



FEMA Funeral Assistance for COVID-19

Updated June 30, 2021

Congress authorized the Federal Emergency Management Agency (FEMA) to provide Funeral Assistance for deaths associated with the Coronavirus Disease 2019 (COVID-19) pandemic. This Insight provides an overview of FEMA COVID-19 Funeral Assistance, including eligible expenses, applicant eligibility criteria, and award amounts.

FEMA IA for the COVID-19 Pandemic

In response to the COVID-19 pandemic, President Donald J. Trump issued a nationwide emergency declaration under Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act; 42 U.S.C. §§5121 et seq.). Subsequently, President Trump and President Joseph R. Biden Jr. approved major disaster declarations for 50 states, 5 territories, the District of Columbia, and 3 tribes under Stafford Act Section 401.

Funeral Assistance is a form of Other Needs Assistance (ONA) that is typically available when the President authorizes the Individuals and Households Program (IHP)—a type of Individual Assistance (IA)—pursuant to a declaration of emergency or major disaster under the Stafford Act. In the case of the COVID-19 pandemic, however, Congress authorized FEMA to provide Funeral Assistance through legislation.

Only Funeral Assistance, and not all forms of IHP assistance, has been authorized for the COVID-19 pandemic Stafford Act declarations. In addition, the other forms of IA authorized to support pandemic recovery are limited to the Crisis Counseling Assistance and Training Program and the Lost Wages Assistance (LWA) program (authorized by President Trump under the ONA statutory authority to provide grants for supplemental lost wages payments to individuals receiving unemployment insurance).

Funeral Assistance for the COVID-19 Pandemic

Congress, through the Consolidated Appropriations Act, 2021, first required FEMA to provide Funeral Assistance through the IHP for the presidential Stafford Act declarations for the COVID-19 pandemic. An additional \$2 billion was appropriated to the Disaster Relief Fund to reimburse funeral expenses incurred through December 31, 2020, at a 100% federal cost share.

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CRS INSIGHT Prepared for Members and Committees of Congress — Subsequently, the American Rescue Plan Act of 2021 (ARPA; enacted March 11, 2021) also required FEMA to provide Funeral Assistance for deaths associated with the COVID-19 pandemic at 100% federal cost share. ARPA did not limit the date for expenses incurred.

On the date of ARPA's enactment, the declarations for the COVID-19 pandemic for the declared states, territories, and District of Columbia (but not the three tribes) were amended to authorize Funeral Assistance under ONA (the amendments limit IHP-ONA to Funeral Assistance).

FEMA began accepting applications on April 12, 2021, through a dedicated call center. Per FEMA's interim policy on COVID-19 Funeral Assistance, updated June 29, 2021, the agency will reimburse up to \$9,000 in eligible funeral expenses incurred on or after January 20, 2020, at 100% federal cost share, for deaths attributed to the COVID-19 pandemic.

Eligible Funeral Assistance Expenses

FEMA provides Funeral Assistance for disaster-caused funeral expenses, but not all expenses are eligible. FEMA's interim policy lists eligible expenses associated with funeral services and interment or cremation, including:

- transportation to identify the deceased (up to two people);
- remains transfer;
- caskets/urns;
- burial plots/cremation niches;
- markers/headstones;
- interment;
- funeral services;
- clergy/officiant services;
- death certificate costs; and
- additional state/local/territorial/tribal (SLTT) government mandated expenses.

Examples of ineligible expenses include costs associated with obituaries, flowers, and printed materials (e.g., programs).

Eligibility Criteria and Considerations for COVID-19 Funeral Assistance

The eligibility criteria established in FEMA's interim policy must be met in order for applicants to receive COVID-19 Funeral Assistance.

Applicants must be U.S. citizens, noncitizen nationals, or "qualified aliens" (as defined by FEMA), and must have disaster-caused needs and necessary expenses that are not covered by other sources (e.g., insurance). Minor children cannot apply on behalf of adults who do not meet the citizenship requirements. Decedents do not have to meet the citizenship requirements.

In addition, to receive COVID-19 Funeral Assistance:

- the applicant must incur eligible funeral expenses on or after January 20, 2020;
- the applicant must present documentation indicating the death was related to COVID-19:
 - a death certificate directly or indirectly attributing the death to COVID-19; or
 - for deaths occurring between January 20 and May 16, 2020, a signed statement by the certifying official/medical examiner/coroner directly or indirectly attributing the

death to COVID-19 and linking the death certificate cause of death with COVID-19; and

• the death must have occurred in the United States (i.e., a state, territory, or the District of Columbia).

Applicants must also provide documentation related to insurance or other funeral benefits received, and funeral expenses incurred.

Applicant registrations are associated with the state/territory/tribe in which the death occurred. Applicants may have multiple registrations in multiple states or territories.

Determining Award Amounts for COVID-19 Funeral Assistance

Eligible applicants may receive different Funeral Assistance award amounts. An applicant's award amount will depend on FEMA's determination of the applicant's unmet needs. Per FEMA's interim policy,

The total amount of burial or funeral insurance proceeds and/or any other forms of Funeral Assistance received from other sources will be deducted from the total actual cost of the funeral expenses incurred prior to FEMA awarding Funeral Assistance for any remaining unmet needs up to the Funeral Assistance award amount maximum.

A maximum award amount of \$9,000 has been established for each COVID-19-related funeral. An applicant may receive COVID-19 Funeral Assistance for multiple decedents up to the maximum amount of financial assistance for ONA for the year in which the major disaster for COVID-19 was declared (i.e., \$35,500 in FY2020). In addition to COVID-19 Funeral Assistance, up to \$1,800 provided through the LWA program counts towards the ONA maximum award.

There is currently no application deadline for COVID-19 Funeral Assistance.

Applicants may appeal FEMA award decisions.

Considerations

The unprecedented scope of COVID-19 Funeral Assistance may raise implementation concerns. FEMA stated that their interim policy is intended to "streamline the delivery of Funeral Assistance," and that FEMA will monitor awards to recover funds awarded in error. It is unclear how many deaths may ultimately be eligible for assistance; 592,682 deaths were attributed to COVID-19 on death certificates through June 19, 2021, and the incident periods for the COVID-19 major disaster declarations remain ongoing.

FEMA's "COVID-19 Funeral Assistance" website provides current program information.

Author Information

Elizabeth M. Webster Analyst in Emergency Management and Disaster Recovery

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