

February 21, 2023

Regulations Division
Office of General Counsel
Department of Housing and Urban Development
451 7th St. SW
Washington, DC 20410

Submitted via www.regulations.gov

Re: Request for Information for HUD's Community Development Block Grant Disaster Recovery (CDBG-DR) Rules, Waivers, and Alternative Requirements; Docket No. FR-6336-N-01

I. Introduction

The National Low Income Housing Coalition (NLIHC) and members of Disaster Housing Recovery Coalition (DHRC) welcome the opportunity to respond to the U.S. Department of Housing and Urban Development's (HUD) Request for Information (RFI) regarding the agency's long-term disaster recovery programs, Community Development Block Grant-Disaster Recovery (CDBG-DR).

NLIHC is dedicated solely to achieving racially and socially equitable public policy that ensures people with the lowest incomes have quality homes that are accessible and affordable in communities of their choice. NLIHC leads the DHRC, a coalition of more than 890 national, state, tribal, and local organizations, including many working directly with disaster-impacted communities and with first-hand experience recovering after disasters. Together, we work to ensure that federal disaster recovery efforts prioritize the housing needs of the lowest-income and most marginalized people in impacted areas.

NLIHC has worked on disaster housing recovery issues in the years since Hurricane Katrina struck New Orleans in 2005. From this work, we have reached the conclusion that America's disaster housing recovery system is fundamentally broken and in need of major reform. It is a system designed for middle-class people and communities – a system that does not address the unique needs of the lowest-income and most marginalized people and the communities in which they live. As a result, these households are consistently left behind in recovery and rebuilding efforts, and their communities are made less resilient to future disasters. The federal disaster recovery system exacerbates many of the challenges these communities faced prior to disasters, worsening the housing crisis, solidifying segregation, and deepening inequality.

While the CDBG-DR program is vital recovery tools that provide states and communities with the flexible, long-term recovery and mitigation resources needed to rebuild affordable housing and infrastructure after a disaster and to prevent future harm, too often, these resources are diverted away from the people and communities with the greatest needs. Recovery efforts tend to prioritize homeowners, who are more likely to be white, over renters, who are predominantly Black, Indigenous, and people of color. In doing so, disaster recovery exacerbates racial wealth disparities and pushes more low-income renters of color into long-term housing instability and, in the worst case, homelessness. While low-income communities and communities of color are often located in areas at higher risk of disaster and have less resilient infrastructure to protect

residents from harm, long-term recovery resources tend to go to more communities that face lower risks. Rather than dismantling the racial segregation that is the direct result of intentional federal, state, and local policy, rebuilding efforts tend to entrench racial disparities.

Reforming the CDBG-DR program is critical to ensuring the lowest-income and most marginalized disaster survivors receive the assistance they need for a complete and equitable recovery. The policy recommendations included in this comment letter reflect nine core principles that should guide our country's disaster housing recovery and mitigation efforts:

1. Recovery and mitigation must be centered on survivors with the greatest needs and ensure equity among survivors, especially for people of color, low-income people, people with disabilities, immigrants, LGBTQ people, and other marginalized people and communities;
2. Everyone should be ensured fair assistance to full and prompt recovery through transparent and accountable programs and strict compliance with civil rights laws, with survivors directing the way assistance is provided;
3. Processes for securing help from the government must be accessible, understandable, and timely;
4. Everyone in need should receive safe, accessible shelter and temporary housing where they can reconnect with family and community;
5. Displaced people should have access to all the resources they need for as long as they need to safely and quickly recover housing, personal property, and transportation;
6. Renters and anyone experiencing homelessness before a disaster must be provided quickly with quality, affordable, accessible apartments in safe, quality neighborhoods of their choice;
7. All homeowners should be able to rebuild without delay in safe, quality neighborhoods of their choice;
8. All neighborhoods should be free from environmental hazards, have equal quality and accessible public infrastructure, and be safe and resilient; and
9. Disaster rebuilding should result in local jobs and contracts for local businesses and workers.

Due to the length of this RFI, the below sections contain answers to selected questions and are laid out to correspond to issue areas identified by HUD. Answers are presented in a bulleted format for ease of review. Any questions regarding this comment can be directed to NLIHC Senior Vice President of Policy and Field Sarah Saadian (ssaadian@nlihc.org) and Senior Policy Analyst for Disaster Recovery Noah Patton (npatton@nlihc.org).

II. Reducing Administrative Burden and Accelerating Recovery

Question: *Are there CDBG–DR rules, waivers, or alternative requirements that could be streamlined or removed to enable grantees to accelerate recovery? Please provide recommendations for alternative processes that would remove barriers, obstacles, and delays.*

Response:

- The focus on accelerating recovery cannot come at the expense of advancing equity and ensuring that those with the greatest needs are served. While removing needless obstacles is undoubtedly important to the efficient administration and speed of the CDBG-DR program, HUD must preserve protections that ensure equity and targeting within the program. More specifically, HUD must preserve rules that ensure funding reaches those most in need of assistance in a manner consistent with the letter and spirit of federal civil rights law and that community input remains an integral part of the process. While HUD should remove duplicative administrative requirements, an accelerated recovery should not come at the expense of a just recovery.
- To ensure that issues with compliance over equity or reporting standards do not restrict or impact the capacity of HUD grantees and subgrantees, the agency should make it easier to access HUD technical assistance to meet these challenges. Data-secure and legally compliant testing as well as competitive bidding processes are needed to meet CDBG-DR compliance requirements. HUD should also ensure that this technical assistance is available to community-based organizations who, at-present, are effectively barred from participation in CDBG-DR-related programming due to these, and other requirements.

Question: *Recent appropriations allow grantees to access funding for program administrative costs prior to the Secretary’s certification of financial controls and procurement processes and adequate procedures for proper grant management. Grantees have used these administrative funds primarily for the development of the action plan (e.g., procuring contractors, increasing capacity, facilitating public participation, etc.). Aside from creating the action plan for program administrative costs, are there other approaches that HUD should consider to promote proactive coordination with other disaster response agencies before a CDBG–DR grant is executed?*

Response:

- It is critical that HUD and grantees begin coordination with other federal disaster assistance agencies as quickly as possible after a disaster strikes. The DHRC supports activating initial funding to grantees to allow them to start planning for long-term recovery.
- Beyond administrative costs, HUD and grantees should be empowered to act quickly to provide housing assistance to disaster survivors, particularly those most at risk of displacement and homelessness. There must be continuity in providing housing assistance without arbitrary deadlines or bifurcation among federal agencies. Too often, FEMA ends the provision of housing resources to disaster survivors before HUD CDBG-DR resources have been distributed and before homes are rebuilt, leaving survivors without the affordable, stable homes they need to get back on their feet. FEMA and HUD must coordinate to ensure seamless transition from one program to another for disaster survivors, who have experienced significant disruption to their lives already. Ideally, HUD –

not FEMA – should play the lead role in shaping disaster housing assistance for both immediate and long-term needs, given HUD’s expertise in housing and proven track record in serving households with the greatest needs.

- To facilitate seamless transition among different recovery programs, HUD should enter into an Interagency Agreement with the Federal Emergency Management Agency (FEMA) to activate the Disaster Housing Assistance Program (DHAP) to provide low-income survivors with direct, longer-term rental assistance and case management services provided by local housing professionals.¹ DHAP has played a critical role in providing safe, decent, and affordable homes to some of our nation’s most vulnerable individuals and families after a disaster, and has been widely upheld as a best practice by past Democratic and Republican administrations. Such an Interagency Agreement would create a bridge to CDBG-DR-funded programs implemented during long-term recovery efforts for survivors most at risk of displacement and homelessness.
- HUD should require that HUD-approved housing counseling agencies are included in local action plans and are able to provide services early in the disaster recovery process.
- HUD must also work with FEMA to ensure that people experiencing homelessness prior to a disaster are able to be rehoused. Despite consistent advocacy, FEMA regulations frequently deny people experiencing homelessness from receiving FEMA assistance, even if their possessions have been destroyed. While FEMA should ensure that people experiencing homelessness are eligible for the same emergency shelter and housing recovery resources available to impacted renters. HUD should continue the recently implemented Rapid Unsheltered Supportive Housing (RUSH) program to ensure that those experiencing homelessness can receive assistance prior to the implementation of CDBG-DR-funded programs.

Question: *The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121–5207) (Stafford Act) and CDBG–DR appropriations acts require HUD and its grantees to coordinate with other Federal agencies that provide disaster assistance to prevent the duplication of benefits (DOB). How can HUD and other Federal agencies that provide disaster assistance make it easier to comply with DOB requirements?*

Response:

- The lack of both agency coordination and guidance regarding criteria for making duplication of benefits determinations subjects disaster survivors to unequal treatment across programs and disaster events. This is especially true for disaster survivors who were participating in a HUD-assisted housing program prior to the disaster. These survivors are at a higher risk of violating the duplication of benefits policy if their pre-disaster housing is uninhabitable post-disaster because HUD may continue to pay for the uninhabitable unit until the owner reports that the unit is damaged. In the meantime, these survivors are likely to utilize FEMA or HUD temporary housing assistance programs until their housing can be rehabilitated or new housing is secured, which is especially challenging for low-income renters.
- Agencies need to develop consistent guidance on which disaster assistance programs may trigger duplication of benefits and make explicit short-term housing assistance programs provided by HUD or FEMA to tenants displaced following a disaster are not duplicative

¹ <https://bipartisanpolicy.org/blog/71864/>

benefits of long-term HUD housing assistance programs, such as public housing and Section 8 vouchers. Additionally, the guidance should provide and encourage a range of options to resolve any overpayment issues, short of termination of housing assistance or denial of future housing assistance programs.

