

# Non-Congregate Sheltering – Recommendations for Requests for Assistance

June 23, 2020

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The purpose of this document is to provide State, Tribal, Territorial, and Local (SLTT) governments technical assistance when developing a non-congregate sheltering authorization request for FEMA Public Assistance. Please note, the information below is specific to FEMA disaster declarations associated with the COVID-19 pandemic. It is not applicable to other FEMA disaster declarations.

More information on non-congregate sheltering under the COVID-19 pandemic can be found here: <https://www.fema.gov/coronavirus>. SLTT governments are required to receive approval from FEMA for non-congregate sheltering activities. All requests for non-congregate sheltering should be submitted to appropriate FEMA Regional Office.

We recommend that non-congregate sheltering requests include the following materials, as applicable. For required elements in the request, please refer to <https://www.fema.gov/news-release/2020/03/19/public-assistance-non-congregate-sheltering-delegation-authority>. FEMA applicants should consider working with their Regional Public Assistance Lead to develop their package for FEMA review.

1. **Public Health Order:** The non-congregate sheltering 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. Language to incorporate into this document may include:
  - a. A description of the hospital surge prevention plan, if one exists, for the jurisdiction
  - b. A description of vulnerable/at-risk populations to be served in a non-congregate sheltering approach
  - c. Demonstration of alignment with HHS and CDC or other appropriate public health guidance
  - d. State or local resources that may be used for non-congregate shelters (e.g., hotel, motel, dormitories, public universities, etc.)
  - e. The authority of the public health officer to direct the use of non-congregate shelter in the case of the COVID-19 pandemicExamples of public health orders:
  - [State of Ohio: Director's Order for Non-Congregate Sheltering to be utilized throughout Ohio](#)
  - [State of North Carolina Non-Congregate Sheltering Directive](#)
  - [State of Connecticut Executive Order](#)

2. **FEMA Request:** A letter from the appropriate governmental executive (Mayor, County Executive, Governor) to the appropriate [FEMA Regional Administrator](#) with the following components:
  - a. Introduction and Framing the Request: High level description of the jurisdiction and issue
    - i. Status of COVID-19 infections in the jurisdiction
    - ii. Infection control work underway: Description of risk mitigation (e.g., saving lives, preventing hospital surge, protecting community health and safety) associated with implementation of non-congregate shelter
    - iii. Description of vulnerable groups to be served, including:
      1. Individuals who test positive for COVID-19 that do not require hospitalization, but need isolation or quarantine (including those exiting from hospitals);
      2. Individuals who have been exposed to COVID-19 (as documented by a state or local public health official, or medical health professional) that do not require hospitalization, but need isolation or quarantine; and
      3. Individuals who are asymptomatic, but are at “high-risk,” such as people over 65 or who have certain underlying health conditions (respiratory, compromised immunities, chronic disease), and who require Emergency NCS as a social distancing measure.
    - iv. Describe population served within these groupings: (elderly, compromised health, people experiencing homelessness)
    - v. Rationale for targeting specific populations
      - [King County Approach](#)
      - [Community-level COVID-19 Homelessness Planning & Response Dashboard](#)
  - b. Background
    - i. Dates of state emergency declaration
    - ii. Date of FEMA disaster declaration
    - iii. Other executive orders or public health guidance in place
    - iv. Need for non-congregate shelter to limit the spread of COVID-19
  - c. Public Health Integration
    - i. Description of and reference to required public health order
    - ii. Description of additional relevant public health orders and guidance, as applicable
    - iii. Statement of compliance with CDC and HHS guidance on COVID-19
  - d. Types of Units/Description
    - i. Hotels/motels/university dormitories/other non-congregate spaces
    - ii. Site requirements (HVAC, accessibility for persons with disabilities, physical facility requirements)

- e. Analysis and Justification
    - i. Provide an analysis of the implementation options that were considered and a justification for the option selected
      - 1. No action
      - 2. Existing population specific congregate sites
      - 3. Public buildings
    - ii. Clearly articulate why it is necessary to use a non-congregate sheltering option to protect the health and safety of the community:
      - 1. Potential outcomes based on predictive modeling
      - 2. Impact on preventing hospital surge
  - f. Duration of Public Assistance
    - i. Termination of assistance at the end of the public health emergency, as determined by HHS/CDC and local public health authorities, whichever is sooner
    - ii. Authorization for non-congregate sheltering are made in 30-day increments by the FEMA Regional Administrator as an emergency protective measure.
    - iii. Transition to Department of Housing and Urban Development for programs available for people who are homeless
  - g. Compliance with FEMA Public Assistance requirements, including but not limited to:
    - i. Statement on compliance with FEMA's Procurement Under Grants Conducted Under Exigent or Emergency Circumstances guidance and include a termination for convenience clause in their contracts
    - ii. Statement on compliance with FEMA requirements on non-duplication of assistance available from another source, including other federal agencies; description of how the jurisdiction will ensure compliance
    - iii. Statement on compliance with FEMA requirements on environmental and historic preservation laws, regulations, and executive orders
3. **Cost Estimate:** Using locally available data, estimate costs for lease of physical space, operations, eligible and necessary wrap around services, and staffing. Costs must be reasonable and necessary for providing emergency non-congregate shelter to eligible individuals. FEMA generally reviews approvals in 30-day increments, so prepare costs for 30, 60, 90 days.

**Please note that FEMA funding is subject to the prevailing cost share for the declaration. That cost share is currently 75% federal and 25% non-federal.**