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FEMA's Emergency Food and Shelter Program (EFSP)

The Federal Emergency Management Agency's (FEMA's) Emergency Food and Shelter Program (EFSP) provides supplemental grants to local government and nonprofit organizations to support and expand existing programs that aid individuals and families who are, or are at risk of, experiencing hunger and/or homelessness. The EFSP is typically funded by annual appropriations provided in the Department of Homeland Security (DHS) Appropriations Act, and occasionally through supplemental appropriations. The EFSP has also been funded to supplement humanitarian relief for migrants encountered by DHS (EFSP-H).

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 in 2000. It is codified at 42 U.S.C. §§11331 et seq.

FEMA has continuing authority to administer the EFSP, as the original legislation establishing the EFSP did not include a sunset provision. The authorization of appropriations in the *U.S. Code* for the EFSP expired at the end of FY1994. Congress has continued to provide funding to FEMA for EFSP program activities since FY1995.

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 Council of Jewish Federations, Inc., (4) the National Council of Churches of Christ in the U.S.A., (5) the Salvation Army, and (6) the United Way of America (also referred to as United Way Worldwide). 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. The National Board is responsible for identifying localities in need of EFSP assistance and determining the amount of funding to allocate to such localities using a formula; establishing program policies, procedures, and guidelines, which vary by Phase (i.e., a grant cycle aligning with a tranche of appropriated funding; see **Table 1**); and disbursing the funding as smaller grants.

For the EFSP-H, the National Board makes the final award determinations and disburses funding directly to awarded organizations.

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

Local Board: Each jurisdiction (county/city) designated for funding must establish a Local Board. Membership mirrors the National Board 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 recipients' program compliance, and grant reporting.

For the EFSP-H, Local Boards review and submit applications to the National Board.

State Set-Aside Committees (SSAs): SSAs act as Local Boards, but represent statewide interests.

Local Recipient Organizations (LROs): LROs are EFSP grant recipients. They can be local governmental, nonprofit, or faith-based organizations.

Program Funding Award Process

After Congress appropriates EFSP funding to FEMA, FEMA issues a Notice of Funding Opportunity and awards the funding as a single grant to the National Board.

To determine a jurisdiction's regular EFSP grant eligibility, the National Board uses a formula that considers 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. Jurisdictions must meet specific criteria to qualify for regular EFSP funding. These criteria may vary by Phase. For example, per the National Board's website, a jurisdiction could qualify for Phase 40 (FY2022) funding if it met one of the following criteria: 300 or more unemployed with a 3.9% rate of unemployment or 300 or more unemployed with a 12.8% rate of poverty.

EFSP jurisdiction allocations are determined by dividing the available funds by the number of unemployed persons within each qualifying jurisdiction, which creates a per capita rate. In addition, any jurisdiction within a given state (formula-qualified or not) may receive EFSP funding through the "State Set-Aside" process. The National Board allocates a portion of the appropriated funds—for example, 8% of the regular EFSP award for Phases 39 and ARPA-R (FY2021)—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. State Set-Aside Committees act as Local Boards to manage these funds and establish a formula/criteria to fund jurisdictions within the state.

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

For the EFSP-H, rather than formula-based allocations, the National Board prioritizes communities most affected by the influx of migrants, and the grant process is competitive. The FY2019 supplemental appropriation (i.e., Phase SAHA) set aside \$25 million (83.3%) for southern border state LROs. Subsequent tranches of EFSP-H funding have been available nationwide, but the National Board has noted that most of the funding is anticipated to be awarded to organizations in southern border states.

For the regular EFSP, the National Board's website provides publicly available information on the funded LROs, jurisdiction-level data on assistance provided (e.g., number of meals provided), and amount spent by fiscal year and Phase. FEMA's EFSP webpage has provided some EFSP-H award information for FY2023.

