purposes of reviewing requests from individuals to have their property removed from SFHAs by way of a LOMA and in case FEMA needs any clarifying information regarding the property. The information about **certifiers** is collected to verify that the certifier is professionally qualified to provide accurate location and elevation information for the property that an individual or certifier is requesting FEMA to remove from an SFHA and collected in case FEMA needs any clarifying information regarding the property.

FEMA will use online MT-EZ applications for individuals and/or certifiers requesting a LOMA for two reasons. First, by providing a step-by-step application process for individuals to follow, the process is clearer and simplified for applicants and therefore FEMA is more likely to receive a complete submittal from the applicant to support the request for LOMAs. Second, use of the application ensures that submissions are complete and logically structured, allowing FEMA to conclude reviews in a timely and efficient manner. The mailed original of the MT-EZ will be used to make final determination regarding the LOMA.

FEMA will use the eLOMA process in order to approve LOMA applications without requiring mailed-in submissions of the back-up documentation.

### 1.4 What specific legal authorities/arrangements/agreements define the collection of information?

FEMA collects only the personal information necessary for processing LOMAs in its flood mapping processes. The regulations pertaining to LOMAs are presented in Title 44, Chapter I, Code of Federal Regulations (CFR), Parts 65, 70 and 72, which are available online at: [http://www.access.gpo.gov/nara/cfr/waisidx\\_99/44cfrv1\\_99.html](http://www.access.gpo.gov/nara/cfr/waisidx_99/44cfrv1_99.html).

FEMA has drafted a Privacy Act Systems of Records Notice (SORN) (see [Appendix C](#)).

*Privacy Impact Analysis:* In developing MIP, FEMA reviewed the existing paper-based process and determined that it was using the minimum amount of personal information necessary to provide the LOMA. The conversion of this purely paper based processes to a partial online process increases the risk of a security breach. This risk has been mitigated by security procedures noted below. The update in technology and use of online form should improve accuracy of the information collected and minimize lost files.

## Section 2.0 Uses of the system and the information

### 2.1 Describe all the uses of information.



The individual provides FEMA only the personally identifying information necessary for FEMA to make a determination as to whether or not the property can be removed from the SFHA and thus issue a LOMA and to contact the individual should FEMA need any clarifying information regarding the property.

The certifier's information is collected on the online MT-EZ application or via the online eLOMA tool so that FEMA can ensure that the engineering data has been certified to be accurate by a Registered Professional Engineer or Licensed Land Surveyor. This helps FEMA ensure that determinations are made based on sound engineering analysis. The certifier's information is used to validate the professional credentials of the certifier by checking with the State licensing office. Also, the information collected provides the certifier's contact information should FEMA need any clarifying information regarding the property.

## **2.2 Does the system analyze data to assist users in identifying previously unknown areas of note, concern, or pattern (Sometimes referred to as data mining)?**

No, not applicable.

## **2.3 How will the information collected from individuals or derived from the system be checked for accuracy?**

For information collected through the online MT-EZ form the system will catch zip codes with less than five digits and phone numbers with less than 10 digits. Upon receipt of the MT-EZ form, FEMA will review the information again for accuracy.

For information collected through the online eLOMA tool, the system will catch zip codes with less than five digits and phone numbers with less than 10 digits. Once a certifier selects a State, then the list of cities will be limited to those in that State. Also, a certifier signs a penalty clause ([Appendix G](#)) and is a Registered Professional Engineer or Licensed Land Surveyor and the information submitted is accurate or the eLOMA will not be processed.

An audit function in eLOMA requires first-time certifiers to submit all documentation in hard copy form to FEMA. After FEMA reviews the documentation, it can be approved or rejected. If the submittal passes the audit, the certifier receives an e-mail authorizing him/her to proceed (i.e., print the LOMA as the official record). If the submittal doesn't pass the audit, it goes into the paper LOMA process so that FEMA can provide guidance to the certifier to ensure that he/she provides the required information about the property under review. In addition, random audits will be conducted to ensure quality.

*Privacy Impact Analysis:* FEMA has limited the amount and type of personal information to be used in the LOMA process. FEMA has in place training and auditing practices to ensure that the information is not used for any other purposes. Only authorized users of the system may gain access to the information for authorized usages. If an individual is found to be misusing the information, appropriate disciplinary actions will be taken.



## Section 3.0 Retention

### 3.1 What is the retention period for the data in the system?

The retention schedule has been approved by National Archives and Records Administration (NARA). The NARA authority is N1-311-86-1 2A2c; the retention period is 20-years. Electronic copies of MT-EZs and eLOMAs will be printed and retained in the same manner as hard copies. Information collected from certifiers will be held for the same period of time. If a registered certifier continues to use the system, the retention period for the certifier's registration information will begin from the last period of use.

