

March 6, 2026

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

RE: Privacy Act; Systems of Records, 91 Fed. Reg. 5155, 2026-02234

Dear Assistant Secretary Law:

On behalf of the clients and communities we represent, we write to strongly oppose the Department of Treasury system of records notice ("SORN") published on February 4, 2026. Because it is overbroad and imprecise, the SORN represents a significant and unwarranted invasion of individual privacy by the federal government. This baseless violation of privacy would extend even to individuals with no relationship with any of the covered Treasury programs.

Rather than propose a tailored system of records for each specific Treasury program, the February 4, 2026 SORN covers at least eight separate programs operated by the agency, as well as unspecified "other such programs Treasury may administer."¹ The stated purpose of the SORN is to ensure compliance with a broad set of very general "requirements," which include an executive order regarding information sharing among agencies and other unspecified "executive orders."²

The scope of the SORN is astonishing and unjustifiable. Instead of precisely defining the individuals whose information is covered, the SORN instead uses overbroad and all-inclusive language that could be construed to reach millions of individuals. It does not simply cover recipients and subrecipients; instead, according to the text,

The system covers both individual beneficiaries as well as individuals associated with small businesses, non-profits, or **other entities** that receive assistance such as individual owners or employees of such businesses, or **other entities**. The system also covers other individuals **associated with** these programs, including employees, agents, or representatives of recipients, subrecipients, and their contractors or vendors, who carry out or are **otherwise involved** in program activities. In addition, the system includes any other individuals whose information is received by Treasury Departmental Offices, either **directly or indirectly**, in the course of program administration, compliance, audit, oversight, or research and statistical activities.³

¹ 91 Fed. Reg. 5155 (Feb. 4, 2026).

² *Id.*

³ *Id.* at 5156 (emphasis added)

By using phrases such as “associated with” and “otherwise involved” and including individuals whose information is received by Treasury only incidentally rather than specifying particular individuals or entities related to particular programs, the SORN opens the door to the transfer and dissemination of an alarming breadth of data about individuals who may have no relationship at all with the covered programs or relevance to the stated purposes of the SORN.

In addition to its overboard coverage of individuals, the SORN also covers an unnecessarily long list of items from each person covered. While some of the specific items listed might be justified based on a particular program, the list does not distinguish which items are collected by program and, as a result, the information collected is unnecessarily expansive. The inclusion of unnecessary items imposes a significant administrative burden on those who are required to collect, store, and transmit it.

Moreover, the contemplated circulation of sensitive information – such as addresses, social security numbers, and “income and household financial information” and “supporting documentation,” which could include bank statements and medical records – inherently involves a risk of privacy exposure that the SORN does not demonstrate to be warranted.⁴ The SORN further increases the cybersecurity risk by covering at least eight separate programs as any combination of discrete databases increases the risk of and magnitude of harm from a breach.

The overbreadth is made worse because the SORN also includes an alarming number of entities that may access the material through a “routine use.”⁵ The SORN lists twenty-one separate categories of entities that may have access to the data, and there are subcategories within those twenty-one categories. When compared to similar SORNs, such as related to Treasury’s Home Affordable Modification Program,⁶ the February 4, 2026, notice includes significantly more categories for release. As with other aspects of the SORN, the “routine use” section employs vague and over-inclusive language unlike comparable efforts in the past.

Due to the overbreadth of the information and individuals covered by the SORN and the expansive group of “routine uses,” this SORN represents a substantial invasion of privacy by the federal government, including for people who have limited to no relationship with the covered programs.

Such an overbroad SORN is especially unnecessary with respect to recent programs with which we have considerable experience, the Homeowner Assistance Fund (HAF) and the Emergency Rental Assistance Program (ERAP), because the programs already have effective measures in place to prevent fraud and non-compliance, including oversight and auditing by the Treasury Inspector General. Moreover, in both programs, the beneficiaries did not receive federal funds directly; instead, mortgage servicers and landlords had to certify that mortgage payments or

⁴ *Id.*

⁵ *Id.* at 5156-57.

⁶ 77 Fed. Reg. 19751 (April 2, 2012).

past due rent were owed, and the program administrators disbursed payments to those third parties rather than to individuals.

In fact, the SORN reaches far beyond any pretext of eliminating fraud and non-compliance, as demonstrated by reference to executive orders. We are unaware of any executive orders pertaining to the specific programs we monitor; instead, the executive orders referenced apply to wide swaths of the population and appear unconnected to the programs referenced. Broad executive orders do not provide a reasonable basis for the federal government's collection of sensitive, personally identifying data on unspecified numbers of small businesses and private individuals.

Because the February 4, 2026, SORN is overbroad and unnecessary and creates a significant risk that personal and confidential information of individuals will be exposed, we strongly urge the Treasury to reconsider and narrowly tailor this effort.

If you have any questions about this letter, please contact Steve Sharpe, Senior Attorney, National Consumer Law Center at [ssharp@nclc.org](mailto:ssharpe@nclc.org).

Sincerely,

National Organizations

National Consumer Law Center (on behalf of its low-income clients)
Americans for Financial Reform Education Fund
Center for Responsible Lending
Consumer Action
Justice in Aging
The National Coalition for Asian Pacific American Community Development (National CAPACD)
National Community Reinvestment Coalition
National Community Stabilization Trust (NCST)
National Fair Housing Alliance
National Housing Law Project
National Low Income Housing Coalition
UnidosUS

State and Local Organizations

Access Justice Brooklyn (NY)
Advocates for Basic Legal Equality, Inc (OH)
Anoka County Community Action Program (MN)
Center for Elder Law & Justice (NY)
The Center for NYC Neighborhoods, Inc. (NY)
Chicago Volunteer Legal Services (IL)
City Bar Justice Center (NY)

Clare Housing (MN)
Community Legal Services of Philadelphia (PA)
Connecticut Fair Housing Center
Fifth Avenue Committee (NY)
Financial Protection Law Center (NC)
Haven House Services (IN)
Housing Action Illinois
Housing and Economic Rights Advocates (CA)
Housing Justice Center (MN)
Jacksonville Area Legal Aid, Inc. (FL)
Legal Aid Bureau of Buffalo, Inc. (NY)
Legal Aid DC
Legal Aid Society of Northeastern New York
Legal Aid Society of Rockland County, Inc. (NY)
Legal Aid Society of Southwest Ohio, LLC
Legal Services NYC (NY)
Long Island Housing Services, Inc. (NY)
Metropolitan Interfaith Council on Affordable Housing (MICAH) (MN)
Montana Legal Services Association
Neighbors Helping Neighbors (NY)
New Jersey Citizen Action
NHS Brooklyn CDC, Inc. (NY)
North Carolina Justice Center
Pine Tree Legal Assistance, Inc. (ME)
Public Counsel (CA)
Senior Advocacy Network (CA)
Washington County CDA (MN)
Western Center on Law and Poverty (CA)
Western New York Law Center
William E. Morris Institute for Justice (AZ)