Question: *What data should grantees report to HUD to improve public transparency and to better allow evaluation of the use of CDBG-DR funds consistent with the principles of the Administration's Justice40 initiative to increase federal support for disadvantaged communities (e.g., requiring grantees to report to HUD on the race and ethnicity of those who apply for assistance but are not ultimately served)? How might the administrative burden of reporting be reduced?*

Response:

- HUD currently requires CDBG-DR grantees to collect basic equity information on program recipients and beneficiaries, but this information is not sufficient to gain a clear understanding of whether equity requirements are being followed. HUD must expand its aggregate data collection to include information such as disability and age, and HUD should release these data on a quarterly basis. By uniformly collecting more detailed demographic data on applicants, including information about disability, age, race and ethnicity, and other identifiers, a broader equity analysis can be conducted. In addition to aggregate data, granular address-level data must be collected. This data should be shared with researchers to help better understand where funds are being spent at the neighborhood level thereby sharpening equity analysis and improving informed public participation regarding the program.
- HUD must begin to collect such granular data from CDBG-DR grantees. As was recently addressed by the Government Accountability Office (GAO), HUD currently lacks the capacity to collect the granular data needed to analyze equity in CDBG-DR-funded programs.² Congress should provide HUD additional resources to increase its capacity, and HUD should issue anonymized data on a quarterly basis to identify potential equity issues with recovery spending and allow time for grantees to change course and improve programs.
- HUD has significant experience in facilitating data sharing processes with academic and research institutions for its other housing programs, but no such system exists for disaster-recovery data. To produce meaningful analysis, identify best practices, protect disaster survivors' confidentiality, and ensure greater equity in disaster recovery, HUD should create a standard process for sharing granular, personally identifiable disaster-recovery data with researchers. HUD should utilize its experience with data sharing to ensure personally identifiable disaster recovery data can be safely and securely shared with academic and research institutions, ensuring that independent analysis of disaster recovery programs can be conducted and that research within the overall field can continue. Without a clear process to share personally identifiable data with third-party researchers and without the capacity to handle such data on its own, HUD will continue to face problems tracking equity within CDBG-DR programs.

² <https://www.gao.gov/products/gao-23-105295#:~:text=What%20GAO%20Found,they%20allocated%20for%20housing%20activities.>

- The current information required to be collected by grantees is also not made publicly available. Data collected by HUD, including data on funding, must be made accessible to the public as well as disaster-impacted community members. Such data should not contain personally identifying information, and should be presented in the aggregate, in an interactive and simple manner to ensure that community-based advocates can understand and respond to potential issues during the recovery process and better understand the range of disaster impacts that have occurred.
- As grantees implement data collection practices during future allocations, HUD must stress that grantees not collect information revealing the immigration status of applicant households. Although such information might otherwise be collected for valid reasons related to disaster recovery, the same data under different circumstances may have drastic implications for such households outside of the recovery context.

Question: *What types of technical assistance should HUD offer grantees to support a timely, equitable, resilient, and successful recovery? Are there phases of CDBG–DR grants (e.g., initial administrative work, action plan development, program implementation, etc.) where providing more intensive technical assistance would be more effective? What types of technical assistance should States offer local government subrecipients to support a timely, equitable, resilient, and successful recovery?*

Response:

- One area for technical assistance in addition to those mentioned throughout this comment is the need climate science-informed approaches for adhering to flood standards. By integrating expertise on future impacts of climate change and best practices for addressing them, grantees can better prepare for flood-related buyout programs in advance. One example of an entity successfully implementing a climate-science driven buyout program is the Charlotte-Mecklenburg Storm Water Services (CMSS) buyout program. Starting in 1999, CMSS has been able to acquire properties in advance of climate science-predicted flood events. Through an innovated leaseback program, owners of homes with substantial flood risk can accept a voluntary buyout with a “leaseback” option, allowing them to remain in the home for a certain amount of time following the buyout. This permits seniors to remain in place and connect to support networks and to allow households a greater amount of time to relocate to an acceptable alternative home. Because the buyouts are occurring ahead of any large-scale flooding event, this method can be implemented to encourage buyout participation and ease the stress of relocation on households.

III. Establishing Priorities

Question: *What types of technical assistance or other measures should HUD offer to better assist grantees in preventing and identifying potential contractor fraud and to strengthen the ability of grantees to assist beneficiaries when they are subject to contractor fraud?*

Response:

- Given the range of capacity and credibility in the contractor community and the difficulties faced by state and local jurisdictions in selecting appropriate firms, proper tracking of both fraudulent and reputable contractors is needed. State and local grantees rely on contractors

for everything from debris removal to repair of electric grids, but often struggle to provide proper oversight of contractors. As a result, recovery programs become a hodgepodge of contracts with little oversight from overburdened officials. It is common for contractors to not perform or underperform on their agreements with state and local grantees.

- For example, after Superstorm Sandy, New Jersey awarded a \$68 million contract for the implementation of the largest housing-recovery program in the state: the over \$1 billion Reconstruction, Rehabilitation, Elevation, and Mitigation (RREM) program.³ After the state had already paid the bulk of the contract fee to the contractor, the state took control of the program itself and cancelled the contract after just seven months. In the meantime, lower-income residents complained of lost applications, being incorrectly told they were ineligible for recovery funds, and dysfunctional contractor-run offices. Public records showed an overwhelmed operation that directed applicants to out-of-state call centers where workers had received scant training on the program. Many applicants genuinely in need of recovery funds dropped out of the program as a result. A large number of CDBG-DR grantees have had one or more similar experiences. As a result of these capacity shortfalls, proper tracking is needed.
- To assist grantees in identifying trustworthy contractors with records of success, a nationwide dashboard should be available to jurisdictions and the public to track firms that have received CDBG-DR-funded disaster recovery contracts in the past. The dashboard should identify the contractor and their certifications, provide a description of the substance of the contract, official complaints, legal actions, and other past concerns. Should such a contractor database be created, residents and businesses should also be able to view and submit contractor reviews. A public dashboard would increase the transparency of this very important aspect of disaster recovery, demonstrate whether a contractor is truly able to complete tasks assigned to it, and allow for the collection and dissemination of additional public input. Additionally, it would help ensure vital disaster recovery funding is not wasted on unscrupulous contractors.

Question: *Should CDBG–DR rules, waivers, or alternative requirements be written to 1) encourage or require grantees to first address disaster recovery housing needs prior to other recovery needs (e.g., infrastructure), or 2) encourage or require grantees to invest in whole community recovery in proportion to its unmet recovery need (e.g., housing, infrastructure, economic revitalization, and mitigation)?*

Response:

- It is of *critical* importance that CDBG-DR rules require grantees to first address disaster recovery housing needs. Any other attempt to address disaster impacts via a whole community approach will be ineffective if the immediate housing needs of those most impacted by the disaster are not met.
- While the flexibility of CDBG-DR funds can be counted as one of the programs greatest strengths, that flexibility can lead to program spending that does not match disaster impacts. Commonly, this results in disproportionate spending on a sub-area of CDBG-DR – such as infrastructure or homeownership – that comes at the expense of assisting households with lower incomes. This is illustrated by a 2021 report from the Government Accountability Office which found that significant concerns exist as to whether CDBG-DR

³ https://nj.gov/comptroller/sandytransparency/contracts/pdf/hammerman_solicitation.pdf

funds are actually reaching those most impacted by disasters and that spending is instead being utilized to fund other CDBG-DR-eligible areas.⁴

- When a disaster exacerbates the already severe shortage of affordable rental homes, the consequences can be devastating for the lowest-income survivors, putting them at risk of displacement, evictions, and, in worst cases, homelessness. Rental prices often increase dramatically after a major disaster. This rise has been attributed to a combination of the rapid loss in available housing stock due to the disaster and a simultaneous increase in demand for rental housing for households seeking temporary shelter as their damaged or destroyed homes are replaced.
- For example, some ZIP codes in the Houston area saw rent increases of 50% after Hurricane Harvey.⁵ These rapid increases in rent can displace low-income households. The 2018 California wildfires destroyed a large amount of northern California's housing stock; 14% of Butte County California's housing supply was destroyed by the Camp Fire alone.⁶ As a result, rents have increased rapidly in areas already experiencing an affordable housing crisis. Reports of rents doubling or tripling after an area wildfire resulted in Chico County, California passing an emergency ordinance limiting rent increases to just 10%.⁷ The increased cost of rental housing is also sometimes attributed to price gouging by landlords seeking to take advantage of the immediate increase in demand. Local advocates report that landlords have evicted tenants without cause to make room for new tenants willing and able to pay much higher rents. Such practices lead to further destabilization and displacement.
- Affordable and accessible homes are often the most vulnerable to disasters, but they are less likely to be rebuilt after a disaster strikes.⁸ When naturally occurring affordable rental housing stock is damaged, the cost to repair and rehabilitate the property leads to higher rents. The slow pace and complications of federal disaster-recovery efforts often mean that federally assisted affordable housing is not rebuilt until many years after a disaster, if at all.

Question: *What CDBG-DR rules, waivers, or alternative requirements, if any, should be modified or eliminated so that grantees are prioritizing assistance to low- and moderate-income persons and areas, vulnerable populations, and underserved communities?*

Response:

- HUD must ensure that CDBG-DR requirements explicitly require resources to be distributed proportionally – based on unmet needs – between infrastructure and housing, and among renters, homeowners, and people experiencing homelessness.⁹ HUD should explicitly require grantees to ensure communities that have been historically divested are first brought up to an adequate level of infrastructure to protect residents from future disasters, before higher-income communities with adequate infrastructure receive further investment.