### 3.2 Has the retention schedule been approved by the National Archives and Records Administration (NARA)?

Yes, the retention schedule has been approved by NARA. The NARA authority is N1-311-86-1 2A2c, the retention period is 20-years.

*Privacy Impact Analysis:* The information needs to be retained for the NARA approved period because LOMAs are official Federal records stating whether or not a property is or is not in a SFHA. This information is used by homeowners and lenders when purchasing or refinancing the property in question to determine the need for flood hazard insurance. Additionally, the LOMAs are used by communities for flood plain management and planning.

## Section 4.0 Internal sharing and disclosure

### 4.1 With which internal organizations is the information shared?

The DHS Office of the Inspector General (OIG) may request and be given access to the data, and the DHS/FEMA Office of General Counsel's (OGC) Litigation Division may request and be given access to the data to represent DHS/FEMA in litigation matters. The access by DHS OIG and DHS/FEMA OGC is authorized by section (b)(1) of the Privacy Act. Otherwise, the information is not shared within DHS.

### 4.2 For each organization, what information is shared and for what purpose?

**LOMA information is shared with the DHS OIG for the following purposes:**

- Audits and oversight and
- Investigations

**LOMA information is shared with DHS/FEMA OGC Litigation Division for litigation purposes.**



## 4.3 How is the information transmitted or disclosed?

Hard copies of the requested documents would be delivered by fax, mail, or courier.

*Privacy Impact Analysis:* Information is shared internally within DHS for oversight of the program and is not shared with other components, as there is no need for them to have the information.

## Section 5.0 External sharing and disclosure

### 5.1 With which external organizations is the information shared?

FEMA only shares final LOMAs that do **not** reflect personally identifiable information with affected parties. FEMA does not share personally identifying information with external agencies other than as outlined in the “Routine Uses” proposed in the amended SORN:

- Congressional Inquiries
- Inquiries by Former Employees
- Intelligence and Law Enforcement Activities
- Investigations
- Records Management
- Requesting Information.

### 5.2 What information is shared and for what purpose?

FEMA does not share personally identifying information with external agencies other than as outlined in the “Routine Uses” proposed in our SORN (listed above under 5.1). Once we verify that an external agency is authorized access to our Privacy Act system of records under a routine use, we will send hard copies of only the specific record needed by the third party. (e.g. If Jane Doe gives a written consent to Congressman John Smith for access to her LOMA, we will provide a copy of only her LOMA to Congressman Smith with the caveat that because it is a Privacy Act record it should not be shared with unauthorized third parties.)

### 5.3 How is the information transmitted or disclosed?

Hardcopy. Once we verify that an external agency is authorized access to our Privacy Act system of records under a routine use, we will send hard copies of only the specific record needed by the third party (e.g. If Jane Doe gives a written consent to Congressman John Smith for access to her LOMA, we will provide a copy of only her LOMA to Congressman Smith with the caveat that because it is a Privacy Act record it should not be shared with unauthorized third parties).



#### **5.4 Is a Memorandum of Understanding (MOU), contract, or any agreement in place with any external organizations with whom information is shared, and does the agreement reflect the scope of the information currently shared?**

No. Not applicable.

#### **5.5 How is the shared information secured by the recipient?**

FEMA will send a letter to the external agency informing them that these are Privacy Act records that can only be used for the applicable routine use, and that further disclosure of the records is not permissible.

#### **5.6 What type of training is required for users from agencies outside DHS prior to receiving access to the information?**

Not applicable. We will only share this information with external agencies under one of our "Routine Uses."

*Privacy Impact Analysis:* FEMA limits the sharing of personal information collected as part of the LOMA to external agencies on an individual basis. FEMA will review the request and determine whether or not it meets the standards set out by the SORN. It does not provide electronic access to the information and thus controls the information being provided.

## **Section 6.0 Notice**

#### **6.1 Is notice provided to the individual prior to collection of information?**

Yes, a SORN has been development. Please see [Appendix C](#). In addition, a Privacy Act notice is given to the individual on the website where the forms are filled out and on the form itself. The link to the Privacy Policy is <http://www.fema.gov/help/privacy.shtm>.

The following privacy notice will be used with MT-EZ applications and the online eLOMA tool:

##### **FEMA Letter of Map Amendment Privacy Policy**

The Federal Emergency Management Agency (FEMA) is authorized to collect information to process your request for a letter of map amendment (LOMA).

