



October 12, 2022

The Honorable Deanne Criswell
Administrator
Federal Emergency Management Agency
500 C Street, SW
Washington, DC 20472

To Administrator Criswell:

On behalf of the National Low Income Housing Coalition (NLIHC), the NLIHC-led Disaster Housing Recovery Coalition (DHRC), and the NLIHC-led Disaster Recovery Research Consortium (DRRC), I write to urge the Federal Emergency Management Agency (FEMA) to take critical steps to improve OpenFEMA, the agency's data sharing initiative, in order to provide additional value to the agency and disaster-impacted communities. OpenFEMA is currently the only online repository for publicly available disaster recovery data at FEMA. It is a crucial resource for impacted communities, researchers, and policymakers working to ensure a complete and equitable recovery after disasters. Additional action is needed, however, to ensure OpenFEMA is as accessible and effective as possible to help meet the goals of FEMA's 2022-2026 Strategic Plan.

The DHRC includes more than 850 local, state, and national organizations, including many organizations working directly with disaster-impacted communities and with first-hand experience recovering after disasters. Together, we work to ensure that federal disaster recovery efforts reach all impacted households, including those with the lowest incomes.

The DRRC is led by NLIHC and includes university researchers, and housing advocates from across the country working on disaster-related research and policy. The group regularly meets to share updates on disaster research activity, identify additional opportunities for collaboration, improve data transparency, and affect policy for equitable disaster recovery.

In its 2022-2026 Strategic Plan, FEMA has identified the need to better use data to identify gaps in programs and disaster response that hinder the agency's strategic goals. The accompanying list of principles outlined by FEMA includes a focus on data transparency, stating that "FEMA is committed to ensuring that the agency's leadership and staff, collaborators, policymakers, researchers, and the public at large are able to learn from our work."¹

In line with this principle, we urge FEMA to improve and expand OpenFEMA by implementing the recommendations outlined in this letter. These recommendations were collected by the members of DHRC and DRRC.

¹ FEMA, 2022-2026 FEMA Strategic Plan, Appendix 2, available at: https://www.fema.gov/sites/default/files/documents/fema_2022-2026-strategic-plan.pdf

Collect and Make Public Key Data on Race and Other Demographics

NLIHC applauds FEMA's recent decision to collect additional demographic information from applicants for assistance – specifically regarding race, ethnicity, and gender. Without data on the race, ethnicity, and gender of applicants and those approved for assistance, FEMA and external partners are unable to assess the extent to which the agency meets its civil rights, nondiscrimination, and equity requirements as found in Executive Order 13985, civil rights law, and the Stafford Act specifically, which requires FEMA and non-federal government bodies working in disaster response to ensure that “that the distribution of supplies, the processing of applications, and other relief and assistance activities shall be accomplished in an equitable and impartial manner, without discrimination on the grounds of race, color, religion, nationality, sex, age, disability, English proficiency, or economic status.”²

Research on equity and disasters has not historically looked directly at the race of the applicants for FEMA assistance, but instead has examined the distribution of assistance by the race and ethnicity of applicants' ZIP codes or neighborhoods as a proxy. Until recently, FEMA failed to ask applicants for their race or ethnicity. This has created an incomplete picture of equity within FEMA programs and emergency management at large.

Reviews of recovery programs reflected this failure as well. A 2021 report by the Government Accountability Office (GAO) found that “six large federal recovery programs in our review lack data and analysis that would allow them to identify potential access barriers and disparate outcomes” and that “when officials described collecting data in the application process, they did not do so with the aim of identifying and addressing potential access barriers and disparate outcomes; rather, they collected only data that directly supported the implementation of their programs.”³ FEMA's failure to collect this information does not prove that FEMA programs do not discriminate, it simply makes any potential sources of discrimination within FEMA programs harder to identify.

