

Potential FEMA Emergency Sheltering Options During the COVID-19 Pandemic

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Some hazards (e.g., hurricanes, wildfires) may result in evacuations and displacement of survivors. According to the Federal Emergency Management Agency (FEMA), state, local, tribal, and territorial governments (SLTTs) [are responsible for coordinating](#) emergency sheltering after a declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act; 42 U.S.C. §§5121 et seq.). However, the [Centers for Disease Control and Prevention \(CDC\)](#) and FEMA acknowledge that the ongoing coronavirus disease 2019 (COVID-19) pandemic may [complicate efforts to provide emergency sheltering](#). This Insight discusses emergency sheltering models used by FEMA, COVID-19-related emergency sheltering policies, and challenges faced by SLTTs supporting emergency sheltering during the COVID-19 pandemic, and policy considerations for Congress.

Emergency Sheltering Options

The federal government may provide assistance to SLTTs when the President declares an emergency or major disaster under the Stafford Act. Emergency sheltering may be authorized under [Stafford Act Section 502](#) following an emergency declaration, and [Stafford Act Section 403](#) following a major disaster declaration or [Fire Management Assistance Grant \(FMAG\)](#) declaration. This assistance is commonly referred to as [Public Assistance \(PA\)](#) Category B—Emergency Protective Measures. When PA is authorized, FEMA will reimburse SLTTs, as well as eligible nonprofits (PA Applicants) for at least 75% of [eligible costs](#) incurred while performing eligible work. FEMA’s regulations on emergency sheltering are limited, though additional guidance may be issued.

The following sections describe select, PA-authorized emergency sheltering options used in the wake of recent and past disasters, as well as [FEMA’s interim sheltering policy](#) and guidance during COVID-19. Sheltering options may vary depending on post-disaster needs and [shelter availability](#).

Congregate Shelters

FEMA usually supports emergency [congregate shelters](#) (i.e., facilities with large, open spaces, such as schools and community centers), and may reimburse associated [costs](#), including facility leasing and

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utilities, eligible staffing, supplies including food and furnishings, and services including cleaning and medical care.

FEMA has acknowledged the need to ensure appropriate social distancing in congregate shelters due to the COVID-19 pandemic. To mitigate risk in congregate settings, FEMA recommends that congregate shelters [provide at least 110 square feet per person](#). Agency guidance also recommends that SLTTs [identify additional sheltering space](#), [use tracking systems](#) to locate available space, and prepare [registration procedures](#) that separate ill and well evacuees. Some shelters have provided [coronavirus testing](#), as recommended by [FEMA guidance](#). CDC recommends shelter residents [self-quarantine after leaving a disaster shelter](#).

As COVID-19 has [spread in congregate shelters](#), the CDC designated this option as “a last resort.” Thus, FEMA issued an [interim policy for non-congregate sheltering](#) in the event of a Stafford Act declaration through December 31, 2020. FEMA also recommends [sheltering with friends or family](#) and [other housing options](#).

Non-congregate Shelters

Due to COVID-19 pandemic, FEMA [has changed its policy](#) to [authorize non-congregate sheltering](#) ([defined by FEMA](#) as sheltering that affords privacy, such as separate dormitory, hotel, or motel rooms for evacuees from different households) [when necessary](#) to reduce risk of exposure or transmission among survivors. The policy is applicable for all Stafford Act declared incidents between June 1 and December 31, 2020, beginning [six days prior to and up to thirty days following an incident](#) (unless FEMA approves an extension). PA Applicants requesting reimbursement must provide [sufficient documentation](#), [meet all PA eligibility requirements](#), and follow [FEMA’s procurement policies](#) when contracting out any emergency protective measures, including the [provision of non-congregate sheltering](#). Additionally, PA Applicants may not receive assistance that [duplicates assistance](#) from other sources or federal agencies. FEMA will [review its policy](#) by December 31, 2020.

The [Transitional Sheltering Assistance \(TSA\)](#) program is an example of a non-congregate sheltering option. Due to the pandemic, FEMA has issued [interim TSA guidance](#), which applies to emergencies or major disasters declared on or after August 22, 2020, for which Individual Assistance is authorized. It allows FEMA to authorize TSA at the request of the affected state/territory/Indian tribe when congregate shelters are [overcrowded or insufficient to meet the need](#), or [areas of communities designated for assistance are inaccessible](#) and expected to remain so for more than 30 days. The interim TSA guidance also includes [eligibility and program implementation](#) information. Unlike PA-reimbursable emergency sheltering, TSA is provided as Direct Federal Assistance, meaning FEMA pays the hotel/motel [lodging providers](#) directly. The interim TSA guidance will be either [reissued, revised, or rescinded within one year](#) of August 23, 2020. Additionally, FEMA’s [interim non-congregate sheltering policy](#) describes the information PA Applicants should collect to ease the transition from non-congregate sheltering to TSA during COVID-19.

Emergency Sheltering Challenges During COVID-19

Emergency managers have recently sheltered disaster survivors in congregate and non-congregate settings, including in the aftermath of [wildfires](#) in California, Oregon, and Washington, and Hurricanes [Laura](#) and [Sally](#). Challenges faced during these efforts have included:

- Insufficient [time and resources](#) to revise sheltering plans;
- [Staffing shortfalls](#) at congregate and [non-congregate](#) sheltering facilities;
- [Insufficient non-congregate sheltering capacity](#);

- [SLTT-borne non-congregate sheltering costs](#);
- [Risk of transmission](#) among evacuees and emergency response personnel at congregate shelters, including [firefighters](#);
- [Reluctance to evacuate](#) due to risk of transmission; and
- Lack of [evacuee transportation options](#) that comply with social distancing requirements.

Potential Policy Considerations for Congress

SLTTs bear significant [responsibility](#) for preparing for, responding to, and recovering from disasters. To that end, [potential congressional considerations](#) to support the emergency sheltering efforts of SLTTs during the pandemic include:

- [reducing or eliminating](#) the FEMA PA nonfederal [cost share](#) (i.e., the SLTT-borne portion of the costs, which is generally 25%), given potential [state and local budget shortfalls](#);
- evaluating the need to pass legislation to continue the [moratoria on residential evictions](#) that was ordered by the [Director of the CDC](#) and is in effect through December 31, 2020, if needed to help reduce the demand for emergency sheltering; and
- examining options to support or increase staff supporting emergency sheltering, given pandemic-related staffing unavailability, reductions, and attrition in [SLTTs](#), [voluntary organizations](#), and the [accommodations industry](#). Direct Federal Assistance and/or the National Guard could provide additional federal support, though Congress may consider capacity strains on [federal personnel](#) responding to the pandemic, wildfires, and hurricanes.

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