The regulations pertaining to LOMA are presented in Title 44, Chapter I, Code of Federal Regulations (CFR), Parts 65, 70 and 72, which are available online at: [http://www.access.gpo.gov/nara/cfr/waisidx\\_99/44cfrv1\\_99.html](http://www.access.gpo.gov/nara/cfr/waisidx_99/44cfrv1_99.html).

Providing the requested information is voluntary on your part. Your failure to provide the information, however, may result in a delay in processing or a denial of your request.



## **6.2 Do individuals have an opportunity and/or right to decline to provide information?**

Yes, because this is an optional process, individuals are informed that submission of their personally identifying information is voluntary. However, they are informed that the failure to submit the necessary personal identifying information may result in denial of their request for a LOMA.

## **6.3 Do individuals have the right to consent to particular uses of the information, and if so, how does the individual exercise the right?**

No, FEMA does not give the individual a right to consent to particular uses of the information because it is not necessary. As already stated, FEMA informs the individual in our Privacy Act notice that it is completely voluntary on the individual's part to participate in the LOMA process and to give us his/her "personally identifying information." FEMA also informs the individual that failure to provide necessary "personally identifying information" may result in a delay in processing or a denial of the individual's request.

*Privacy Impact Analysis:* Notice is provided at the point of collection online as a link to the privacy policy and is also on the instructions for the actual forms.

## **Section 7.0 Individual Access, Redress and Correction**

### **7.1 What are the procedures which allow individuals to gain access to their own information?**

The procedures for individuals to gain access to their own information are listed both in FEMA's and the DHS's Privacy Act regulations, 44 CFR Part 6 and 6 CFR Part 5. Requests for Privacy Act protected information must be made in writing, and clearly marked as a "Privacy Act Request." The name of the requester, the nature of the record sought, and the required verification of identity must be clearly indicated. Requests should be sent to: Privacy Act Officer, DHS/FEMA, Office of General Counsel (GL), Room 406, 500 C Street, SW, Washington DC 20472.

### **7.2 What are the procedures for correcting erroneous information?**

The individual and the certifier are asked to provide accurate information. The online form and online eLOMA tool have "Final Review Screens" with edit buttons for correcting errors before submittal to FEMA. If a LOMA is issued with erroneous information, then FEMA initiates corrective actions. Those actions could involve issuing a new LOMA or rescinding the previous LOMA.



If the individual or certifier finds an error after the LOMA application is submitted, then he/she is allowed to resubmit the request with accurate information. Typically, that is handled by phone or written correspondence.

In addition, an individual can correct erroneous information in accordance with both DHS's and FEMA's Privacy Act regulations, as already identified above in 7.1.

### **7.3 How are individuals notified of the procedures for correcting their information?**

Same as 7.1 above.

### **7.4 If no redress is provided, are alternatives are available?**

Redress is provided, so alternatives are not necessary.

*Privacy Impact Analysis:* Access to and correction of information is provided through the Privacy Act of 1974.

## **Section 8.0 Technical Access and Security**

### **8.1 Which user group(s) will have access to the system?**

The user groups with access are individuals, certifiers, FEMA employees, and contractors working for FEMA. Each user will have access to personally identifying information only to the extent necessary to perform their official roles on the system.

An individual will have limited access to only his/her own LOMA application.

Certifiers will have limited access to only the LOMA applications on which they are working.

Employees of FEMA's Mitigation Division employees, authorized information technology (IT) contractors, and LOMA processors (contractors) will have access to the MIP only to extent necessary to perform their official duties. Each authorized LOMA processor will have limited access to only that information pertinent to his/her function. Authorized IT contractors who handle the operations and maintenance of the system will have limited access to the system to support the trouble shooting of technical system issues encountered on a day-to-day basis. FEMA managers and some IT managers will have complete access to the system in order to ensure that NFIP Flood Mapping is carried out in accordance with applicable regulations.

Additionally, the DHS Office of the Inspector General may request and be given access to the data, and the DHS/FEMA Office of General Counsel's Litigation Division may request and be given access to the data to represent DHS/FEMA in litigation matters. The access by FEMA OIG and FEMA OGC is authorized by section (b)(1) of the Privacy Act.



## 8.2 Will contractors to DHS have access to the system?

Yes. Limited access is described in 8.1 above.

## 8.3 Does the system use “roles” to assign privileges to users of the system?

Yes. FEMA user access is managed via automated role-based access controls for official use only that includes only authorized FEMA employees and contractors. The user's access into the system is limited only to the extent necessary based upon the user's official role in the FEMA flood mapping process. Personally identifying information is granted only to the extent that it is necessary for a user to perform his or her official role in the flood mapping process.