FEMA should collect and make public data on the race and other demographics of applicants as part of a larger efforts to evaluate federal disaster response and recovery programs for potential bias and inequity. While the decision to begin collection of this data is promising, it is unacceptable that such data would subsequently be unavailable for review in an anonymized form by researchers and members of the public. Allowing only a small team of unnamed FEMA employees access to this vital information for a strictly internal review of program equity is not sufficient to demonstrate that the agency is making progress in implementing 2022-2026 FEMA Strategic Plan goals.⁴ The plan itself acknowledges the need for equity-based evaluations conducted both within FEMA and with external organizations – as required by Executive Order 13985, which requires agencies to assess “potential barriers that underserved communities and individuals may face to enrollment in and access to benefits and services in Federal programs.”⁵

Similarly, in its response to comments submitted by external organizations to a recent Federal Register Notice regarding equity data collection, the agency quoted FEMA Directive #262-1, saying that:

² 42 U.S.C. s. 5151(a)

³ Government Accountability Office, “Additional Actions Needed to Identify and Address Potential Recovery Barriers” (December 2021), <https://www.gao.gov/assets/gao-22-104039.pdf>

⁴ See FEMA, 2022-2026 FEMA Strategic Plan, Objective 1.3, Achieve Equitable Outcomes for Those We Serve

⁵ Id.

“...to the maximum extent possible, FEMA will make non-sensitive data available, in multiple formats, to the public, in order to promote transparency, and to enhance the whole community's ability to make informed decisions on prevention, preparedness, mitigation, response, and recovery efforts. FEMA Program Offices will publish non-sensitive, non-PII information online in a manner that promotes analysis and reuse for the widest possible range of purposes, meaning that the information is publicly accessible, machine-readable, appropriately described, complete, and timely.”⁶

The agency's recitation is at odds with its continuing insistence that anonymized equity-related data will not be released on OpenFEMA. To fulfill its obligations under the 2022-2026 Strategic Plan and protocol, Executive Order 13985, Title VI of the Civil Rights Act, and the Stafford Act; to increase public trust in FEMA programs; and to further transparency of its activities, FEMA must publicly commit to making demographic data, absent personal identifying information (PII), available via the OpenFEMA data portal on an ongoing basis.

Disaggregate Data From Past and Active Disasters on as Granular a Geographic Level as Possible

FEMA should publicly commit to making data on past disasters and current assistance periods, disaggregated by as granular a geographic area as possible, available on OpenFEMA. Doing so will serve a wide variety of research and community-based advocacy working both to improve the country's disaster housing recovery system and increase community resiliency during future events.

Many communities stricken by recent disasters have been unable to fully measure disaster impacts. For disaster survivors and their advocates, access to specific response and recovery data about their community could foster new efforts to recover from the disaster in the long term and to better prepare for disasters in the future. For researchers working on broader questions of long-term recovery, access to geographically specific data on FEMA's response would create a fuller picture of recovery from the incident through the present day.

While FEMA has maintained at least one data set with census block-level data, it is not included for all disasters. Data on past disasters can be invaluable to researchers and community-level advocates currently working to improve the effectiveness and equity of long-term recovery efforts. The upload of historic disaster data on OpenFEMA, however, has been sporadic thus far. When it is released, the data are often not provided at a small enough geographic level to be useful. These data would be exceptionally useful in assisting in the deployment of additional recovery resources by external partners, such as those assisting disaster survivors in filing Individual Assistance application appeals. By merging such geographically granular data with data about other federal assistance programs like the Community Development Block Grant - Disaster Recovery (CDBG-DR) program, levels of homelessness, and housing construction, researchers and advocates could assist in more closely identifying communities that are repeatedly impacted by disasters but left behind by recovery programs. Conclusions generated by this research would be pivotal to addressing the equity goals in the 2022-2026 FEMA Strategic Plan.⁷

⁶ FEMA, Response to Comment 29, Agency Information Collection Activities: Submission for OMB Review; Comment Request; Generic Clearance for Civil Rights and Equity, <https://www.regulations.gov/document/FEMA-2022-0006-0034>

⁷ See FEMA, 2022-2026 FEMA Strategic Plan, Objective 1.2, Remove Barriers to FEMA Programs Through a People First Approach

Making these data public is also essential to ensure that both FEMA and its federal funding recipients comply with their obligations under Title VI of the Civil Rights Act. Making data public incentivizes FEMA and its funding recipients to distribute resources equitably and provides impacted communities with the tools to hold them accountable if they do not.

Collect and Make Public Detailed Data on Mitigation Funding

Over the past decade, FEMA has distributed tens of billions in mitigation funding across its programs, including the Building Resilient Infrastructure and Communities (BRIC) Program, the Flood Mitigation Assistance (FMA) program, and the Hazard Mitigation Grant Program (HMGP). Given the size and number of projects funded through these programs, more detailed geographic information on specific project locations is needed. OpenFEMA currently only includes the state and county, and to some extent Zip codes, of mitigation spending.