⁴ <https://www.gao.gov/assets/gao-22-104452.pdf>

⁵ <https://www.homelesshouston.org/hurricane-harvey-five-years-later#:~:text=We%20had%20placed%20more%20than,homelessness%20from%20the%20year%20before.>

⁶ <https://www.latimes.com/local/lanow/la-me-paradise-housing-shortage-20181123-story.html>

⁷ Id.

⁸ <https://preservationdatabase.org/wp-content/uploads/2021/06/Taking-Stock.pdf>

⁹ <https://www.govinfo.gov/content/pkg/FR-2022-02-03/pdf/2022-02209.pdf>

Too often underinvest in housing recovery, underserve renters and people experiencing homelessness, and divert resources away from low-income communities and communities of color. A systematic review of several CDBG-DR programs by the Government Accountability Office (GAO) found that grantees largely focused on homeowner recovery at the expense of assisting renter households despite the fact that damage to rental housing was greater than the impact to homeowners.¹⁰ As the only source of funds dedicated to long-term recovery that can be used for households with the greatest needs, it is imperative that grantees do not focus strictly on existing homeowners and homeownership-related programs, or divert funds to higher income neighborhoods at the expense of those with the greatest needs.

- Under current law, 70% of CDBG-DR funds must benefit low- and moderate-income (LMI) communities, although this standard may be waived by the HUD Secretary. In the past, HUD has permitted the waiver of income targeting requirements relatively easily, permitting a culture of loose adherence to standing requirements regarding the prioritization of low- and moderate-income persons and areas.¹¹ As the only source of long-term recovery funding for a broad range of low- and moderate income communities, HUD must ensure that these communities are being prioritized and to provide waivers to the LMI benefit threshold only after the agency determines that the needs of low- and moderate-income households have been fully addressed and satisfied. In addition, requests for waivers must be backed by substantive evidence of need and, if they must be granted, rigorously tracked.
- HUD must ensure that both the letter and the spirit of policies and requirements regarding the prioritization of low- and moderate-income persons and areas, as well as vulnerable populations, and underserved communities are met. The consequence for failure to adhere to those requirements must be clearly stated.
- HUD must play a greater role in providing oversight to ensure CDBG-DR funds are not used in a discriminatory way, and to hold grantees accountable for civil rights violations. As demonstrated by recent findings in Texas by HUD's Office Fair Housing and Equal Opportunity, Title VI and other civil rights violations can occur when a state inequitably distributes CDBG-DR resources – regardless of whether HUD program offices have approved the state action plan.¹² Discrimination and inequity allocation of resources can be curtailed before they occur by requiring grantees to provide more robust assurances that civil rights law and program requirements regarding equity will be followed and more evidence that its action plans are not discriminatory. Moreover, HUD must take a more proactive role in reviewing state action plans for discrimination, and suspending funding when grantees are found to violate civil rights laws. Too often, HUD prioritizes the desire to distribute recovery funds quickly above a just and complete recovery for disaster survivors, even when these resources will not reach those communities most at risk of disasters. Instead, HUD must hold grantees accountable for the equitable distribution of recovery resources.
- HUD should move to standardize the creation of Citizen Advisory Committees for all current and future allocations of CDBG-DR or CDBG-MIT funding. The only currently operating

¹⁰ GAO, Disaster Assistance: Federal Assistance for Permanent Housing Primarily Benefited Homeowners; Opportunities Exist to Better Target Rental Housing Needs, GAO-10-17 (Washington, D.C.: Jan. 14, 2010)

¹¹ <https://mscenterforjustice.org/wp-content/uploads/2020/07/katrina-report-2nd-anniversary.pdf>

¹² <https://texashousers.org/2022/03/08/hud-cdbg-mit-discrimination-houston-communities-of-color/>

Citizen Advisory Committee was created by a 2019 Federal Register Notice to assist in the implementation of Puerto Rico's CDBG-MIT-funded programs.¹³ The Notice language envisioned the committee as operating continuously through the life of the grant, responding to and requesting comments and contributions from the public regarding CDBG-MIT programs. By expanding this requirement to include all future program allocations and ensuring the establishment and function of the committee and committee policies are a central part of program implementation, HUD can ensure that public participation is requested and collected throughout the duration of the program; that transparency between disaster survivors and program managers is maintained; and that grantees are able to learn of and respond to changes in unmet needs. In addition, establishing Citizen Advisory Committees can ensure that strong connections are forged between non-profit and community-based organizations active during disaster recovery, grantee staff, and policymakers, and reinforce that grantees must prioritize those most in need.

- Although HUD should permit grantees a degree of flexibility to match capabilities with disaster recovery needs, such Citizen Advisory Committee should contain representatives of area community-based nonprofits, affordable housing practitioners, legal aid providers, homeless services providers, and include individuals with lived experience of housing insecurity and disaster impacts. HUD must also specify that grantees are required to seek input from the committee throughout the process, especially when creating guidelines for program implementation.
- HUD should harness oversight by community-level organizations by creating a more robust reporting process for potential violations of CDBG-DR requirements and deviations from grantee Action Plans without the submission of Action Plan Amendments. As referenced above, recent issues regarding Title VI violations in Texas demonstrate that community-based organizations and advocates can play a strong role in the oversight of CDBG-DR programs. Currently, while grantees are required to respond to citizen complaints directly, interaction with HUD regarding potential violations of CDBG-DR rules occur on an ad hoc basis, relying on informal conversations and professional connections to raise issues of grantee misconduct. HUD should create a standardized reporting system to allow community-level organizations and the public the ability to raise issues with HUD regarding program implementation to ensure the oversight capacity of these organizations is being properly utilized to ensure equitable distribution of disaster recovery funds.
- Finally, HUD should implement an additional requirement that grantees spend a certain percentage of funding on programs designed to assist in supporting and rehousing individuals experiencing homelessness within or in proximity to the impacted area. While many grantees have maintained rapid rehousing programs for this purpose, CDBG-DR is one of the only federal disaster recovery funding sources available to this extremely marginalized population. To ensure that such populations are being adequately assisted, HUD should implement a percentage requirement for funding programs oriented around individuals and families experiencing homelessness.

Question: *How can HUD assist grantees in using data-driven information to better align their proposed recovery programs and activities with unmet recovery needs?*

Response:

¹³ 84 FR 45838

- HUD should assist grantees in incorporating the use of data on hazard risk as well as common barriers to assistance into their unmet needs analysis and program design and implementation. Doing so will increase the accuracy of need assessments, better target funds, and align Action Plans with the environmental justice and equity goals of the Administration.
- Individuals living in non-traditional housing or informal housing are often unable to access assistance from FEMA or other federal agencies following disasters. Those living in manufactured homes, unpermitted housing, or without written leases can fall through the cracks of the short-term recovery system. As a result, their needs are largely unmet by the time CDBG-DR funds become available. However, current methodologies do not take this population into account when calculating unmet needs. HUD should assist grantees in utilizing available data on informal housing to properly capture this disproportionately low-income segment of disaster survivors and ensure that assistance can reach them.
- HUD should assist grantees in combining data on hazard risk and demographic information, such as disability, income, and whether a household receives housing assistance, or is experiencing homelessness. While the collection and analysis of demographic information is a central part of the Action Plan creation process, grantees can better utilize hazard risk information, such as the location of compound impacts (e.g. area impacted wildfire and subsequent flooding) to ensure that the additional needs of these areas are accounted for. While CDBG-DR funds are typically tied to the impact of a single disaster, the risk that subsequent hazards pose on many areas already impacted by a disaster should be considered, even outside of the immediate context of mitigation. This information can also inform the existing universe of hazard mapping, such as FEMA's National Risk Index, improving the quality of hazard and risk data throughout the country.¹⁴
- Technical assistance should also be provided to grantees to ensure that their Action Plans are tied to HUD initiatives such as Justice40 Initiative and the goals and principles under the HUD Climate Adaption Plan released in 2021 and 2022.¹⁵ Ensuring that the goals of these initiatives are being reflected in the Action Plans of grantees can better integrate and operationalize HUD's climate adaption and equity goals as the agency and the administration continues its work on the subject.

