

FEDERAL FUNDING PRIORITY ORDER FOR NON- CONGREGATE SHELTER DURING COVID-19

June 23, 2020

INTRODUCTION

The Centers for Disease Control and Prevention (CDC), Federal Emergency Management Agency (FEMA) and the Department of Housing and Urban Development (HUD) agree that in certain cases non-congregate sheltering (NCS) may be necessary in this Public Health Emergency to save lives, to protect property and public health, and ensure public safety.

The purpose of this document is to provide funding information to agencies and organizations providing assistance to individuals experiencing homelessness, specifically NCS during the COVID-19 declared disaster. NCS may be used for other populations, but they are not addressed in this resource. This document provides specific guidance for the programs listed below and does not alter or supplant existing regulatory or statutory authorities already in place. This order of assistance provides information to recipients on how to utilize different Federal resources for the highest and best use for the operation of NCS. This document is not intended to provide a comprehensive list of all potential resources (including state and local funds) that may be used or combined for such activities, but instead focuses on the following major Federal programs:

- FEMA Emergency Declaration / Major Disaster Declaration for COVID-19 authorizing Public Assistance (PA) Category B Emergency Protective Measures
- HUD Emergency Solutions Grant – Coronavirus (ESG-CV)
- HUD Community Development Block Grant – Coronavirus (CDBG-CV)

NCS includes the provision of general services such as food, security, and other basic needs. These services are eligible for reimbursement via FEMA PA Category B assistance. More specific wrap around services such as case management and housing navigation assistance are not eligible for FEMA reimbursement, but may be funded with CDBG-CV or ESG-CV resources. Food, security, and other basic needs may be funded under CDBG-CV or ESG-CV once FEMA NCS assistance ends.

Tribal governments are eligible to apply for FEMA Public Assistance directly or as part of the State request. Tribal governments should use Indian Housing Block Grant (IHBG-CARES) or Indian Community Development Block Grant (ICDBG-CARES) resources in place of CDBG-CV and ESG-CV.

Please note that there are other Federal grant programs that may be used for these activities. Please work with your respective State/Local Agency to determine applicability as the programs evolve.

FUNDING PRIORITY ORDER OF ASSISTANCE

Initial Request and Implementation of NCS during Public Health Emergency

Order of Assistance

1. FEMA Public Assistance Category B

2. CDBG-CV or ESG-CV

States, Territories and Localities that require NCS to serve people experiencing homelessness who tested positive for COVID-19, exhibiting symptoms or have been exposed to COVID-19, or have high risk of poor outcomes¹ should work with their FEMA Region for approval of FEMA PA assistance for NCS.

Additional information, including FEMA Regional Contacts, can be found at [COVID-19 Public Assistance Simplified Application](#) and [recommendations for requesting assistance are available here](#).

FEMA recommends provider organizations work closely with their local, tribal and state partners to develop a project worksheet that meets the FEMA PA criteria for the initial 30 days of eligible non-congregate sheltering activities. The NCS must be at the direction of and documented through an official order signed by a state, local, tribal, or territorial public health official or be done in accordance with the direction or guidance of health officials by the appropriate state or local entities, in accordance with applicable state and local laws. This assistance is subject to the prevailing cost share of 75 percent Federal/25 percent non-Federal.

The length of time for FEMA non-congregate sheltering depends on the needs in each area and will be in accordance with the guidance and direction from appropriate health officials. FEMA PA supported NCS may not extend beyond the state or local public health order or the United States Department of Health and Human Services (HHS) Public Health Emergency for COVID-19. The Secretary of HHS has declared a Public Health Emergency, which was renewed on April 20, 2020 for an additional 90 days. FEMA may approve non-congregate sheltering in 30-day increments, or less if a re-assessment determines there is no longer a public health need, but not to exceed the duration of the order of the state or local public health officer or the HHS Public Health Emergency.

States, Territories and Localities needing NCS for persons experiencing homelessness other than those described above should use CDBG-CV funds or ESG-CV funds.

States, Territories and Localities should coordinate with local health departments and other services agencies to ensure that health care and other needed services are provided.

FEMA Cost Share

Communities may use CDBG-CV for cost share for an initial request or extensions.

Extension of NCS after end of FEMA Approved Non-Congregate Shelter Project

General Order of Assistance

1. ESG-CV or CDBG-CV

¹ The definition of high risk will depend on the state or local public health declaration. CDC guidance, for example, includes individuals who are 65 years of age or older and people of any age with preexisting lung disease, heart disease, cancer, diabetes, HIV, or other major medical conditions.

Upon the end of the FEMA approved non-congregate shelter project, a State, Territory or Locality may continue funding NCS using ESG-CV or CDBG-CV funds, subject to HUD regulations and guidance.

Transitioning Individuals From NCS

General Order of Assistance

1. ESG-CV
2. CDBG-CV

Many individuals will only require NCS for a brief period of time. As those individuals no longer need NCS, States and localities should transition them to a housing option rather than allowing them to return to high-risk situations. States, Territories and Localities may use ESG-CV funds for housing assistance, or if no such funds are available, CDBG-CV.

Winding Down NCS After FEMA PA Ends

General Order of Assistance

1. ESG-CV
2. CDBG-CV

At some point, the FEMA PA emergency declaration and subsequent major declarations for COVID-19 incident periods will close and therefore, FEMA funding for NCS will end. States, Territories and Localities should transition people to a housing option which adheres to HUD and CDC guidelines rather than allowing them to return to high-risk locations. This transition may include continuing to support NCS or supporting congregate shelter which adheres to HUD and CDC safety guidelines, with other funds for a period of time. If a State, Territory or Locality is an ESG-CV recipient, they may use ESG-CV funds to provide housing assistance and supportive services. If the State, Territory or Locality is not an ESG-CV recipient or does not have ESG-CV available, they may use CDBG-CV.

States, Territories and Localities should coordinate with local health departments and other services agencies to ensure that health care and other needed services are provided.

RESOURCES

FEMA

[FEMA COVID-19 Resource Page](#)

[FEMA PA Simplified Application Process](#)

[FEMA NCS General Guidance](#)

[FEMA NCS FAQ](#)

[FEMA Public Assistance Program and Policy Guide](#)

HUD

[HUD Prevention and Response for Homeless Providers: Key Resources](#)

[HUD NCS Approaches](#)

[HUD CDBG COVID-19 Resources](#)

[HUD Public and Indian Housing COVID-19 Resources](#)

[HUD Office of Native American Programs COVID-19 Resources](#)

CDC

[CDC High Risk Populations for COVID-19](#)

[CDC COVID-19 Guidance for People Experiencing Homelessness](#)

[CDC Interim Guidance for Homeless Service Providers](#)

FEMA AND HUD ACRONYMS AND TERMS

CDBG-CV: HUD Community Development Block Grant – CARES Act Allocation

ESG-CV: HUD Emergency Solutions Grant – CARES Act Allocation

ICDBG-CARES: HUD Indian Community Development Block Grant – CARES Act Allocation

IHBG-CARES: HUD Indian Housing Block Grant – CARES Act Allocation

NCS: Non-Congregate Shelter (including basic services such as food and security)

PA: FEMA Public Assistance

SLTT: State, Local, Tribal and Territorial (equivalent of HUD term: State and localities)

States and Localities: Equivalent of FEMA term: SLTT