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March 27, 2022

Administrator Deanne Criswell  
Federal Emergency Management Agency, Department of Homeland Security  
500 C St SW  
Washington, DC 20024

*Submitted online via [www.regulations.gov](http://www.regulations.gov)*

**RE: Request for Information on Agency Information Collection Activities: Proposed Collection; Comment Request; Generic Clearance for Civil Rights and Equity, [Docket ID FEMA-2022-0006](#)**

Dear Administrator Criswell,

On behalf of the Union of Concerned Scientist's (UCS's) more than 500,000 members and supporters and network of over 25,000 scientists, I am writing to provide comments on the Federal Emergency Management Agency's (FEMA's) Request for Comment on Agency Information Collection Activities. UCS puts rigorous, independent science to work to solve our planet's most pressing problems. As part of that mission, we work to advance public awareness of the science of climate change, the solutions available to help limit its worst impacts, and the need to center those solutions in equity and justice to address the disproportionate burden that falls on communities of color and low-income communities. The science is clear that many climate-related disasters are worsening, which means that FEMA's pre- and post-disaster programs are ever-more important to prepare communities, keep them safe, and help them recover.

We welcome FEMA's request on whether to collect additional information in the course of administering its programs. The need for additional data is a clear recommendation that emerges from recent reports, including from the Government Accountability Office (GAO) and FEMA's National Advisory Council (NAC).<sup>1,2</sup> We strongly support the collection of additional data, including information on race, ethnicity, Tribal membership, gender, age, income, disability status, status as a female headed household or not, and status as a renter or not. Collecting and tracking this data will help FEMA better understand how well, or not, it is meeting its mandate to protect and prepare all communities from disasters. This will also help policymakers and the public hold the agency accountable, including helping to hold the agency accountable for delivering on the goals of the Justice40 Initiative.<sup>3</sup> Collecting this data will take minimal time and effort, and it can be done in a way that preserves the confidentiality of individual data.

There is ample information and data showing that FEMA has been falling short in a number of ways in administering its programs, and there are specific actions it should take to make improvements. Recent studies, based on race and income data at the county or zip code level, found that communities with a higher proportion of white people and those with more wealth often receive more federal dollars after a

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<sup>1</sup> Government Accountability Office. (2021). Additional Actions Needed to Identify and Address Potential Recovery Barriers. <https://www.gao.gov/products/gao-22-104039>

<sup>2</sup> FEMA. (2020). FEMA National Advisory Council Report to the FEMA Administrator. [https://www.fema.gov/sites/default/files/documents/fema\\_nac-report\\_11-2020.pdf](https://www.fema.gov/sites/default/files/documents/fema_nac-report_11-2020.pdf)

<sup>3</sup> OMB. (2021). Interim Implementation Guidance for the Justice40 Initiative. [www.whitehouse.gov/wp-content/uploads/2021/07/M-21-28.pdf](https://www.whitehouse.gov/wp-content/uploads/2021/07/M-21-28.pdf)

disaster than do communities that have a higher proportion of Black or non-white people or those with less wealth, and that disaster relief funding has worsened the growing gap between White and Black households' wealth.<sup>4,5,6,7</sup> We also support the comments submitted by the National Low Income Housing Coalition, which identify important issues related to racial and socioeconomic inequities in access to FEMA's assistance programs.<sup>8</sup> Having directly collected actual data on race, income and other demographic descriptors of applicants and recipients of assistance would be extremely valuable to better evaluate the distribution of FEMA's programmatic resources.

To fully identify and fix long-standing equity problems, FEMA must invest in collecting and analyzing the data mentioned above. As the GAO report notes, *'Systematic efforts to collect and analyze data, and routine, interagency processes to address any identified access barriers or disparate outcomes, would help ensure equal opportunity to participate in disaster recovery in a meaningful way.'* In FEMA's Building Alliances for Resilience Report, the agency's Office of Equal Rights Director, Jo Linda Johnson, states: *"An accurate understanding of current demographics and resource needs and an understanding of how and why communities came to have a greater need for assistance is critical to achieving equity."*<sup>9</sup> The NAC report calls for FEMA to set an equity standard and measure progress against it to avoid the pattern of its programs creating or exacerbating inequities. Climate and non-climate-related disasters, as well as the compound risks and cascading impacts of climate change, already systematically and disproportionately affect certain vulnerable populations. Failure to fix these issues will create a significant risk that structural inequities, racism, gender bias, ableism and other forms of discrimination will increasingly collide with worsening climate-related disasters, and both exacerbate and be exacerbated by them.

Data collection and analysis on the agency's programs and activities' participants and beneficiaries is not enough on its own. FEMA must also ensure that it integrates the lessons learned throughout its portfolio to improve how it delivers resources to historically disadvantaged and low-income communities. FEMA should also ensure the data collected is available and transparent to the public in a form that maintains confidentiality for individuals. In addition, a long-standing underlying challenge is that many low-income communities, communities of color, Indigenous communities, and marginalized or disadvantaged communities do not even apply for the programmatic resources that are rightfully theirs because they face significant information and bureaucratic barriers in accessing them. FEMA must also invest in providing funding, capacity building and technical resources to help bridge these barriers and make the process of applying for aid accessible to all individuals and communities.

As the GAO report points out, *'A number of federal laws prohibit explicit discrimination in federal programs, including recovery programs. Among these are Title VI of the Civil Rights Act of 1964, the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975. In addition, the Stafford Act*

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<sup>4</sup> How Federal Disaster Money Favors the Rich. [www.npr.org/2019/03/05/688786177/how-federal-disaster-money-favors-the-rich](http://www.npr.org/2019/03/05/688786177/how-federal-disaster-money-favors-the-rich)

<sup>5</sup> As Disaster Costs Rise, So Does Inequality. Junia Howell, James R. Elliott. December 4, 2018, <https://doi.org/10.1177/2378023118816795>

<sup>6</sup> Flavelle, C. (2021). Why Does Disaster Aid Often Favor White People? New York Times, Oct. 27, 2021. <https://www.nytimes.com/2021/06/07/climate/FEMA-race-climate.html>

<sup>7</sup> Billings, Stephen B. and Gallagher, Emily and Ricketts, Lowell. 2019. Let the Rich Be Flooded: The Distribution of Financial Aid and Distress after Hurricane Harvey. *Journal of Financial Economics*. <http://dx.doi.org/10.2139/ssrn.3396611>

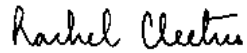
<sup>8</sup> See <https://www.regulations.gov/comment/FEMA-2022-0006-0014> .

<sup>9</sup> FEMA. (2021). Building Alliances for Equitable Resilience: Advancing equitable resilience through partnerships and diverse perspectives. [www.fema.gov/sites/default/files/documents/fema\\_rnpn\\_building-alliances-for-equitable-resilience.pdf](http://www.fema.gov/sites/default/files/documents/fema_rnpn_building-alliances-for-equitable-resilience.pdf)

*prohibits discrimination in disaster assistance on the basis of race, color, religion, nationality, sex, age, and economic status.* ' It's past time for FEMA to fully live up to implementing these laws.

Thank you for the opportunity to provide these comments. We look forward to prompt action from FEMA to follow through on these recommendations.

Sincerely

A handwritten signature in black ink that reads "Rachel Cleetus". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

Rachel Cleetus  
Policy Director, Climate and Energy Program  
Union of Concerned Scientists