

PRRAC
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Sent electronically via [Regulations.gov](https://www.regulations.gov).

RE: [Docket No. HUD-2006-0214] – 60-Day Notice of Proposed Information Collection: Standardization Form for "Race and Other Demographic Data Reporting Form-HUD 27061"

To Whom it May Concern:

The Poverty & Race Research Action Council (PRRAC) respectfully submits these comments in strong support of the U.S. Department of Housing and Urban Development (HUD)'s continued collection of demographic information, including data regarding race, ethnicity, disability, and other protected characteristics. The collection and analysis of this data is (1) lawful and longstanding and (2) indispensable to HUD's statutory civil rights and fair housing duties.

PRRAC is a national civil rights organization bridging law, policy, social science, and grassroots organizing to advance racial and economic justice. PRRAC brings deep expertise on housing justice and educational equity to grassroots movement organizations and coalitions, through legal analysis, policy design, and research translation. Our work is grounded in empirical research, legal analysis, and demonstrated solutions to ensure that federal housing programs advance equity, inclusion, and opportunity.

1. Data collection of demographic information is lawful, longstanding, and essential.

The collection of demographic information is lawful, raises no discriminatory concerns, and is consistent with longstanding federal practice. Since its inception, HUD has used accurate, comprehensive demographic data to administer its housing programs, ensure that these programs comply with federal law, and evaluate whether these programs are serving the populations that Congress intended to benefit.

HUD has long recognized that demographic data is essential to carrying out its statutory duties. In 1992, in response to the Office of Management and Budget (OMB)’s request for recommendations regarding the forthcoming 2000 census, then Secretary of HUD, Henry Cisneros, wrote that “HUD cannot fulfill its mission of making communities work for people without the use of census data in developing, administering, and monitoring HUD programs.”¹ This statement remains as true today as it was more than three decades ago. HUD’s statutory responsibilities have not changed, nor has its reliance on demographic information to carry out those responsibilities.

HUD has reaffirmed this principle repeatedly. *The Housing Choice Voucher Program Guidebook*, updated in April 2025, states that “Collecting and analyzing demographic information to ensure that a program is equitably reaching all those it was designed to serve is permissible and required by HUD regulations.”² The value of collecting demographic information extends beyond administrative efficiency. The Guidebook further notes that HUD’s failure to maintain and submit data on the “racial, ethnic, gender, family characteristics, elderly and disability status of applicants” may result in violations “of both public housing and civil rights related requirements.”³

2. Data collection is essential for monitoring anti-discrimination compliance and affirmatively furthering fair housing.

Anti-discrimination laws prohibit the use of protected characteristics to deny individuals equal treatment or opportunities. The demographic information collected by HUD—which may indicate when an individual is a member of one or more protected classes—is not collected for the purpose of discriminating among applicants for or recipients of HUD-funded services. Rather, HUD collects and analyzes demographic data to monitor compliance with the very anti-discrimination laws enacted by Congress to protect individuals from discrimination based on protected class status. Such data enables HUD to evaluate whether its housing programs are providing equal access to protected groups and investigate potential violations of federal civil rights laws.

Ignorance is not bliss. Civil rights laws cannot be meaningfully implemented without the ability to determine whether protected groups are experiencing discrimination. Without access to accurate demographic information, HUD would be operating without the evidence necessary to

¹ Modernizing the U.S. Census, app. H, Nat’l Acad. Press, 1995 (quoting Henry G. Cisneros, Sec’y, U.S. Dep’t of Hous. & Urban Dev., Letter to Philip Lader, Deputy Dir., Office of Mgmt. & Budget, June 18, 1993).

² U.S. Dep’t of Hous. & Urban Dev., *Housing Choice Voucher Program Guidebook: Fair Housing and Nondiscrimination Requirements* 17 (Apr. 2025), https://www.hud.gov/sites/dfiles/PIH/documents/HCV_Guidebook-Chapter_Fair-Housing_April-2025.pdf.

³ *Id.*

determine whether HUD, its agents, programs, and partners are acting in compliance with federal law.

The Fair Housing Act not only prohibits discrimination, but also charges HUD with an affirmative duty to further fair housing—a statutory obligation which necessarily requires HUD to have the tools to measure whether its programs are in compliance. In *Shannon v. HUD*, the Third Circuit held that HUD could not remain indifferent to the racial consequences of its actions, explaining that "color blindness is impermissible."⁴ The court further held that HUD "must utilize some institutionalized method whereby... it has before it the relevant racial and socio-economic information necessary for compliance with its duties under the 1964 and 1968 Civil Rights Acts."⁵ Likewise, the First Circuit in *NAACP, Boston Chapter v. HUD* explained that HUD's affirmative duty to further fair housing requires it to evaluate the effects of its actions using racial and socio-economic data, including an obligation "to assess negatively those aspects of a proposed course of action that would further limit the supply of genuinely open housing and to assess positively those aspects of a proposed course of action that would increase that supply."⁶ Without reliable demographic information, neither HUD nor Congress possess a meaningful way to assess whether protected groups are receiving equal access to housing opportunities, identify systemic barriers to fair housing, or even define what affirmatively furthering fair housing looks like. Progress cannot be measured without benchmarks.

Conclusion

PRRAC respectfully urges HUD and OMB to approve the proposed information collection because it is lawful, practical, and necessary. HUD's ability to carry out the responsibilities Congress has assigned to it depends on continued access to accurate demographic information. Without this critical data, HUD's ability to evaluate compliance with federal civil rights laws, identify barriers to fair housing, and fulfill its statutory obligations would be substantially diminished.

Thank you for the opportunity to comment.

Sincerely,

Aislinn McGrory, PRRAC

⁴ *Shannon v. U.S. Dep't. of Hous. & Urb. Dev.*, 436 F.2d 809, 820-21 (3d Cir. 1970).

⁵ *Id.* at 821.

⁶ *NAACP v. Sec'y of Hous. & Urb. Dev.*, 817 F.2d 149, 156 (1st Cir. 1987).