OpenFEMA should include more detailed geographic data - beyond zip-codes or city alone regarding - mitigation funding. Doing so will create a clearer picture of communities currently served by these important funds, whether the funding is distributed equitably based on need, demographics, and community resources, and how successful the projects have been in preventing damage from disasters. As described in the previous section, detailed public data regarding mitigation funding would incentivize FEMA and grantees to ensure obligations under Title VI of the Civil Rights Act are being met. In addition, information regarding mitigation programs should be updated on a regular basis in line with FEMA's continuing efforts to implement its strategic objectives.⁸

Identify Erroneous Datasets, Do Not Remove Them

Given the nature of FEMA's work, formulas and program requirements can often mean that a recently released data set may be identified as erroneous. While it is within the practices of good government to quickly identify erroneous data, removing them from OpenFEMA can stymie the ability for disaster-impacted communities and their advocates to identify the impact of policy and program changes. FEMA should not remove data sets it finds erroneous. Instead, the data set should be clearly marked with a disclaimer and hosted within a separate section of the OpenFEMA website to ensure that analysis and comparison with correct data sets can be made.

During the [recent update](#) of National Flood Insurance Program (NFIP) properties that was released in June, 2022. FEMA quickly identified an error in the data sets that prevented the data from reflecting all the NFIP policies in force and promptly removed it from access on OpenFEMA. As of this writing, five data sets containing NFIP data removed from OpenFEMA have not been restored. When the new data sets are restored, having access to the previous, erroneous sets would be extremely useful for the purposes of comparison.

This issue might not only impact NFIP data, but data regarding the numerous other programs that FEMA administers. Preserving access to erroneous data, along with the corrected versions is consistent with the minimum standards of research integrity and can reveal the effects of FEMA's ongoing reform efforts in a way that does not create further confusion for researchers or the public.

⁸ See FEMA, FEMA 2022-2026 Strategic Plan, Objective 1.3, Achieve Equitable Outcomes for Those We Serve

Provide Additional Data Sets in Interactive and Accessible Formats

OpenFEMA currently displays data sets in a way that caters to individuals with a background in data-driven science, computer programming, and analytics - such as Application Programming Interface (API). While this data format is critical to those within the data science field and researchers, it can be of little use to community-based advocates working on disaster recovery-related issues who do not have the level of expertise and software needed to handle it.

While providing files in Excel format has been a simple way to circumvent these issues, recently collected and historical data are often combined into a single large file making such information difficult to download and analyze. Attempting to access large OpenFEMA data sets may inadvertently crash computers or monopolize bandwidth for individuals working on low-speed internet – especially those in rural communities or insular areas. Without the ability to access large data sets or the capacity to analyze and repackage data so it can be understandable to the average citizen, this data sharing method will remain inaccessible to communities in rural and insular areas.

OpenFEMA should serve both researchers and disaster-impacted communities and their advocates. In addition to API files and large data sets, OpenFEMA should also present data in open data formats and other ways that allow disaster survivors, advocates, and other community stakeholders to clearly see FEMA's efforts to protect communities before, during, and after disasters. Instead of displaying data merely as spreadsheets, FEMA should explore ways to visualize data in an interactive way.

Where such information has been accessible, it has greatly improved disaster response efforts in the past. During Hurricane Harvey, individual assistance application data showed that recovery programs were [highly variable](#) by household income. During Hurricane Sandy, access to FEMA IA data allowed advocates to identify severe deficiencies within New Jersey's CDBG-DR program – allowing for a [large correction](#) in the amount of funding going to assist disaster-impacted renters. As demonstrated by additional initiatives such as the Red Cross [Partners Hub](#) or the [dashboards](#) created by several ongoing CDBG-DR programs, when presented in an accessible fashion, data can inform disaster recovery by volunteers and disaster survivors with little background in data science. Doing so is a necessity for the completion of FEMA's equity-based objectives and its standing commitment to transparency.⁹

We look forward to working with FEMA to ensure greater data transparency as a critical part of the Biden-Harris Administration's efforts to achieve equity. If you have any questions or need additional information, please contact me (dyentel@nlihc.org) or NLIHC Senior Vice President Sarah Saadian (ssaadian@nlihc.org).

Sincerely,



Diane Yentel
President and CEO
National Low Income Housing Coalition

⁹ See FEMA, FEMA 2022-2026 Strategic Plan, Goal 1, Instill Equity as a Foundation of Emergency Management: Id. at Appendix 2