Question: *How can CDBG-DR rules, waivers, or alternative requirements be modified or eliminated to encourage greater levels of investment in infrastructure projects that provide the greatest benefit to impacted low- and moderate-income areas?*

Response:

- CDBG-DR must explicitly require grantees to address the legacy of disinvestment in Black, Brown, and low-income communities and to prioritize the recovery needs of the lowest-income and most marginalized households. Infrastructure projects should be prioritized to improve and protect lower-income communities and communities of color and correct the historic lack of infrastructure caused by disinvestment. When implemented correctly, infrastructure investment can become a desegregating, equality-increasing process that can eradicate generations-long barriers erected by white supremacy, separatism, and economic

¹⁴ <https://hazards.fema.gov/nri/map>

¹⁵ <https://www.sustainability.gov/pdfs/hud-2021-cap.pdf>;

https://www.hud.gov/press/press_releases_media_advisories/HUD_No_22_132

inequality. These principles have largely been reflected in the Administration’s Justice40 initiative.¹⁶

- Affordable housing is frequently surrounded by underfunded infrastructure that exacerbates the impact of disasters. In Houston, 88% of the city’s open-ditch sewage system lies in historically Black neighborhoods.¹⁷ During Hurricane Harvey, the open ditches overflowed, spreading sewage waste into streets and homes. Similar events occurred in North Carolina and Puerto Rico, where the lowest-income individuals often live in areas at high risk of environmental damage or flooding during disasters.¹⁸ State and local governments will often endeavor only to meet the minimum program requirements and direct funds for mitigation projects to higher-income communities when possible.
- In the Rio Grande Valley along the Texas-Mexico border, informal settlements called “Colonias” lack public services, including drainage and sanitation services. Following Hurricane Dolly in 2008, many Colonia residents lost their homes to flooding, and county officials had to send trucks to pump water out of the neighborhoods. During the recovery process, however, local and regional officials attempted to direct funding to large regional drainage projects that would ensure faster flood drainage in wealthier areas that already had up-to-date infrastructure rather than to the Colonias. Ultimately, the diversion of funds was prevented but the recurrence of flooding continues to impact the Rio Grande Valley and Colonia residents.¹⁹
- The Rio Grande Valley is not an isolated case of infrastructure inequality. New Orleans, Miami, and other cities have ignored the infrastructure needs of lower-income, non-white neighborhoods, often dubbed “Environmental Justice Communities.”²⁰ This neglect disproportionately affects those who already have the hardest time recovering after a disaster. Repeated investment in white, affluent neighborhoods and underinvestment in low-income communities of color have a dire result: the creation of two distinct communities – one that will recover from the next season’s storm and one that will not.

Question: *How can CDBG–DR rules, waivers, or alternative requirements be modified or eliminated to better address the unmet recovery and mitigation needs of affordable rental housing, public housing, and housing for vulnerable populations?*

Response:

- Given the severe shortage of affordable housing exacerbated by a disaster, HUD must require the prioritization of 1:1 replacement of any lost federal-, tribal-, or state-assisted housing. This can not only ensure that displaced residents of these units receive suitable replacement housing, it can also increase the total affordable units available in the jurisdiction, decreasing the amount of pressure on non-assisted and market rate housing stock.

¹⁶ https://www.hud.gov/press/press_releases_media_advisories/HUD_No_22_132

¹⁷ <https://preservationdatabase.org/wp-content/uploads/2021/06/Taking-Stock.pdf>

¹⁸ Id.

¹⁹ <https://www.tpr.org/border-immigration/2021-07-22/colonias-bear-the-heaviest-burden-when-rain-falls-in-the-rio-grande-valley>

²⁰ <https://www.tandfonline.com/doi/abs/10.1080/00167428.2022.2061858>

- Long-term housing recovery programs should first prioritize the housing needs of people with the lowest incomes, including those individuals who have been displaced or individuals with disabilities who have been involuntarily institutionalized. Homes substantially rebuilt or constructed using CDBG-DR resources should be made affordable and available – to the greatest extent possible – to extremely low-income households. This not only ensures that individuals and families displaced by the disaster can be safely and securely rehoused, but also increases the resilience of the area to the impacts of future disasters and helps address the systemic reasons for our nation’s housing crisis
- Rental homes developed with federal funds must require affordability of at least 30 years. Currently HUD requires affordability periods for rental housing created via CDBG-DR-funded programs utilize HOME Program affordability periods or longer.²¹ At most, this means affordability requirements are capped at 5-20 years depending on the amount of assistance required by the project. HUD should update these affordability requirements to a period of at least 30 years to ensure units remain affordable for the longest period possible. These homes must be built to remain resilient over the course of these 30 years as well, requiring that building codes and decisions on location of units must be climate science informed.²² Doing so can help ensure recovery efforts made in the impacted area can more permanently increase the amount of affordable housing stock, addressing the long-term impact of the disaster on housing accessibility within the area.
- The underlying cause of our nation’s affordable housing crisis is the shortage of homes affordable and available to America’s lowest-income and most marginalized seniors, people with disabilities, families with children, and other individuals. According to the NLIHC’s annual report, *The Gap: A Shortage of Affordable Rental Homes*, there is a national shortage of seven million rental homes affordable and available to the nation’s 11 million extremely low-income renter households. Fewer than four affordable and available rental homes exist for every ten extremely low-income renter households nationwide. As a result, eight million of America’s lowest-income households pay at least half of their incomes on rent, forcing them to make impossible choices between paying rent and buying healthy food or needed medication. The vast majority (87%) of these households are seniors, people with disabilities, or individuals in the low-wage labor force.²³ This severe shortage of homes affordable to the lowest-income people is due to a market failure - the private sector cannot, on its own, build and maintain rental homes affordable to people with the lowest incomes without federal investments in programs targeted to serve this population.
- Because of the growing affordable housing crisis, America’s lowest-income households are put in danger of homelessness and displacement after a disaster as rental housing supply is lost. This was seen most glaringly in the aftermath of California’s destructive wildfires, when 16% of Butte County’s housing stock was destroyed in the 2017 Camp Fire, increasing the number of individuals experiencing homelessness in the area and driving residents away from Northern California. Studies showed that those with the greatest resources were able to find housing closer to their previous homes, while lower income households were forced to move greater distances, sometime across the county.²⁴

²¹ <https://www.hud.gov/sites/dfiles/CPD/documents/CDBG-DR/OMNI-Notice-Waivers-and-Alternatives.pdf>

²² https://headwaterseconomics.org/natural-hazards/wildfire-suppression-costs-rising/?utm_source=Headwaters+Economics+Newsletter&utm_campaign=9dcf0dd69f-May22_Newsletter_COPY_01&utm_medium=email&utm_term=0_ef093e0945-9dcf0dd69f-162454028

²³ NLIHC, GAP Report

²⁴ <https://today.csuchico.edu/mapping-a-displaced-population/>

- The involvement of community-based organizations should be incentivized when conducting housing-related programs. These organizations have intimate awareness of the unique needs of the lowest-income survivors and are often in the best position to engage them. While these local organizations often do not receive the support needed to scale up efforts quickly after a disaster, CDBG-DR funding can present an opportunity to both boost capacity and operationalize long-term planning goals for the creation of affordable housing already in development within these organizations. By relying on out-of-town contractors, state and local governments miss an opportunity to utilize community-based organizations' inherent knowledge of local housing needs, best practices, community connections, and experience around affordable housing. By creating an incentive to work with these groups to boost the supply of affordable housing and increase access to stable housing for low-income disaster survivors, grantees and HUD can better serve these marginalized populations.

IV. Understanding the Requirements for Most Impacted & Distressed (MID) Areas

Question: *Should HUD continue to allow for the use of CDBG-DR funds to benefit grantee-identified MID areas? How, if at all, should HUD adjust the requirements for the balance of assistance between HUD-identified and grantee-identified MID areas?*

Response:

- In recent CDBG-DR action plans, disaster survivors and their advocates have noticed that state-designated Most Impacted and Distressed (MID) areas can be used as a tool for the redirection of disaster recovery funds away from those most impacted by the disaster.²⁵ To curtail this trend, HUD should institute greater requirements and oversight for the designation of MID areas by grantees. While the removal of state-designated MID areas is intriguing, the principles of flexibility inherent to CDBG-DR require the ability for a grantee to designate areas be retained – ensuring that regardless of the political situation, individuals in need of assistance can receive access to CDBG-DR funds.
- Regardless of the composition of the formula to create grantee-designated MID areas, direct input on formula creation from the public before its initial creation is required. Via the Citizen Advisory Council mentioned earlier in this comment, or stand-alone public information sessions and collection, there should be additional requirements that grantees collect information regarding how and why it designated specific communities as MID areas. This additional input collection process can also help ensure grantees are not abusing their ability to designate such areas and that funds will remain equitably distributed to those most in need of assistance. HUD must play a proactive role in reviewing grantee's selection of state-designated MID areas to ensure that discrimination is not at play. If HUD finds that discrimination has occurred, HUD must suspend funding to the grantee until they rectify the violation.
- An additional way HUD can ensure the selection of state-designated MID areas are made with public input, oversight, and transparency is to encourage the creation of a formula or process for state-grantee designation during blue sky periods before disaster occur. By

²⁵ <https://www.hud.gov/sites/dfiles/CPD/documents/CDBG-DR/OMNI-Notice-Waivers-and-Alternatives.pdf>

conducting this process outside of the immediate recovery process grantees, community-based organizations, the public, and advocates can utilize the necessary capacity to thoughtfully create such processes when the capacity and time is available to do so. Like the concept of pre-certification, HUD should explore ways to incentivize this process before disasters occur.

- In addition, HUD must maintain the requirement that at least 80% of funds must be spent in HUD-identified MID areas. Grantee-designated MID areas typically constitute areas that were less-directly impacted by the disaster. Because these areas have spent less funds on direct disaster response, they typically have greater capacity to utilize CDBG-DR-funded contracts. This can lead to an inequitable distribution of grantee capacity and attention to projects in these grantee-designated MID areas, as they are more likely to be “shovel-ready” quicker than those areas that experienced greater disaster impacts. To avoid this effect, HUD must continue to maintain and enforce the requirement that only up to 20% of funds can be spent in grantee-designated MID areas.