## 8.4 What procedures are in place to determine which users may access the system and are they documented?

A detailed description of the MIP technical and management controls regarding identification and authentication, logical access controls, and public access controls is documented. Such security documents are not available for broad review for security reasons. Access to data is controlled through use of a unique user ID and password combination. Strong passwords following DHS standards are required and ensured by system and application controls. User passwords must be changed on a regular basis. Additionally, secure sockets layer (SSL) encryption is used to protect the transfer of data. The data is hosted in a secure infrastructure with servers protected by firewalls and security monitoring software along with Tier 1 physical security. Management controls such as the monitoring of audit logs, management of vulnerabilities, and escalation for any unauthorized data use are in place. Per FEMA's procedure, a certifier can request access rights by submitting a request to the applicable Regional Management Center (contractors to FEMA). Based on information provided via a verifiable means of communication (i.e., e-mail), the Regional Management Center employees approve access requests and submit the access request to the MIP Help Desk to grant access. All access to data is defined by the user's need and use of the data. A copy of the draft access request for the online eLOMA tool is [Appendix F](#).

Technical, operational and management controls are in place allowing authorized users access only to the personal data necessary for each user's official role and their required use of data. LOMA processors are allowed to modify data as specifically requested by the individual or certifier in order to perform their roles. Systems Administrators are only allowed access to the data for system backup and to troubleshoot any system issues.

## 8.5 How are the actual assignments of roles and rules verified according to established security and auditing procedures?

Management controls will include periodic audits by the security staff in each of the Regional Management Centers in conjunction with FEMA's Regional Offices. The online eLOMA tool will prevent a certifier from processing a LOMA if his/her professional license has expired.

## 8.6 What auditing measures and technical safeguards are in place to prevent misuse of data?

The following controls are in place to prevent data misuse:



- Each authorized individual working on MT-EZs and eLOMAs will have access to only that information pertinent to his/her function.
- Activity logs (audit trails) are enabled and secured on operating systems, applications, and middleware. A periodic review is conducted to monitor all user access.
- Incident response procedures are established to address reported security incidents as quickly as possible.
- Problem tracking procedures are established to enable users of the MIP system to report any observed or suspected security weakness in, or threats to, systems or services and software malfunctions, so that they are addressed quickly.
- Procedures for the handling and storage of information are established to restrict access to unauthorized users.
- A “time-out” feature will drop a user’s connection after an idle period. That protects against unauthorized users accessing unattended but connected computers.

## **8.7 Describe what privacy training is provided to users either generally or specifically relevant to the functionality of the program or system?**

All FEMA employees are required to complete FEMA Annual Security Awareness Training, which addresses privacy and confidentiality awareness. In addition, all contract employees are required to adhere to the Privacy Act/Confidentiality clauses as per terms of their contracts with FEMA.

## **8.8 Is the data secured in accordance with FISMA requirements? If yes, when was Certification & Accreditation last completed?**

Yes. The data security is consistent with the Federal Information Security Management Act of 2002 (Title III of Public Law 107-347) (FISMA). The most recent MIP releases received certification and accreditation as follows.

- Release 1.0 in June, 2004 – Certification and Accreditation (C&A) Acceptance
- Release 2.1 in October 2005 – Interim Approval to Operation
- Release 2.2 in August 2005 – Conditional C&A Acceptance

*Privacy Impact Analysis:* FEMA has instituted strong security controls to ensure that the online collection of the LOMA information is protected throughout the process. This includes extensive access controls, audit trails, and encryption.

## **Section 9.0 Technology**

### **9.1 Was the system built from the ground up or purchased and installed?**

FEMA followed industry best practices and built the system from the ground up with support by purchased commercial products that have been tested for reliability.



## 9.2 Describe how data integrity, privacy, and security were analyzed as part of the decisions made for your system.

When determining what server and portal to purchase, FEMA selected the IBM directory server and the lightweight directory access portal (LDAP) following industry best practices after conducting a thorough requirements analysis and design – including integrity, privacy, and security considerations for the entire system. FEMA considered the protection of individual’s privacy when designing and building the system.

## 9.3 What design choices were made to enhance privacy?

FEMA specifically chose to use a SSL for privacy; all MT-EZ and eLOMA input is encrypted in order to enhance privacy.

