



FEMA Funeral Assistance for COVID-19

January 25, 2021

The [Consolidated Appropriations Act, 2021](#) mandated that the Federal Emergency Management Agency (FEMA) provide Funeral Assistance for deaths associated with the Coronavirus Disease 2019 (COVID-19) pandemic and appropriated funding to the Disaster Relief Fund (DRF) for such purposes. This Insight discusses these provisions, and provides an overview of FEMA Funeral Assistance, including eligible expenses, considerations for determining award amounts, and applicant eligibility criteria per [FEMA's guidance](#).

FEMA IA for the COVID-19 Pandemic

Funeral Assistance is a form of Other Needs Assistance (ONA) that is available when the Individuals and Households Program (IHP)—a type of Individual Assistance (IA)—is authorized. FEMA provides various forms of assistance when authorized by the President pursuant to a presidential declaration of emergency or major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act; [42 U.S.C. §§5121 et seq.](#)). In response to the COVID-19 pandemic, former President Donald J. Trump issued a nationwide [emergency declaration](#) under [Stafford Act Section 501\(b\)](#), and subsequently, between the end of March and early May 2020, approved [major disaster](#) declaration requests for 50 states, 5 territories, the District of Columbia, and the Seminole Tribe of Florida under [Stafford Act Section 401](#).

The only forms of IA authorized pursuant to these major disaster declarations were [Crisis Counseling Assistance \(CCP\)](#) and [Lost Wages Assistance \(LWA\)](#) (a form of ONA). All jurisdictions that received major disaster declarations were authorized to provide CCP with the exceptions of American Samoa, the Commonwealth of the Northern Mariana Islands, and the Seminole Tribe of Florida. These CCP requests were still under review as of December 7, 2020. Only [South Dakota and American Samoa](#) did not participate in the LWA program.

Although many governors requested IHP assistance for the COVID-19 pandemic and some [Members of Congress](#) called upon FEMA to provide it, IHP assistance has not been authorized for any of the COVID-19 pandemic declarations. Requests for additional forms of IA were still under review as of January 25, 2021.

Congress, through the Consolidated Appropriations Act, 2021, authorized the provision of Funeral Assistance for the COVID-19 declarations. Authorizing additional forms of assistance in this way is

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uncommon (CRS found few [examples](#) of legislation mandating the provision of specific types of FEMA assistance).

Funeral Assistance for the COVID-19 Pandemic

[Title II of Division M of the Consolidated Appropriations Act, 2021](#) appropriated an additional \$2,000,000,000 to the DRF to carry out the work of Section 201 of Title II, which requires FEMA to provide Funeral Assistance through the IHP for the presidential Stafford Act declarations of emergency issued on March 13, 2020, and subsequent major disaster declarations associated with the COVID-19 pandemic. It provides reimbursements for such expenses incurred through December 31, 2020, at a 100% federal cost share.

The Funeral Assistance provided through the Consolidated Appropriations Act, 2021, has a more limited period of assistance than the IHP usually does. IHP assistance is usually provided for up to [18 months following a declaration](#) (unless extended by FEMA), which, if authorized for the COVID-19 declarations, would run until around the end of September to early November 2021. This Funeral Assistance, however, is only available for expenses incurred through December 31, 2020.

Additionally, although the federal cost share for ONA is set at 75% in [statute](#), Congress has the ability to adjust the federal cost share of ONA through legislation, as was done in this case.

According to FEMA, the agency is currently “reviewing the legislation [Consolidated Appropriations Act, 2021] and evaluating potential options for implementation.”

Eligible Expenses

FEMA provides Funeral Assistance for disaster-caused funeral expenses. Not all of the expenses associated with the death of a household member are eligible for Funeral Assistance. FEMA’s guidance lists [eligible expenses](#) associated with interment or reinterment, which include:

- remains transfer;
- caskets/urns;
- burial plots/cremation niches;
- markers/headstones; and
- additional state/local/territorial/tribal (SLTT) government mandated expenses.

Eligible interment expenses include:

- transportation to identify the deceased (up to two people), if required by SLTT authorities;
- interment;
- funeral services;
- clergy/officiant services; and
- death certificate costs (up to five).

Eligible reinterment expenses include:

- reinterment;
 - funeral services (with [limitations](#)); and
 - the cost of identifying disinterred remains.
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Ineligible expenses include costs associated with:

- obituaries;
- flowers;
- printed materials (e.g., programs);
- catering;
- transporting people to funeral services or interment/reinterment sites; and
- gratuities.

Determining Award Amounts

Eligible applicants may receive different Funeral Assistance award amounts. Considerations relevant to the amount of assistance eligible individuals and households may receive include:

- the state-set **maximum amount of Funeral Assistance that may be awarded per death or per household**. This is set by the state in its “ONA Administrative Option Selection” form (the amount of assistance an individual or household may be eligible to receive for **all types of ONA** for a single emergency or major disaster is capped at **\$35,500 for FY2020**); and
- funeral expenses covered by other sources (e.g., burial insurance), and financial assistance provided by voluntary agencies, government programs/agencies, or other entities.

Not every applicant will necessarily receive the maximum Funeral Assistance award amount. An applicant’s award amount will depend on their unmet needs (the remaining dollar amount based on the cost of the **eligible expenses** they incurred or will incur minus any insurance or assistance from other sources, up to the maximum award amount for Funeral Assistance set by the state). Applicants may **appeal FEMA award decisions**.

Applicant Eligibility Criteria

Individuals and households may apply for Funeral Assistance if they meet the general IHP eligibility criteria and the criteria for Funeral Assistance.

To receive any **IHP assistance**, an applicant must be a U.S. citizen, non-citizen national, or qualified alien, and must have disaster-caused needs and necessary expenses that are not covered by insurance or other assistance. FEMA must also be able to verify their identity. In addition, to receive **Funeral Assistance**, an applicant must provide:

- official documentation directly or indirectly attributing the death to the declared disaster (e.g., an official death certificate);
 - receipts or verifiable estimates indicating the applicant incurred or will incur **eligible expenses**; and
 - documentation of burial insurance and financial assistance from other sources.
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