V. Developing the Action Plan

Question: *What CDBG–DR rules, waivers, or alternative requirements relating to the action plan, if any, should be modified or eliminated to capture unmet disaster recovery needs or mitigation needs more accurately?*

Response:

- The methodology and data for determining unmet needs must be restructured to better serve the needs of renter households – particularly lower-income renters that are disproportionately households of color. The methodology currently used minimizes the unmet needs of renters, establishing a baseline that persists through grantee action plan design and implementation to produce indefensible discriminatory outcomes for impacted households, low-income communities, and communities of color.²⁶
- Due to well-recognized deficiencies within FEMA Individual Assistance (IA) programs, denial determinations regularly account for a significant, if not a majority, of determinations made by the agency.²⁷ These determinations are often the result of barriers to assistance created through the FEMA application process and do not reflect a lack of need or disaster impact. Reasons an individual might be denied assistance could be as simple as an inability to contact FEMA to schedule an inspection, or an applicant reiterating a preference to remain in their pre-disaster dwelling. In addition, within FEMA’s Individual and Households Program (IHP), FEMA can often describe a dwelling as “safe to occupy” when in fact significant deficiencies exist that, while in the immediate aftermath of the disaster may be acceptable, mask significant long-term recovery needs. One example of this is mold abatement. While the presence of mold would not prevent FEMA from labeling a home “safe to occupy,” left unaddressed, the mold will worsen in the months that follow, requiring significant reconstruction and rehabilitation to the dwelling. Disability Justice advocates also

²⁶ (See: 85 F.R. 4681, 4689 – Jan. 27, 2020) See: mandate of 3 Executive Order 13985, Sec. 7. Promoting Equitable Delivery of Government Benefits and Equitable Opportunities.

²⁷ Saadian, et. al, Fixing Americas Broken Disaster Recovery System Part 1, NLIHC (2019); TX Housers Harvey Data

commonly report that dwellings labeled as “safe to occupy” often do not take the impact of disability into account. HUD should direct grantees to take the presence of IA and IHP denial data into account.

- The initial under-assessment and undercounting of rental housing and renter needs by FEMA is compounded by HUD’s current methodology, which calculates unmet need allocations based on repair estimates for serious damage only for rental units occupied by very low-income renters. By assuming all landlords who rent to households with very low incomes “have adequate insurance coverage,” the impact of the disaster on the entire pre-event rental inventory is critically undercounted.²⁸ Faced with scarce inventory and resulting supply-driven rent increases, higher-income renters migrate into the remaining lower-income inventory and lower-income households are totally deprived of housing with no recovery plan in place to reestablish the balance.
- To ensure the needs of renters are not undercounted, HUD should establish the methodology used by New York State after Superstorm Sandy as the baseline for allocations among grantees and within grantee jurisdictions. The initial 2013 New York State Action Plan in response to Superstorm Sandy rejected the use of FEMA Individual Assistance (IA) data as a basis for allocating need because it correctly found that the FEMA IA data “systematically underrepresents the extent of damage to the rental stock; given the large proportion of minority and low-income New Yorkers who require affordable rental properties, the State believes it is critical to understand damage incurred by this segment of the housing market.” The New York State methodology, which is easily replicable based on a standard formula, corrects for the systematic underrepresentation of renters by using homeowner data as a baseline and extrapolating the more detailed homeowner data collected by FEMA to assess damage to renters in the same Census block or block group. HUD should use this methodology as the baseline for assessing housing needs and should require grantees to use it as the default methodology for assessing unmet need.
- There are similar deficiencies in assessing the unmet needs of low-income homeowners. Any methodology using property value as a metric systemically underestimates the level of damage and unmet need in terms of the resources necessary to rebuild. The use of property value also has a disparate, harmful impact on many homeowners especially those who are people of color and located in Black, Indigenous, and other communities of color. As President Biden noted in his January 26, 2021 Memorandum on Redressing Our Nation’s and the Federal Government’s History of Discriminatory Housing Practices and Policies, discriminatory housing policies at the federal, state, and local government level are responsible for creating segregated neighborhoods and obstructing access to opportunity and the ability to build wealth for communities of color. To advance equity, HUD should direct grantees to adjust damages for homeowners based on metrics of home values such that the minimal damage qualifying as major damage is expressed as a percentage of overall home value, and not as a flat number that does not recognize the well-documented impacts of racial bias on appraisal methodology and neighborhood home values. HUD should also reconsider its assumption that damages of more than \$8,000 constitute “major damage” for purposes of determining unmet need among the impacted low- and moderate-income (LMI) population and for each group within the LMI population – particularly when such determinations are made by FEMA inspectors who are trained to exclude anything they subjectively consider “deferred maintenance” from the amount of damages. Evidence

²⁸ 85 F.R. 4681, 90

of this practice was directly cited by the Government Accountability Office (GAO) in October 2022.²⁹

Question: *HUD currently requires grantees to post an action plan for 30 days to solicit public comment and to host at least one public hearing—is this enough time to solicit meaningful public feedback? Should HUD consider increasing this time or the number of public hearings required for initial action plans and/or for later, substantial amendments to the action plan to achieve meaningful community engagement?*

Response:

- Although HUD has taken steps to expand and increase available technical assistance regarding the public comment process, grantees still offer only limited opportunities for residents to contribute. As a result, final recovery plans for billions of dollars in federal funding are not made by the people most impacted. Instead, recovery plans often become a political tool for state and local governments rather than a tool to address long-standing racial, income, and accessibility inequities. Community members must have a say in the rebuilding efforts. Such involvement will result in inclusive, equitable, and effective long-term recovery plans. Communities most affected by disasters, including low-income communities and communities of color, should have greater input in drafting and approving rebuilding plans. Similarly, survivors most harmed should have the most say over how their community is rebuilt. To ensure that this occurs HUD must implement expanded requirements regarding the process of gathering community input as well as what qualifies as appropriate input.
- Public input sessions under the current system typically occur after the creation of a draft plan, only seeking input into the existing structure created by the grantee. HUD should not allow the use of these sessions alone to qualify as meeting the public input requirements for completion of an Action Plan. In line with the need for continuous and robust public participation in the creation and administration of the plan, such public input gathering strategies must be employed prior to and during the drafting of the Action Plan itself, as well as throughout the implementation period. This allows the public to participate in the creation of all aspects of the plan, including the unmet needs analysis, allocation of funding for programs, and the creation of future public input sessions. By encouraging public participation from the earliest possible point in the program and throughout the course of recovery, public input can be provided in a proactive - as opposed to a reactionary - way, encouraging consensus and public support for recovery programs.
- Grantees should seek out the participation of existing community organizations, drawing on relationships fostered during the short-term recovery process, to gather necessary public input. Public hearings on disaster recovery plans should be scheduled and located in areas accessible to the people served by these organizations. The cultural competency of long-term planning programs can increase public participation from marginalized communities, creating a feedback loop that provides information to and collects input from low-income disaster survivors. As discussed earlier in this comment, HUD should move to standardize the creation of Citizen Advisory Committees composed of disaster survivors and community-based organizations to provide continuous input on CDBG-DR-funded long-term recovery programs and to supplement the public input gathering process conducted by grantees themselves.

²⁹ <https://www.hsdl.org/c/view?docid=872482>

- To better ensure quality public input is gathered, HUD must implement stronger minimum requirements on the input collection process. At the very least, the minimum number of engagement sessions must be increased for all allocations, with large allocations – as identified in current allocation notices – requiring at least three separate community engagement sessions including minimum notice requirements for public input sessions and the public input submission process. Such notices should be required to be released at least 60 days prior to the public input session for public comment period with reminder notifications at least 7 days prior.
- Public input provided with only partially available data on disaster impacts and needs will likewise be incomplete. To ensure public input is fully informed, HUD should direct grantees to provide to the public the raw data that HUD/FEMA use in their methodology in a timely and systemized manner to allow the public to fully participate in action plan development and to identify potential racially disparate outcomes in action plan programs. Applications for assistance or program participation must be reported in granular detail with deletion of personally identifying information (PII). The data should include the date the information was acquired and posted along with a specific, individual case tracking number assigned to every applicant. These data, on both initial impacts and the spending of funds, are instrumental to empowering residents and advocates to enforce equity and civil rights protections in the structure and content of grantee plan programs and resource allocation. Program data should be anonymized to protect survivors identities and disaggregated by geography, income, race, and ethnicity, and all protected classes of individuals to ensure fair and equitable access. HUD and FEMA should collaborate in making these data available, and these data should be accessible through the program website.
- HUD has the authority to incorporate this data into CDBG-DR platforms. The treatment of records on individuals, collected by the federal entities, is governed by the Privacy Act of 1974 (5 U.S.C. 552a). With respect to HUD, disclosure is regulated by 42 CFR §16.11. Under §552a, any item or collection of information on an individual, that also contains the subject's name or a number, symbol assigned to that individual, is protected. Distribution to CDBG-DR grantees is allowable to enable them to provide disaster assistance. Distribution is also allowed under the "routine use" exception "for a purpose which is compatible with the purpose for which [the information] was collected." To the extent that personally identifying information is removed, the remaining data would not constitute a protected "record" and can be made publicly available, as FEMA and HUD have recognized on an ad hoc basis.

VI. Advancing Equity

Question: *What CDBG–DR rules, waivers, or alternative requirements, if any, should be modified or eliminated to ensure grantees equitably allocate resources and adequately address disaster-related needs of the most impacted, vulnerable, and underserved communities?*

Response:

- HUD must ensure that CDBG-DR requirements explicitly require resources to be distributed proportionally – based on unmet needs – between infrastructure and housing, and among

renters, homeowners, and people experiencing homelessness.³⁰ HUD should explicitly require grantees to ensure communities that have been historically divested are first brought up to an adequate level of infrastructure to protect residents from future disasters, before higher-income communities with adequate infrastructure receive further investment. Too often grantees underinvest in housing recovery, underserve renters and people experiencing homelessness, and divert resources away from low-income communities and communities of color. As the only source of funds dedicated to long-term recovery that can be used for households with the greatest needs, it is imperative that grantees do not focus strictly on existing homeowners and homeownership-related programs or divert funds to higher income neighborhoods at the expense of those with the greatest needs.

