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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 or Fiscal Agents (for advanced funding).

**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.

**Fiscal Agents:** Fiscal Agents are agencies that meet the LRO requirements; they are responsible for receiving and disbursing funding to vendors, and maintaining financial records and documentation on behalf of another LRO.

For the EFSP-H, Fiscal Agents prepare advanced funding requests on behalf of LROs, receive and disburse funds to LROs and vendors, and support program compliance.

### 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 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% unemployment rate or 300 or more unemployed with a 12.8% poverty rate.

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. SSAs act as Local Boards to manage these funds and establish a formula/criteria to fund jurisdictions within the state.

There is no “national” EFSP application process. Instead, the Local Boards of jurisdictions that are designated for funding select the LROs. 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 (Phase SAHA) set aside \$25 million (83.3%) for southern border state LROs. Subsequent tranches of EFSP-H funding were available nationwide, but the National Board noted that it anticipated awarding most funding to LROs in southern border states.

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

### Eligible Costs

The National Board is not subject to agency rulemaking requirements, and can set cost eligibility and make program changes through the guidance issued 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 \$6.5 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. After FY2023, the EFSP-H program is transitioning to the new Shelter and Services Program (SSP).

### Additional EFSP Resources

For additional information, see FEMA’s EFSP web page at <https://www.fema.gov/grants/emergency-food-and-shelter-program>, and the National Board’s EFSP website at <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 <sup>a</sup>	P.L. 117-328 (Div. F, Title II)	\$350 <sup>b</sup>
FY2023	Phase 41	P.L. 117-328 (Div. F, Title III)	\$130
FY2023	Phase HR FY23 CR <sup>a</sup>	P.L. 117-180 (Div. A; referencing P.L. 117-103, Div. F)	\$75
FY2022	Phase 40	P.L. 117-103 (Div. F, Title III)	\$130
FY2022	Phase HR22 <sup>a</sup>	P.L. 117-103 (Div. F, Title V)	\$150
FY2021	Phase ARPA-R	P.L. 117-2 (Title IV)	\$400
FY2021	Phase ARPA <sup>a</sup>	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 <sup>a</sup>	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; HR22: 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.
- In FY2023, U.S. Customs and Border Protection (CBP) transferred \$800 million to FEMA for the SSP, of which FEMA could use up to \$785 million to implement the EFSP-H while the SSP was established. FEMA awarded \$425 million to the National Board for the EFSP-H (\$75 million provided in Phase HR FY23 CR and \$350 million provided in Phase HR23). DHS/FEMA also allocated \$363.8 million for the SSP, and FEMA was permitted to use up to \$11.2 million for its administrative costs.

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