

FEMA's Emergency Food and Shelter Program-Humanitarian Relief (EFSP-H) and the New Shelter and Services Program (SSP)

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Congress has recognized that local governments and [nonprofit organizations](#) often bear financial and social burdens resulting from an influx of migrants. In FY2019, Congress first enacted legislation authorizing the Federal Emergency Management Agency (FEMA) to supplement the humanitarian relief efforts of local government, nonprofit, and faith-based organizations providing food, shelter, and supportive services to migrants encountered by the U.S. Department of Homeland Security (DHS) at the southern border with the specific appropriation.

Since then, the Emergency Food and Shelter Program (EFSP) may be viewed as a two-track program: (1) the version that funds the primary mission of assisting individuals and families experiencing (or at risk of experiencing) homelessness and/or hunger, regardless of their immigration status—hereinafter “EFSP”; and (2) EFSP humanitarian relief, which provides funding to local government, nonprofit, and faith-based organizations providing food, shelter, and supportive services to assist [migrants encountered by DHS](#)—hereinafter “EFSP-H.” (EFSP-H is used by [Congress](#) and the [EFSP National Board](#) to distinguish the humanitarian relief program from the core mission program.)

In FY2023, Congress authorized a new Shelter and Services Program (SSP) to fund reimbursement or advanced payments to nonfederal entities that provide shelter and other eligible services to migrants encountered by and released from DHS custody, as well as funding to increase their temporary shelter capacity. The [SSP replaces the EFSP-H](#). This Insight briefly describes the funding provided for the EFSP-H and discusses the transition to the SSP.

Background

The EFSP program is authorized under Title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. §§11331 et seq.), and has been providing funding to support the provision of food, shelter, and supportive services for the past [40 years](#).

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Congress passed the first funding measure for EFSP assistance specifically for migrant support—the EFSP-H—in 2019. On July 1, 2019, Congress enacted the Emergency Supplemental Appropriations for Humanitarian Assistance and Security at the Southern Border Act, 2019 (P.L. 116-26, Title III), through which it appropriated \$30 million to FEMA to implement the EFSP-H.

[According to the EFSP National Board](#), Congress selected the EFSP as the vehicle for disbursing supplemental funding for humanitarian relief

because of the program’s established mission in supplementing and expanding the ongoing work of local social service organizations, both non-profit and governmental, to provide shelter, food, and supportive services to those who are, or who are at risk of becoming, homeless and/or hungry. The program’s existing grant fund delivery structure and public-private partnership made it a viable means for providing funds quickly to organizations providing humanitarian relief to families and individuals encountered by DHS.

Since the FY2019 appropriation, [migrant encounters continued to increase](#) and Congress subsequently authorized federal assistance through the EFSP-H to support communities experiencing a significant migrant influx:

- \$110 million pursuant to Section 4008 of the American Rescue Plan Act of 2021 (P.L. 117-2, Title IV);
- \$150 million pursuant to Section 543(a)(3) of the Department of Homeland Security Appropriations Act, 2022 (P.L. 117-103, Div. F, Title V);
- \$425 million pursuant to Section 211(a) of the Department of Homeland Security Appropriations Act, 2023 (FY2023 DHS Appropriations Act; P.L. 117-328, Div. F, Title II).

Regarding the FY2023 funding, the DHS Appropriations Act, 2023, directed U.S. Customs and Border Protection (CBP) to transfer \$800 million of its FY2023 appropriation to FEMA for the SSP, and Congress authorized FEMA to use a portion of the \$800 million—specifically, up to \$785 million—to implement the EFSP-H in FY2023 while the SSP was established. FEMA awarded \$425 million for the EFSP-H. FEMA was also permitted to use up to \$11.2 million for its administrative costs. The remaining \$363.8 million was allocated for the SSP in FY2023.

EFSP-H and the Transition to the SSP

Although Congress acknowledged that the EFSP National Board “performed admirably in administering EFSP-H since it was first funded in fiscal year 2019,” in FY2023, Congress established the [new SSP grant program](#) “to support CBP in effectively managing noncitizen processing and preventing the overcrowding of short-term CBP holding facilities.” Congress also permitted FEMA to use a portion of this SSP funding for the EFSP-H while it worked with CBP to establish the SSP.

On February 28, 2023, DHS Secretary Alejandro Mayorkas [announced the availability of \\$350 million in EFSP-H funding](#), and DHS/FEMA published the Notice of Funding Opportunity (NOFO). On March 1, 2023, [FEMA awarded \\$350 million](#) to the EFSP National Board for the EFSP-H, and on May 5, 2023, the National Board announced the [allocation of \\$332.5 million](#).

On [June 12, 2023](#), DHS/FEMA published the first NOFO for the new SSP after FEMA and CBP developed the new grant program. The first tranche of SSP funding made \$291 million available to eligible applicants. On [August 21, 2023](#), DHS/FEMA amended the original [NOFO](#), updating it for the second tranche of SSP funding, which made \$77.3 million available to eligible applicants (including \$10 million held in reserve for allocation prior to the end of September 2023).

For more information on the SSP's implementation in FY2023, see CRS Insight IN12177, *Shelter and Services Program (SSP) FY2023 Funding*.

The Joseph R. Biden, Jr. Administration's DHS/FEMA FY2024 budget requests funding for the [SSP](#), but [not the EFSP-H](#), as it is being phased out. The Administration's [FY2023 supplemental funding request](#) includes \$600 million for the SSP. Further, as of the date of publication, the House version of the FY2024 DHS appropriations bill (H.R. 4367) would not fund the SSP, but the Senate version (S. 2625) would (and in the manner it was funded in FY2023).

Considerations

It is unclear whether the SSP will be funded in FY2024. However, it is possible that EFSP-funded organizations could be reimbursed for assistance provided to migrants—just as they would any client experiencing/at risk of experiencing homelessness and/or hunger—because the program does not restrict client eligibility based on immigration status (both the House and Senate versions of the FY2024 appropriations measure include funding for the EFSP).

Migrants may be eligible to receive assistance through other [federal programs](#) (eligibility varies by program), or nonfederal resources (e.g., [nonprofit organizations](#)).

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