- CDBG-DR must explicitly require grantees to address the legacy of disinvestment in low-income communities and Black, Indigenous and communities of color and to prioritize the recovery needs of the lowest-income and most marginalized households. CDBG-DR-funded programs should be prioritized to improve and protect lower-income communities and communities of color and correct the historic housing and economic inequality caused by disinvestment. When implemented correctly, disaster recovery funds can become a desegregating, equality-increasing process that can eradicate generations-long barriers erected by racial segregation, systemic racism, and economic inequality.
- HUD must also play a more robust role in oversight to ensure grantees are not distributing funds in a discriminatory manner and must hold grantees accountable for violations by suspending funding until a violation is corrected.
- Current long-term recovery efforts often exacerbate societal inequities. Low-income people, people of color, people with disabilities, and immigrants face increased disaster-caused displacement from the dual threats of disinvestment and speculation, which exacerbate the disparities created by segregation and inequality. During disaster recovery, communities of color and other marginalized communities either return to their segregated “normal” or the residents are displaced to other areas, often destroying familial and social ties.³¹ It is critical for disaster recovery planning to go hand in hand with fair housing compliance so that rebuilding efforts explicitly acknowledge and address the impact of racism, segregation, and inequality. Case management services and housing counselors can support displaced households that wish to relocate into neighborhoods of their choice, including high-opportunity neighborhoods. These services can provide assistance in finding and moving into available housing.
- Local organizations serving marginalized communities must be involved in long-term recovery efforts to ensure that recovery programs recognize and address the needs of these communities. This involvement does not just pertain to the accessibility of programs, but also to decisions on rebuilding and reconstruction. Construction of new housing must be sited in a manner that decreases segregation and protects against harm by future disasters. This should not only apply to rebuilding homes but also to infrastructure and community development efforts, allowing communities themselves to direct how best to fight inequality and segregation. By requiring the participation of a Citizen Advisory Committee, as discussed earlier in this comment, grantees can ensure the expertise of local organizations are being efficiently utilized, either through the direct input of the council on the

³⁰ <https://www.govinfo.gov/content/pkg/FR-2022-02-03/pdf/2022-02209.pdf>

³¹ “A Perfect Storm: Extreme Weather as an Affordable Housing Crisis Multiplier”, Center for American Progress, August 1, 2019, <https://www.americanprogress.org/issues/green/reports/2019/08/01/473067/a-perfect-storm-2/>

implementation of the program or through the connections that will arise from greater community-based organizational coordination at all stages of planning.

- In addition, CDBG-DR funded rental assistance should not be subject to time limits via HUD's allocation notice and should be left to the grantee, eliminating the need to ask for waivers to provide more than three months of rent payments. Individuals who were unable to access sufficient rental assistance via FEMA IHP or DHAP, or whose receipt of assistance lapsed prior to CDBG-DR funds become available will be in severely precarious housing situations. By ensuring that rental assistance is available beyond a three-month initial threshold, HUD can ensure that these individuals can access rental units based on their provision of assistance – landlords are not likely to accept the provision of only three months of rental assistance as sufficient ability to pay a longer-term lease.

Question: *What CDBG–DR rules, waivers, or alternative requirements, if any, should be modified to further prevent an “unjustified discriminatory effect” (i.e., interests can be served by another practice with a less discriminatory effect) based on race or other protected class in the implementation of CDBG– DR funding to address disaster-related unmet needs (recognizing that HUD has no authority to waive or specify alternative requirements for statutes and regulations related to fair housing, nondiscrimination, labor, or the environment)?*

Response:

- Federal statutes, regulations, and HUD Federal Register notices require that activities and programs funded through the Community Development Act of 1964 operate in ways that “affirmatively further fair housing.”³² HUD CDBG-DR Federal Register notices have specifically required that the grantee “certifies that it will affirmatively further fair housing,” which means that it will conduct an analysis to identify impediments to fair housing choice within its state, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.³³ Despite these prominent reminders, HUD has under-enforced these laws for decades. This neglect is also demonstrated by HUD's approval of CDBG-DR action plans that include built-in violations of civil rights law. For example, HUD has approved plans that aid homeowners based upon discriminatory property values, underassess the number of renters affected by a disaster, favor homeowners over renters, and steer mitigation funds away from majority black counties.³⁴
- HUD has the authority to reject CDBG-DR action plans that do not provide for implementation of civil rights protections. Yet HUD has failed to exercise such authority in the vast majority of cases, relying instead on certifications rather than the actual language and substance of the grantee draft plans. Most recently, the Action Plan submitted by the Texas Government Land Office (GLO) allocating mitigation funds received during the Hurricane Harvey recovery relied on a grant competition process that resulted in funds being distributed in a discriminatory fashion, prompting several civil rights complaints from Texas housing advocates.³⁵ Responding to these allegations, HUD rightfully found that a fair housing violation had occurred. However, the agency took no additional action beyond the issuance of those findings. Advocates already overburdened with assisting disaster-

³² <https://www.hud.gov/sites/dfiles/CPD/documents/CDBG-DR/OMNI-Notice-Waivers-and-Alternatives.pdf>

³³ *Id.*

³⁴ <https://texashousers.org/2022/03/08/hud-cdbg-mit-discrimination-houston-communities-of-color/>

³⁵ *Id.*

stricken communities have been tasked with enforcing fair housing laws and holding HUD accountable. HUD must use its authority in the future to reject discriminatory action plans and hold grantees that engage in discriminatory behaviors accountable. If it does not, the agency risks not only eroding its own ability to enforce civil rights law within its programs, but also the diversion of large amounts of federal funds away from those most in need of assistance.

- Explicit requirements for desegregation and adherence to civil rights law must be included in contractor compliance regulations and grant agreements. This would strengthen the ability of protected classes to seek legal redress for failures in equitable recovery and serve as a stark reminder that recovery work must be performed in compliance with federal civil rights law. Specifically, future allocations of funding must contain clear and explicit language reiterating that Action Plans must be consistent with civil rights law and that failure to maintain that consistency *will* result in the pausing or recapture of funding by the agency. In addition, HUD must proactively evaluate both the certification of civil rights compliance within an Action Plan and review all aspects of the plan to ensure the agency does not inadvertently approve a system that violates civil rights laws or HUD's own standards. HUD's Office of Fair Housing and Equal Opportunity (FHEO) must take a proactive role in conducting these reviews.
- The current top-down, non-participatory nature of CDBG-DR action plan development also allows HUD and grantees to ignore fair housing considerations. By expanding the requirement that HUD review citizen complaints, as well as integrating a Citizen Advisory Committee structure, issues with civil rights can be flagged and avoided earlier in the process and dealt with more swiftly as programs continue.

Question: *What barriers impede grantees' ability to allocate resources equitably? What barriers do protected class groups, vulnerable populations, and other underserved communities face in accessing, applying for, and receiving CDBG-DR assistance in a timely manner?*

Response:

- Lack of oversight by HUD allows grantees to discriminate and divert resources away from survivors with the greatest needs and their communities. America's lowest-income and most marginalized households are often the hardest-hit by disasters and have the fewest resources to recover afterwards. Despite the clear need, these households frequently face unnecessary and preventable barriers to accessing the resources they need to recover.
- A key example is grantee requirements that survivors provide title documentation when applying to receive assistance to repair their homes. In the context of FEMA assistance, this issue has often blocked low-income homeowners who may not have updated title documentation, from receiving the assistance for which they are eligible.³⁶ Despite this well publicized issue, grantees have continued to utilize title documentation requirements when administering CDBG-DR programs. In order to prevent this barrier to assistance from occurring HUD should move to explicitly prevent such requirements.
- Manufactured housing is one of the fastest growing types of affordable housing across the country. Manufactured housing ownership rates are high in areas that experienced disasters in 2020 such as Oregon, California, Louisiana, Alabama, and Florida. For

³⁶ <https://nlihc.org/sites/default/files/Title-Barriers-to-Accessing-FEMA-Assistance.pdf>

example, over 103,000 households in the path of Hurricane Laura lived in manufactured housing. Mobile home park and manufactured housing residents can experience substantial barriers that prevent access to their title documents. Residents frequently do not receive title documentation when the mobile home is delivered, and title documents are often held by mobile park owners rather than the homeowners. Tracking former owners can be challenging and mobile home park owners often fail to keep records updated. In 2018, almost 160,000 mobile homeowners lacked title documentation in California alone.³⁷

