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Agency Information Collection Activities: Proposed Collection; Comment Request; Generic Clearance for Civil Rights and Equity

87 FR 3836, January 25, 2022

<https://www.govinfo.gov/content/pkg/FR-2022-01-25/pdf/2022-01314.pdf>

We write as an organization of attorneys and advocates with nearly fifty years of experience in promoting the production, protection and desegregation of housing for lower-income and working families and over nine years of working with community groups and local, state and federal governments in response to the devastation caused by Superstorm Sandy (October 29, 2012) and with advocates across the continental United States and in Puerto Rico in succeeding disaster recovery.

We strongly support the additional collection of data by FEMA, particularly as applied to race, ethnicity, tribal status, and gender identity. We applaud FEMA’s desire and intention to “. . . help the Individuals and Households program improve operational outcomes for vulnerable communities by using analysis of demographic data against program outcomes to evaluate whether any disparities in eligibility determinations appear to impact vulnerable communities [and] then use this data to determine how to improve service delivery for all survivors.” (87 FR 3837, Collection of Information)

The comprehensive collection, distribution and analysis of data that illuminates and helps direct proper resources to vulnerable individuals and communities impacted by disasters had been a primary focus of Fair Share Housing Center’s work for the past decade. Our experience in the wake of Superstorm Sandy, and our work with other impacted communities, from the Gulf Coast and Puerto Rico, to the foothills of the Sierra mountains has confirmed that the proper collection and distribution of data is critical to understanding and responding to disaster driven unmet needs, most particularly for individuals and communities that lack political and economic power and, sadly, that suffer from overt disinvestment and discrimination.

The disasters of the past two decades, and the unavoidable recognition that our country faces disasters of increasing frequency and intensity, have rightfully driven advances in our understanding of how these traumatic events impact communities of varying vulnerability and capacity. The collection of the proposed data, its application to FEMA emergency response practices, and its matching with HUD data in support of long-term recovery and mitigation is one more step toward more equitable and effective program design and resources application.

As this data is integrated into the recently implemented FEMA and HUD data matching, both should establish procedures to make this data (with personal identifying information (PII) redacted) available to the public.

As recognized in the above extract from the Notice, decades of emergency response and disaster recovery experience has demonstrated that, despite best efforts, and sadly, at times, because of less than honest or equitable motivations, emergency response and disaster recovery are not distributed equitably to all economic classes, races, ethnicities, localities and resources. From Katrina through Ida it has been the

access to granular FEMA, HUD and HUD grantee data, that has enabled residents and advocates to identify and illuminate areas for improvement for disaster recovery to equitably serve communities initially ignored – too often communities of color.ⁱ


As FEMA collects this data and matches it with HUD data, its release, redacted of PII, updated no less than monthly, provided in easily accessible, searchable format and matched to Census geographies, will enhance residents and advocacy organizations' ability to identify the best way to serve the full range of unmet needs from disasters and assist all participants in actualizing congressional intent.

This is not a new behavior or concept. It is simply one that must be intentionally implemented. OpenFEMA has, for years been releasing granular emergency response data. The redaction of PII has not proven to be an impediment. This process should be formalized and routinized.ⁱⁱ

Conclusion

The past decades have seen the evolution of disaster emergency response and long-term recovery programs and systems. We applaud FEMA's additional data collection, and we hope that this new data collection will help spur continued improvements in data transparency.

Respectfully submitted:



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ⁱ HUD Citizen Participation & Equitable Engagement (CPEE) Toolkit
(<https://www.hudexchange.info/programs/cdbg-dr/cpee-toolkit/understand-the-community/>),
Understanding the Community, New Jersey - CPEE Community Example: Redesigning Engagement
Strategies to Target Vulnerable Populations: <https://express.adobe.com/page/d8My0QWIIGScY/>

HUD finds that Texas GLO discriminated against communities of color in \$4 billion CDBG-MIT
program
<https://texashousers.org/2022/03/08/hud-cdbg-mit-discrimination-houston-communities-of-color/>

ⁱⁱ OpenFEMA
<https://www.fema.gov/about/reports-and-data/openfema>

FEMA is taking steps throughout its programs to strengthen equitable processes.
https://www.fema.gov/sites/default/files/documents/fema_iappg-policy-amendments-memo.pdf