Eligible Costs

As the National Board is not subject to agency rulemaking requirements, it can set cost eligibility and make other program changes through its guidance documents for each Phase. Per the program guidance implemented with the FY2021 regular EFSP Phases, eligible costs include, but are not limited to

- food (e.g., served meals or groceries);
- shelter services, including mass shelter services, and hotel/motel lodging assistance (up to 90 days);
- rent/mortgage assistance (up to 90 days);
- utility assistance (up to 90 days); and
- necessary equipment (up to \$300 per item).

EFSP-H eligible expenditures must fall within one of five service categories: (1) Primary (food and shelter); (2) Secondary (health/medical/other supportive services); (3) Administrative (e.g., staff time and postage); (4) Equipment and Assets (purchases/leases/necessary renovations); and (5) Transportation (local/long-distance domestic travel).

EFSP Appropriations

According to the National Board, "During its 40 years of operation, the program disbursed over \$6.158 billion to over 14,000 local providers in more than 2,500 counties and cities." **Table 1** lists the funding made available for the EFSP for FY2017-FY2023. Phases funding the core EFSP mission through annual appropriations are numbered. Supplemental and humanitarian relief phases use acronyms.

The Biden Administration has requested EFSP funding. However, previous Administrations, on occasion, proposed transitioning the program and budget authority from FEMA to the U.S. Department of Housing and Urban Development (HUD) or eliminating the EFSP altogether—citing it as being duplicative of HUD's programs and stating the provision of food and shelter is a state/local responsibility. The Biden Administration did not request EFSP-H funding in FY2024; the EFSP-H program is transitioning to a new Shelter and Services Program (SSP).

Additional EFSP Resources

- FEMA's EFSP webpage: <https://www.fema.gov/grants/emergency-food-and-shelter-program>.
- National Board's EFSP website: <https://www.efsp.unitedway.org/efsp/website/index.cfm>.

Table 1. Funding Made Available for the EFSP FY2017-FY2023

Fiscal Year	EFSP Phase	Funding Measure	Amount (millions)
FY2023	Phase HR23 ^a	P.L. 117-328 (Div. F, Title II)	\$350 (up to \$785 ^b)
FY2023	TBD Regular ^c	P.L. 117-328 (Div. F, Title III)	\$130
FY2023	Phase HR FY23 CR ^a	P.L. 117-180 (Div. A; referencing Div. F, P.L. 117-103)	\$75
FY2022	Phase 40	P.L. 117-103 (Div. F, Title III)	\$130
FY2022	Phase HR22 ^a	P.L. 117-103 (Div. F, Title V)	\$150
FY2021	Phase ARPA-R	P.L. 117-2 (Title IV)	\$400
FY2021	Phase ARPA ^a	P.L. 117-2 (Title IV)	\$110
FY2021	Phase 39	P.L. 116-260 (Div. F, Title III)	\$130
FY2020	Phase CARES	P.L. 116-136 (Div. B, Title VI)	\$200
FY2020	Phase 38	P.L. 116-93 (Div. D, Title III)	\$125
FY2019	Phase SAHA ^a	P.L. 116-26 (Title III)	\$30
FY2019	Phase 37	P.L. 116-6 (Div. A, Title III)	\$120
FY2018	Phase 36	P.L. 115-141 (Div. F, Title III)	\$120
FY2017	Phase 35	P.L. 115-31 (Div. F, Title III)	\$120

Sources: CRS Appropriations Status Table; National Board website.

Notes: HR23: Humanitarian Relief for FY2023; HR FY23 CR: FY2023 EFSP-H funding made available through the continuing resolution; H R22: Humanitarian Relief for FY2022; ARPA: American Rescue Plan Act of 2021 (ARPA-R is funding appropriated for the regular EFSP); CARES: CARES Act; and SAHA: Supplemental Appropriations for Humanitarian Assistance.

- Denotes funding made available for the EFSP-H.
- U.S. Customs and Border Protection (CBP) transferred \$800 million to FEMA "to support sheltering and related activities," of which, up to \$785 million may be made available for the EFSP-H. FEMA awarded \$350 million to the National Board for Phase HR23, and the \$75 million provided in Phase HR FY23 CR is also part of the \$800 million transferred from CBP to FEMA.
- TBD: Phase name unavailable as of the date of publication.

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