- Many other low-income households may lack access to title documents for their homes. Again, there are a myriad of reasons for this, with some families utilizing informal ownership to pass down houses through generations of family members. In tribal areas, Puerto Rico, and many low-income communities, such as many Black communities in the southern United States, the creation of informal housing and traditional ownership practices means that many do not have clear title to homes they have lived in for generations. Others may not be able to pay for legal assistance to clear title, may lack English proficiency, or may be unaware a title is needed. HUD must unequivocally require grantees to cease the practice of requiring title documentation to access assistance, and instead utilize alternative methods of showing ownership such as the use of self-declarative statements attesting under penalty of perjury that the applicant owns their own home. It should also be noted that the title creation process is often a long and complicated endeavor, so requiring the creation of title prior to the receipt of funds will often needlessly delay the provision of assistance – something reflected in a recent amendment to Puerto Rico’s CDBG-DR-funded R3 Program, which now only requires participation in the title clearance process to receive funds. Regardless, HUD must require that ownership over disaster damaged homes can be shown by documents other than title.
- Often, grantees tie the receipt of CDBG-DR repair or reconstruction funds directly to the appraisal of homes by FEMA inspectors, specifying that at least \$8,000 in damages, \$3,500 in personal property damage, or at least 1-ft of flooding is required. Due to numerous barriers that can prevent access to FEMA Individual Assistance (IA), requiring the prior receipt of FEMA assistance, or relying directly on the appraisal of FEMA inspectors – who often undervalue homes of individuals with lower incomes – risks permanently preventing recovery for those already left behind by earlier assistance programs. HUD should broaden this requirement to include lower damage amounts in response to these issues.
- As referenced in Section II of this comment, with so many agencies working in the disaster recovery space there can be a failure to properly connect and streamline between assistance programs. Not only does this lead to catastrophic premature cessation of housing assistance – leading to displacement, the severance of support networks, and, in worst cases, homelessness – but also places a significant burden on an individual or household that very recently experienced a traumatic incident. As these households work to repair their lives, they are often asked to fill out multiple forms, provide repetitive information, and, most likely, file several appeals to access the assistance they are eligible for. As a program stood up later in the process, HUD and its grantees should be aware of the significant application fatigue and loss of trust in government-funded programs experienced by many disaster-impacted households. Such issues can result in lower application numbers or require additional outreach to disaster survivors. In addition, HUD should explore ways to lessen the impact of this administrative burden on disaster survivors.

³⁷ Id.

- Because many programs from other agencies that occur during the short-term recovery phase are allowed to expire 18 months after the precipitating disaster – if not sooner – those that CDBG-DR programs are designed to assist, such as renters and individuals experiencing homelessness, have often been displaced from the disaster-impacted area for a significant amount of time prior to the implementation of CDBG-DR funded programs. After Hurricane Maria, FEMA ended its Transitional Shelter Assistance program prematurely, leaving over a thousand Puerto Rican households without shelter. Many were found to be experiencing homelessness along the eastern seaboard.³⁸ Without access to temporary housing, many low-income disaster survivors are forced into homelessness. A year after Hurricane Harvey, nearly 20% of individuals experiencing homelessness in the city of Houston reported that they became homeless due to the disaster.³⁹ To prevent this sharp rise in homelessness, HUD must urge its federal partners to provide assistance to survivors for as long as it is needed, continuously, and work to quickly provide assistance via CDBG-DR for those displaced, even if it is outside of the disaster-impacted area.
- Often, the relocation, home repair, and home reconstruction guidelines of grantees can fail to consider the needs of individuals with disabilities – such as the need for an additional room for personal assistant services or accessibility design requirements. These accommodations are necessary to define a unit as “habitable” for a person with disabilities, and HUD must ensure these elements are accounted for and reflected clearly in its guidance.
- Many of the rental housing units developed using CDBG-DR funds have admission policies that are designed to screen out protected classes, marginalized populations, and other underserved communities. These include policies such as charging application fees for each adult applying for housing; requiring applicants to pay a security deposit, first and last month’s rent, and miscellaneous fees up front; minimum income requirements for tenants with rental assistance; unreasonable criminal, credit and eviction background checks; or source of income restrictions such as refusing to rent to Section 8 voucher holders. In addition to screening people out, these policies deter many qualified households from applying for affordable housing.

Question: *What challenges do grantees face in complying with their obligation to ensure meaningful access for individuals with limited English proficiency or effective communication for individuals with disabilities? What tools or resources could HUD provide to facilitate compliance with these obligations?*

Response:

- HUD should require all grantees to complete a language assessment to ensure that all communications are accessible to individuals with limited English proficiency, and those who need audio or visual aids. After past disasters, language assessments were completed only after critical communications were made. As a best practice, language assessments should be required during future CDBG-DR allocations.

³⁸ https://nlihc.org/sites/default/files/FEMA_Setting-The-Record-DHAP-for-Maria-Survivors.pdf

³⁹ <https://www.homelesshouston.org/hurricane-harvey-five-years-later#:~:text=We%20had%20placed%20more%20than,homelessness%20from%20the%20year%20before.>

- Language access to federal- or state-funded programs is required under civil rights laws. While regulations and HUD allocation notices are provided only in English, the documents that create and implement disaster response and recovery programs must be published in all languages spoken by significant numbers of residents in impacted communities. Despite this requirement, CDBG-DR grantees have consistently failed to assess the primary languages of impacted communities and have failed to provide translations of critical materials. At numerous times, applicant intake offices often lack staff translators or translations are inaccessible or non-existent. Even when materials are translated, they sometimes provide inaccurate information, such as incorrect application deadlines. Guidance released in 2016 makes clear that federal language access requirements apply to disaster recovery activities. Practices have yet to adhere fully to these requirements, however. For example, in a particularly egregious recent episode, a Puerto Rico CDBG-DR program released housing policies aimed at homeowners in English, translating the policies into Spanish only after an outcry from advocates. HUD must ensure that all program documents are available in languages and formats that meet federal requirements.

Question: *Congress has recently identified Indian tribes as eligible CDBG–DR grantees but there are currently no Indian tribes in HUD’s CDBG–DR portfolio. Are there revisions to HUD’s CDBG–DR policies that should be considered to capture tribal recovery needs more effectively?*

Response:

- Housing conditions in tribal areas are among the worst in the nation, even before disasters strike. Tribal communities are disproportionately affected by weather and climate-related disasters and are often located in rural and remote areas where it can be difficult to deliver relief from natural disasters. As a result, disasters compound and worsen existing disparities that are themselves a product of long-term disinvestment in Indigenous communities. In times of disaster, tribal areas are left on their own to figure out how to recover, receiving even less public attention and little or no investment from federal and state government, relief organizations and philanthropy.⁴⁰
- In the last decade, more than 70 natural disasters have occurred on tribal lands, with some communities being hit more than once a year, but these communities received scant recovery or mitigation funding. According to an analysis from the Center for Public Integrity, tribal nations were on average more vulnerable to disasters than the U.S. overall, based on measures such as unemployment and income. Yet, in the span of one year, tribes receive less than half of what the U.S. Department of Homeland Security grants states for recovery efforts daily. Data from the National Congress of American Indians show that U.S. citizens receive, on average, about \$26 per person, per year, from the federal government, while tribal citizens receive approximately \$3 per person, per year. For every region, one tribal liaison navigates tribal agencies, approved contractors, the federal government and tribal council. While tribes can apply for grants from FEMA to get help financing a hazard mitigation plan, there is no guarantee the agency will provide funding. Without a FEMA-approved mitigation plan in place, tribes are not able to receive funding for permanent, non-emergency repairs or long-term mitigation measures. And yet, as of 2018, only around 30% of tribal nations had an approved plan. Even when such a plan is in place, FEMA aid is not guaranteed to cover the full cost of recovery. The Confederated Tribes of the Colville Reservation have experienced four natural disasters in the last 10 years, according to the Center for Public Integrity’s analysis. In 2012, a severe storm, straight-line winds, and

⁴⁰ <https://disasterphilanthropy.org/funds/native-american-and-tribal-communities-recovery-program/>

flooding damaged communities and left residents without power – and sometimes water – for days. In 2015, some of the most destructive wildfires in Washington state’s history hit the reservation and surrounding communities, leaving three firefighters dead and more than 255,000 acres of land burned – approximately 20% of the tribe’s land base. In 2018, flooding caused at least \$356,000 in damage. Other tribal nations have had similar experiences. The Standing Rock Sioux Tribe in North and South Dakota has been hit nine times in the last 10 years by catastrophic flooding and winter storms that knocked out power and washed out roads and bridges. In the spring of 2013, when record flooding swept the state of North Dakota, the Standing Rock Sioux received just under \$240,000 in assistance from FEMA to repair roads, bridges and replace culverts that were washed out.⁴¹

- The current severe winter storms of 2022-2023 have caused damage and increased emergency recovery expenses for the Rosebud Sioux and Oglala Sioux Tribes in South Dakota. These areas received up to three feet of snow with drifts up to 20 feet high. As a result, hundreds of families in tribal communities were unable to access critical supplies, including medications and propane and firewood to heat homes. In addition to snowfall, wind chill temperatures dropped to -50°F in some tribal communities. The Tribes have sought the support of their Congressional delegation to ask the White House to support a tribal disaster declaration as the first step in allowing them to apply for FEMA and other federal recovery assistance.⁴²
- HUD’s Office of Native American Programs (ONAP) already has long-term established relationships with the majority of tribal communities in the U.S. ONAP should play a greater role in helping tribal governments understand how to successfully access the CDBG-CR programs through training in advance of the next wave of natural disasters, and by providing a direct departmental liaison with FEMA. Regional and national HUD staff should be available to provide guidance and assistance on an emergency basis when a disaster strikes tribal communities.

