

REVIEW OF FEMA EMERGENCY NON-CONGREGATE SHELTERING

CONTROLLING GUIDANCE: [FEMA'S INTERIM EMERGENCY NON-CONGREGATE SHELTERING DURING THE COVID-19 PUBLIC HEALTH EMERGENCY FACT SHEET](#)

BACKGROUND

FEMA's Public Assistance (PA) program reimburses state, local, tribal, and territorial (SLTT) governments for "emergency protective measures." Typically, PA only includes emergency congregate sheltering as well as costs involved in establishing and maintaining that shelter. Due to the COVID-19 pandemic, FEMA is permitting PA to fund non-congregate sheltering - or sheltering people in individual living spaces such as hotel rooms, motels, or dorms.

These PA reimbursements are to be utilized in areas with Stafford Act declarations (Major Disaster Declarations, Emergency Declarations, and Fire Management Assistance Grants through December 31, 2020).

IMPLEMENTATION

Just as in the non-congregate sheltering of individuals experiencing homelessness during COVID-19, SLTT governments can enter into formal agreements with private entities, including non-profits where necessary, to create and staff non-congregate shelters in the aftermath of a disaster. PA funding is provided directly to the responsible government entity by FEMA after reviewing associated costs. The SLTT then reimburses the private organization for the cost of providing those services.

Pre-approval is not required for these reimbursements - only a Stafford act declaration is needed. However, the SLTT will still need to provide data and documentation to establish eligibility for the non-congregate sheltering activities in order to receive reimbursement from FEMA after the fact. This includes the collection of data on those being sheltered - to assist transitioning those sheltered to other forms of FEMA assistance. Where Individual Assistance (IA) is approved, applicants will be encouraged by FEMA to register and receive assistance through that program. SLTT governments and interested non-profits should also review the [Public Assistance Policy and Guidance Document](#) (page 123) to learn more about FEMA's reporting requirements.

Cleaning and disinfection costs will also be covered by the PA program - including face coverings and other items necessary to protect public health and safety during the pandemic.

The shelter period will last for up to 30 days after the incident period ends (incident periods are typically described in each FEMA declaration). For costs incurred outside of that time period an extension request can be sent to the regional FEMA administrator. Extensions after December 31, 2020 will need to be approved by the FEMA Assistant Administrator for Recovery.

Interested individuals are highly encouraged to closely read [FEMA's Interim Emergency Non-Congregate Sheltering During the COVID-19 Public Health Emergency Fact Sheet](#) (FEMA Policy 104-009-18).



JONES FIRE IN BIG FALL CREEK ROAD, LOWELL, UNITED STATES

CAUTIONS

There are several aspects of this program worthy of concern. The first of which is that this program operates through reimbursements to SLTT governments. Given the severe cash flow concerns being experienced by many municipal governments at this time, government officials may be unable, or unwilling, to pay up front for these services. There is no guarantee of when a SLTT will receive its reimbursement from FEMA - heightening the level of concern for government officials on the ground.

Second, it is important to note that FEMA will be prohibited from duplicating federal funding. This includes other FEMA programs. For example, should an individual receive a motel or hotel voucher under FEMA's Transitional Sheltering Assistance (TSA) program, the SLTT government would not be reimbursed for their subsequent stay in non-congregate sheltering.

Third, FEMA will require substantial documentation of the costs involved with non-congregate sheltering before approving a reimbursement. The lack of full documentation may result in FEMA refusing to reimburse certain costs. Where local governments are skeptical about the potential to receive reimbursement for such funds, a plan to collect robust information on the effort would do much to reassure such government. It would also be extremely useful to legal and housing advocates if information beyond that which is required by FEMA would be collected - including information on housing status prior to the fire.

Finally, many areas struck by the latest wildfires are rural in nature - without many free housing units or hotel rooms to host survivors. It will be important to look for alternative sources of non-congregate sheltering outside of hotels (such as university dorms) to house individuals. Dorms and other non-congregate sheltering will be reimbursable if accomplished within FEMA's framework.

