National Association of Housing and Redevelopment Officials
630 I Street NW, Washington DC 20001-3736
Phone: (202) 289-3500 Toll Free: (877) 866-2476 Fax: (202) 289-4961

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Office of Public and Indian Housing
Department of Housing and Urban Development
451 7th Street SW
Washington, DC 20410

Re: 60-Day Notice of Proposed Information Collection: Restriction on Assistance to Noncitizens and Authorization To Release Information/Privacy Act [Docket No. FR-7109-N-10; OMB Control No.: 2577-0295]

To Whom It May Concern:

Established in 1933, NAHRO is a membership organization of 26,000 housing and community development providers and professionals throughout the United States. Our members create and manage affordable housing for low- and middle-income families and support vibrant communities that enhance the quality of life for all. NAHRO members administer more than 3 million homes for more than 8 million people. NAHRO appreciates the opportunity to comment on the proposed revision to Form HUD-9886-A, *Authorization for the Release of Information/Privacy Act Notice to the U.S. Department of Housing and Urban Development and the Housing Agency/Authority (HA).*

NAHRO strongly supports efforts to modernize HUD forms, improve program integrity, and provide applicants and participants with clear explanations of how their personal information will be collected, verified, and protected. We also recognize the importance of ensuring that HUD's income verification processes remain consistent with the Privacy Act, the Paperwork Reduction Act (PRA), the Housing Opportunity Through Modernization Act (HOTMA), and applicable computer matching agreements.

However, after reviewing the proposed form, we have several concerns regarding both the revised consent language and the characterization of this information collection under the Paperwork Reduction Act.

Expanded SSA Authorization

The most significant change in the proposed form is the addition of a new, standalone authorization directed specifically to the Social Security Administration (SSA). Unlike the current version of Form HUD-

Sean Gilbert, PHM, SPHM, NCC, NAHRO Fellow, President; **Ivory Mathews**, Senior Vice President; **Marsha Parham-Green, CME, CPHM, CSI-HQS**, Vice President - Budget & Administration; **Joe Grisson, NCC**, Vice President - Commissioners; **Taryl Bonds**, Vice President - Community Revitalization & Development; **Angie Garcia-Nguyen**, Vice President - Housing; **Lisa Baker**, Vice President - International Research and Global Exchange; **Beverly Banks**, Vice President - Member Services; **Diane Cohen, CME, NCC**, Vice President - Professional Development; **Mark Thiele, C-PHM, CME, CMVO, NCC**, Chief Executive Officer

e-mail: nahro@nahro.org website: www.nahro.org

9886-A, which generally authorizes HUD and housing agencies to obtain Social Security verification and benefit information, the proposed form expressly authorizes SSA to:

- verify whether an individual's name, Social Security Number, and date of birth match SSA records;
- disclose explanatory information identifying which data element(s) do not match SSA records;
- disclose whether an individual receives Title II, Title XVI, or Title VIII benefits; and
- disclose applicable benefit payment amounts.

While HUD may intend these revisions to reflect existing computer matching practices, the proposed language appears to expand the scope of the applicant's express consent beyond the language currently contained in Form HUD-9886-A.

Because applicants are being asked to execute a revised legal authorization, NAHRO respectfully requests that HUD clarify whether these provisions merely describe information that SSA already provides under existing computer matching agreements or whether they authorize SSA to disclose additional information that was not previously covered by the form.

Providing this explanation would assist public housing agencies in understanding whether the proposed form represents a clarification of existing practices or an expansion of applicant consent.

Clarification Regarding Use of SSA Information

Although the proposed form limits the use of information to determining eligibility and benefit levels under HUD-assisted housing programs, the revised authorization is significantly more detailed than the current form.

Accordingly, NAHRO requests that HUD expressly confirm that the additional SSA verification information authorized by the proposed form will be used solely for income and identity verification associated with HUD-assisted housing programs and will not be used for immigration verification under Section 214 of the Housing and Community Development Act of 1980 or for any other purpose beyond those identified in the form and applicable Privacy Act notices.

Providing this clarification would help reassure both housing agencies and program participants regarding the intended scope of the revised authorization.

Paperwork Reduction Act Characterization

NAHRO is also concerned that HUD has characterized this action as an approval or extension of an existing information collection rather than a revision.

While the proposed form does not appear to collect additional categories of information from applicants, it does revise the legal consent being executed by participants. NAHRO believes these revisions go beyond simple formatting or editorial corrections.

Accordingly, NAHRO respectfully requests that HUD clarify whether this information collection should instead be characterized as a revision of an existing collection under the Paperwork Reduction Act and, if not, explain why HUD believes the proposed changes do not constitute a revision requiring that designation.

Conclusion

We respectfully request that HUD clarify the purpose and legal effect of the revised SSA authorization, confirm the intended uses of the additional identity verification information, and explain whether the proposed form should properly be characterized as a revision to the existing information collection.

Thank you for considering these comments. We look forward to continuing to work with HUD to ensure that income verification processes remain both effective and transparent.

Thank you,

Eric Oberdorfer
Director of Policy and Legislative Affairs