VII. Replacing Disaster-damaged Housing Units, Minimizing Displacement, and Incentivizing Affordable Housing Development

Question: *How can CDBG–DR rules, waivers, or alternative requirements be modified or eliminated to ensure that grantees are mitigating natural hazard risks (e.g., sea level rise, high winds, storm surge, flooding, volcanic eruption, and wildfire risk), while also minimizing displacement of members of families, individuals, or entities such as businesses, farms, or nonprofit organizations from their homes and neighborhoods?*

Response:

- In all aspects, HUD must reiterate that displacement of households is a last resort. Mitigation plans developed at the state and local level are often heavily focused on the relocation of low-income communities as opposed to the creation of infrastructure to minimize disaster risk. A clear example of this is in Puerto Rico, where advocates warn that

⁴¹ <https://publicintegrity.org/environment/one-disaster-away/when-disaster-strikes-indigenous-communities-receive-unequal-recovery-aid/>

⁴² <https://dustyjohnson.house.gov/media/press-releases/johnson-thune-and-rounds-request-biden-approve-major-disaster-declaration>

this approach will result in the displacement and scattering of entire communities and that the preference for relocation ignores the community's dignity, autonomy, and human rights.

- Due to a combination of racial segregation, exclusionary zoning, and disinvestment in infrastructure for economically depressed communities and communities of color, 450,000 of the nation's affordable homes are located in flood-prone areas.⁴³ In general, federally assisted affordable housing continues to be located in such at-risk areas, forcing the lowest-income households into areas with the highest risk of disasters. Not only does this pattern needlessly place people in harm's way, but it ensures more federal dollars are needed to repair and reconstruct homes and fund emergency services. Federally assisted affordable housing is also more likely than market-rate housing to be located in areas with high natural hazard risks. A recent report by NLIHC and the Public and Affordable Housing Research Corporation (PAHRC) found that nearly one-third of federally assisted housing stock is located in areas with very high or relatively high risk of negative impacts from six natural hazards, compared to one-quarter of all renter-occupied homes and 14% of owner-occupied homes. Households residing in these higher-risk units are made up predominantly of people of color, with the Public Housing program having the largest share of units (40%) in areas at very high or relatively high risk of natural hazards.⁴⁴ The needs of federally assisted housing must be given priority for mitigation efforts following disasters.
- An approach modeled on the "Four Rights" of communities, as well as international standards, should guide mitigation efforts. The Four Rights were developed by the Texas Organizing Project in conjunction with DHRC members Texas Housers and Texas Appleseed. Although initially drafted as a framework for community development, they can easily be adapted to the mitigation and resiliency context. The Four Rights are:
 - 1) The Right to Choose, which promises assistance should a community member wish to relocate to another area, providing both a choice of where to live and promoting integration.
 - 2) The Right to Stay, which guarantees against the involuntary displacement of low-income people through mitigation and resilience efforts.
 - 3) The Right to Equal Treatment, which demands that low-income communities be provided with the same level and types of assistance as higher-income neighborhoods.
 - 4) The Right to Have a Say, which requires that the government permit low-income communities and households themselves to have meaningful democratic participation in the decisions that affect their community and their family.⁴⁵

By operationalizing these requirements via a robust public participation requirement and standing Citizen Advisory Committee, requiring certifications and oversight preventing the forced displacement of individuals, and requirements that relocation programs are not being utilized without substantial consideration of the mitigation strategies available, HUD can ensure this standard is being utilized to guide mitigation efforts within CDBG-DR programs.

⁴³ <https://preservationdatabase.org/wp-content/uploads/2021/06/Taking-Stock.pdf>

⁴⁴ <https://preservationdatabase.org/wp-content/uploads/2021/06/Taking-Stock.pdf>

⁴⁵ <https://texashousers.net/2019/08/13/the-city-of-houston-says-it-wants-to-end-impediments-to-fair-housing-using-the-four-rights-it-should-lead-by-example/>

- HUD should specify more measures to actively prevent displacement and require grantees to make public metrics for allocation of program dollars based on neighborhood-level analysis of need. Such specificity reflects HUD’s prior recognition in CDBG-DR allocation notices that it must evaluate draft grantee action plans with regard to their compliance, both patent and latent, with the affirmative requirements traditionally set out in Section VI of allocation notices that require not just lip service, but actual program structure, including resource distribution, to assist low and moderate-income households and communities, minimization of displacement and incorporation of mitigation.⁴⁶
- Federal dollars should be conditioned on meeting higher standards. Mitigation must become a standard part of evaluating federal funds. For example, before the renewal of HUD funding such as Project-Based Rental Assistance, there should be a resident-informed evaluation of climate risk and serious consideration of alternatives to continuing to fund developments in harm’s way.
- For many municipal and state governments, receiving mitigation funding can be the first-time human rights-centered mitigation practices are truly considered. Just as community members must be educated about mitigation efforts, state and local governments must be educated on how mitigation efforts can protect residents, communities, and resources. Not only will this education ensure important mitigation funding is not wasted on unnecessary projects, but it can also lead to more efficient engagement among affected communities and mitigation planners and specialists, which can inform decisions about resource allocation and contractor selections.
- Just as municipalities and state governments need education regarding human rights-centric mitigation practices, communities themselves also need access to information and expertise to navigate the sometimes labyrinthian technical jargon affiliated with mitigation projects and their implementation. To aid this understanding, HUD should work to ensure that grantees establish interactable open data sources, allowing community members to track the progress of mitigation plans as well as conduct statistical analysis to inform continued public input into the process.
- HUD should collaborate with FEMA to institute a common format for distribution of data to the public while Action Plans are being drafted, based on the OpenFEMA data set. These data must include information at the most granular available Census geography, preferably the Census block, to enable the public to compare the data with Census data in areas that FEMA does not currently collect information on, such as race and ethnicity. An exceptional example of transparency in procurement and operations post-impact is the New Jersey Office of the Comptroller’s Sandy Transparency pages.⁴⁷ This resource been taken down, but many of its elements are resurrected on the Office of the Comptroller’s COVID-19 Oversight page and COVID-19 Compliance and Transparency page.
- This distribution of data should continue as programs are being implemented. One agreement reached in the voluntary compliance agreement between the State of New Jersey and DHRC member Fair Share Housing Center (FSHC) was that the state was, and continues to be, required to send FSHC quarterly reports containing much of the data described above, at an individual award level with procedures to protect recipient privacy.

⁴⁶ See, for example, 83 F.R. 5844, 5849, VI. A. 2. a. (1) – (13) – Feb. 9, 2018)

⁴⁷ (<https://www.nj.gov/covid19oversight/transparency/contracts/>)

Such transparency has proven helpful, and monthly updates on a public page including all of the described data and procedures, should be a data access and transparency baseline.

Question: *What additional relocation, acquisition, and replacement housing waivers and alternative requirements should HUD consider that would assist and expedite community efforts to reduce future risk while minimizing displacement and ensuring fair treatment and protections to those whose property is acquired or who must move due to a CDBG–DR funded activity?*

Response:

- Buyouts that involve the involuntary displacement of renters are an extreme solution and should only be undertaken after direct consultation with affected residents and HUD FHEO staff, and only after all alternatives have been fully investigated and found inadequate for the long-term protection of residents. Should the displacement of tenants be necessary, HUD must require the grantee to provide more robust housing counseling services to complement assistance provided under the Uniform Relocation Act to ensure that an individual is able to safely relocate to a habitable dwelling suitable to their household size.
- To better facilitate the voluntary buyout process, it should be reiterated that rapid program implementation can often create confusion and fear among disaster-impacted individuals.⁴⁸ An additional alternative model might be to permit the voluntary self-identification of a community as needing a buyout program prior to disasters through a CDBG-DR pre-certification process. This ensures the process of recovery can rapidly begin following a subsequent disaster and empower disaster survivors themselves.
- HUD currently requires the subtraction of FEMA repair awards from buyout awards, which can inadvertently punish households that happened to be eligible for this type of assistance but needed a buyout. HUD should explore whether it can exempt FEMA repair assistance from the overall value of a home under a buyout program, ensuring greater acceptance and assistance to those voluntarily relocating. In addition, buyout costs and relocation assistance must be increased where the high cost of housing precludes a household from moving nearby. The options for relocation must address fair housing by ensuring that relocated households have a range of options to move to different communities, not just high-risk areas such as those subject to disinvestment. HUD should explore ways to automatically increase funding for buyouts where this is the case. Doing so can ensure that the pre-event value of the property and the generational wealth it represents is not lost through relocation.
- HUD should also ensure that the land use options available to grantees conducting a buyout program ensure that those households remaining in a buyout community also benefited from the process. This includes the creation of a plan regarding maintenance for acquired land. HUD should require that a plan for land maintenance is present within Action Plans detailing an acquisition program.

⁴⁸ <https://link.springer.com/article/10.1007/s13412-021-00688-z>

VIII. Conclusion

Reforming the CDBG-DR program is critical to ensuring the lowest-income and most marginalized disaster survivors receive the assistance they need for a complete and equitable recovery. Thank you for the opportunity to submit these recommendations. We look forward to continuing to work with HUD to ensure that federal disaster recovery efforts prioritize the housing needs of the lowest-income and most marginalized people in impacted areas. We also hope that the agency will consider issuing an additional request specifically covering the CDBG – Mitigation (CDBG-MIT) program.

Co-signed Organizations:

National Low Income Housing Coalition (NLIHC)

Affordable Homeownership Foundation Inc

Disability Rights Texas

Fair Share Housing Center

Hispanic Federation

Homeless and Housing Coalition of Kentucky

Hope Whispers Community Organization

Housing Assistance Council

Jones Rehab Inc.

Local Initiatives Support Corporation

National Housing Law Project (NHLP)

National Housing Resource Center

National Community Reinvestment Coalition

National Association for Latino Community Asset Builders (NALCAB)

Partnership for Inclusive Disaster Strategies

Technical Assistance Collaborative, Inc.

Texas Appleseed

Union of Concerned Scientists

A full list of DHRC members is available [here](#).