## Conclusion

In 1968, the U.S. Congress passed the National Flood Insurance Act, which created the NFIP. Initially, NFIP operated under the auspices of the Department of Housing and Urban Development (HUD). On April 1, 1979, when FEMA was created, NFIP transferred from HUD to FEMA. Since 1979, FEMA has been charged with assisting communities by producing NFIP flood maps, that indicate (among other things) which properties are located in SFHA. In addition, FEMA offers private individuals administrative procedures to review SFHA designations and, with appropriate engineering documentation, exclude an individual’s property from inadvertent inclusion in an SFHA. FEMA states its position on whether or not a property is located outside of an SFHA by issuing a LOMA. A property outside of an SFHA is not required by FEMA to carry flood insurance. However, lenders may require individuals who are financing or refinancing properties located outside of SFHAs to purchase flood insurance.

LOMAs have been processed since the 1970s, using a paper process only. Soon, FEMA will have an online tool to assist individuals in completing an MT-EZ form. In addition, FEMA will have an online option for certifiers, who have the professional credentials to analyze engineering information, to submit an application online and receive an electronic LOMA determination. These two new options will help improve the speed and accuracy of the flood mapping process. The paper option will also continue to be available.

The program was designed with privacy considerations in mind. By collecting only the necessary individually identifying information electronically from requestors of LOMAs, FEMA will be able to respond to LOMA applications in a faster, more efficient manner. This will enhance the accuracy and efficiency of the Flood program, as well as allowing FEMA to respond to requests for LOMAs more promptly when people want to finance or refinance properties.

## Responsible Officials

Paul Huang

Federal Emergency Management Agency

Emergency Preparedness Management Agency



Department of Homeland Security



## Approval Signature Page

\_\_\_\_\_ <<Sign Date>>

Maureen Cooney  
Acting Chief Privacy Officer  
Department of Homeland Security



## Appendices

- A. MT-EZ Form
- B. MT-1 Form – Although this form is shown as being expired, the Office of Management and Budget has issued approval for continued use.
- C. SORN
- D. Additional documentation on security

The Department of Homeland Security has established a department wide IT security program and organization based on the following Executive orders, public laws, and national policy.

- E. Contract number HSFEHQ-04-D-0025: Page 9 of Section H and pages 3-5 and 16-18 of Section I.
- F. Access request form for online eLOMA tool
- G. Certifier Penalty Clause:

*“Penalty Clause: This certification is to be signed and sealed by a Licensed Land Surveyor or Registered Professional Engineer authorized by law to certify elevation information. All documents submitted in support of this request are correct to the best of my knowledge. I understand that any false statement may be punishable by fine or imprisonment under Title 18 of the United States Code, Section 1001.*

*I acknowledge that I have read and understood the Penalty Clause.”*

- H. Excerpts from **“A Chronology of Major Events Affecting the National Flood Insurance Program”** <http://www.fema.gov/nfip/chronology.pdf>

October 2002

Completed for the Federal Emergency Management Agency under Contract Number 282-98-0029

The National Flood Insurance Act of 1968 (Title XII of the Housing and Urban Development Act of 1968 [PL 90-448]) created the National Flood Insurance Program (NFIP) and the Federal Insurance Administration (FIA) within the Department of Housing and Urban Development (HUD) to provide flood insurance in communities that voluntarily adopted and enforced floodplain management ordinances that met minimum NFIP requirements. Also in 1968, The US Geological Service (USGS) began to outline approximate floodplain boundaries on topographic maps. The USGS agreed to assist the FIA in its mapping efforts by preparing detailed flood insurance studies, restudies, and limited detailed studies (completed when comprehensive studies could not be justified).

Before 1973, flood-prone areas shown on early maps were shaded, delineated in a rectilinear or “blocked out” method (i.e., straight lines following easily identifiable land features such as streets and railroads). This practice made the maps easy for lenders, insurance agents, and other laypersons to interpret but resulted in an artificial representation of the true flood boundaries, which are curvilinear (curving lines) and reflect the topography of the land. [In other words, some properties appeared to be in a special flood hazard area (SFHA), but they were actually outside of it.] The use of blocked out flood boundaries was standard for all NFIP mapping



until the passage of the Flood Disaster Protection Act (PL 93-234) in December 1973, which made artificial rectilinear (straight lines) flood boundaries unacceptable, especially for large, undeveloped tracts of land.

Under the Flood Disaster Protection Act of 1973, the first Letter of Map Amendment (LOMA), which excluded a property from inadvertent inclusion in a SFHA, was issued in October 1974.

On April 1, 1979, the FIA and the NFIP were transferred from HUD to the newly created Federal Emergency Management Agency (FEMA). [HUD announced on September 1, 1980, that System of Records HUD/FIA-2 transferred to FEMA.]