

January 14, 2022

# FEMA's Emergency Food and Shelter Program (EFSP)

The Federal Emergency Management Agency's (FEMA's) Emergency Food and Shelter Program (EFSP) provides grants to private nonprofit organizations and local governments to support and expand existing programs that aid individuals and families who are homeless or experiencing economic emergencies. The EFSP is funded by annual appropriations provided in the Department of Homeland Security (DHS) Appropriations Act. It can also be funded through supplemental appropriations. This In Focus briefly describes the EFSP grant award process, the eligible use of funding, and recent funding history.

## Program Authorization

The EFSP was established in 1983 through the Temporary Emergency Food Assistance Act of 1983 (P.L. 98-8), and later authorized under the Stewart B. McKinney Homeless Assistance Act of 1987 (P.L. 100-77), renamed the McKinney-Vento Homeless Assistance Act. It is codified at 42 U.S.C. §§11331 et seq.

## Program Structure

**National Board:** The EFSP is governed by a National Board that, by statute, includes representatives from six private nonprofit organizations: (1) the American Red Cross; (2) Catholic Charities U.S.A.; (3) the Jewish Federations of North America (referred to in statute as the Council of Jewish Federations, Inc.); (4) the National Council of Churches of Christ in the U.S.A.; (5) the Salvation Army; and (6) United Way Worldwide (referred to in statute as the United Way of America). United Way Worldwide serves as the EFSP National Board's secretariat and fiscal agent, and administers the program day-to-day, along with the Director.

**Director:** The National Board is chaired by a Director, which, by statute, is the FEMA Administrator.

**Local Board:** Each jurisdiction designated for funding must establish a Local Board. Membership mirrors the National Board unless the jurisdiction is not served by a member agency (this is noted on the Local Board roster), and also includes the highest-ranking local government official, a representative who is or was homeless, and a tribal representative (if applicable). Local Boards are responsible for advertising funding availability, setting funding priorities, determining community needs, establishing client eligibility, selecting grant recipients, monitoring grant recipients' program compliance, and grant reporting.

**Local Recipient Organizations (LROs):** LROs are EFSP grant recipients. They can be private nonprofit organizations or public organizations of the local government in the individual jurisdiction.

## Program Funding Award Process

When Congress appropriates funding to the EFSP, FEMA awards the funding as a single grant to the National Board. The National Board is responsible for establishing program policies, procedures, and guidelines, which vary for different Phases (i.e., grant cycles aligning with each tranche of funding; see **Table 1**), and disbursing the funding as smaller grants. To determine a jurisdiction's EFSP grant eligibility, the National Board uses a formula that includes population data, poverty data from the U.S. Bureau of the Census's American Community Survey, and unemployment data from the Bureau of Labor Statistics. Thus, jurisdictions must meet specific criteria to qualify for EFSP funding. These criteria may vary for different Phases. For example, per the National Board's website, a jurisdiction could qualify for Phase 39 (FY2021 annual appropriations) funding if both of the following criteria are met:

- "300 minimum unemployed [individuals]"; and
- "unemployment and poverty rates at national average."

For comparison, a jurisdiction could qualify for Phase 38 (FY2020 annual appropriations) funding if it met one of the following criteria:

- "Number of unemployed: 300 or more with a 6.9% rate of unemployment"; or
- "Number of unemployed: 300 or more with a 14.1% rate of poverty."

EFSP grant award amounts are determined by "dividing the available funds by the number of unemployed persons within each jurisdiction that qualifies," which creates a per capita rate. In addition, there is a "State Set-Aside" process that allows any jurisdiction (formula-qualified or not) to receive EFSP funding. The National Board allocates a portion of the appropriated funds (e.g., 8% of the EFSP award for Phase 39) for such purposes based on the unemployment rates in the jurisdictions that do not qualify under the formula. These grants can be used to address "pockets of homelessness and poverty" or immediate needs.

There is no national EFSP application process. Instead, LROs are selected by the Local Boards of the jurisdictions designated for funding. The National Board disburses funds directly to LROs recommended by the Local Boards.

Supplemental EFSP funding may be directed for a specific purpose. For example, Phases ARPA and SAHA fund eligible costs associated with providing humanitarian relief, including shelter, food, and related supportive services, to

migrants released from DHS custody or encountered by DHS at the southern border. Phases ARPA and SAHA are subject to competitive award processes in which the National Board makes award determinations—rather than formula-based allocations—and prioritizes communities most affected by the humanitarian crisis. Phase SAHA set aside \$25 million (83.3%) for southern border state LROs.

The National Board's website provides publicly available information on the funded LROs, as well as jurisdiction-level data on the assistance provided (e.g., number of meals provided) and amount spent on eligible assistance by fiscal year and Phase (see the "Regular Features" tab, including "Funded Organizations" and "Your Community").

### Eligible Costs

EFSP funds supplement existing services, but are not intended to establish new programs. Eligible costs include:

- food (e.g., served meals or groceries);
- hotel/motel lodging assistance (up to 90 days) to prevent homelessness;
- rent/mortgage assistance (up to 90 days) to maintain housing;
- utility assistance (up to 90 days) to prevent service disconnection; and
- necessary equipment (up to \$300 per item).

Per EFSP guidance, the provision of assistance for up to 90 days for hotel/motel, rent/mortgage, and utility assistance is an EFSP program change that applied beginning with the implementation of the EFSP awards for Phases 39 and ARPA-R (see **Table 1**). Previously, such assistance could be provided for up to 30 days or one month. The National Board is not subject to agency rulemaking requirements, and can make program changes via guidance.

### EFSP Appropriations

According to the National Board, more than \$5.6 billion has been disbursed through the EFSP in the program's history. **Table 1** lists the EFSP appropriations for the last five fiscal years (FY2017-FY2021), including funding provided through the annual appropriation process (numbered Phases) and supplemental funding (named Phases).

**Table 1. EFSP Appropriations, FY2017-FY2021**

Fiscal Year	EFSP Allocation Phase	Funding Measure	Appropriated Amount (millions)
FY2021	ARPA-R <sup>a</sup>	P.L. 117-2 (Title IV)	\$400
FY2021	ARPA <sup>b</sup>	P.L. 117-2 (Title IV)	\$110
FY2021	Phase 39	P.L. 116-260 (Div. F)	\$130

Fiscal Year	EFSP Allocation Phase	Funding Measure	Appropriated Amount (millions)
FY2020	CARES	P.L. 116-136 (Title VI)	\$200
FY2020	Phase 38	P.L. 116-93 (Div. D)	\$125
FY2019	SAHA	P.L. 116-26 (Title III)	\$30
FY2019	Phase 37	P.L. 116-6 (Div. A)	\$120
FY2018	Phase 36	P.L. 115-141 (Div. F)	\$120
FY2017	Phase 35	P.L. 115-31 (Div. F)	\$120

**Sources:** CRS Appropriations Status Table, and the website of the Emergency Food and Shelter National Board Program, available at <https://www.efsp.unitedway.org/efsp/website/>.

**Notes:** ARPA = American Rescue Plan Act of 2021; CARES = Coronavirus Aid, Relief, and Economic Security Act; and SAHA = Supplemental Appropriations for Humanitarian Assistance.

- Funding for Phase "ARPA-R" was provided through Section 4007 of the American Rescue Plan Act of 2021 (ARPA, P.L. 117-2), in which \$400 million was appropriated. The -R designates the regular EFSP (this is distinct from Phase ARPA; see below).
- Funding for Phase "ARPA" was provided through ARPA Section 4008, in which \$110 million was appropriated to provide "humanitarian relief to families and individuals encountered by [DHS]." Phases ARPA and SAHA have distinct funding tranches.

The Biden Administration's FY2022 budget request included \$130 million for the EFSP in FEMA's appropriations. Previous Administrations periodically have proposed transitioning or eliminating the EFSP. The Obama Administration proposed transitioning the program and budget authority from FEMA to the U.S. Department of Housing and Urban Development (HUD) in its FY2015-FY2017 budget requests, citing the EFSP's goals as being consistent with HUD's mission. The Trump Administration proposed eliminating the EFSP in FY2018 and FY2021, and did not request EFSP funding in FY2019 or FY2020, citing the EFSP as being duplicative of HUD's housing programs and stating the provision of emergency food and shelter is primarily a state and local responsibility.

### Additional Resources

Additional EFSP program information can be found on FEMA's "Emergency Food and Shelter Program" webpage, at <https://www.fema.gov/grants/emergency-food-and-shelter-program>, and the Emergency Food and Shelter National Board Program website, at <https://www.efsp.unitedway.org/efsp/website/index.cfm>. DHS's Congressional Budget Justifications are available at <https://www.dhs.gov/dhs-budget>.

---

**Elizabeth M. Webster**, Analyst in Emergency  
Management and Disaster Recovery

**IF12026**

---

## Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.