



U.S. Department of Homeland Security
536 S. Clark St. 6th Floor
Chicago, IL 60605

FEMA

April 11, 2020

Joe Kelly, Director
Minnesota Department of Public Safety
Homeland Security and Emergency Management
445 Minnesota Street, Suite 223
Saint Paul, Minnesota 55101-6223

Dear Mr. Kelly:

This is in response to your letter dated April 8, 2020 requesting FEMA approval for emergency non-congregate sheltering activities under the Public Assistance (PA) program. Specifically, your letter requests approval for non-congregate sheltering within the State of Minnesota.

In accordance with section 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, eligible emergency protective measures taken to respond to the referenced Coronavirus Disease 2019 (COVID-19) emergency, at the direction or guidance of state, local, tribal, and territorial public health officials, may be reimbursed under Category B of FEMA's PA program if necessary to save lives, protect improved property, or public health and safety, and/or lessen or avert the threat of catastrophes.

Based on my review of your request and supporting documentation, I am providing a conditional approval of your request for emergency, non-congregate sheltering, which will be implemented by the State of Minnesota pursuant to the Minnesota Department of Health Director's letter dated April 10, 2020, which further references the Department of Health's website that contains additional references. The guidance titled [Interim Guidance for Hospital Discharge to Home or Admission to Congregate Living Settings and Discontinuing Transmission-Based Precautions](#) addresses the populations in your request letter.

My approval of Minnesota's request for emergency non-congregate sheltering is subject to and conditioned by the following:

FEMA will reimburse costs associated with the sheltering of individuals to include those who test positive for COVID-19 who do not require hospitalization but need isolation (including those exiting from hospitals); those who have been exposed to COVID-19 and do not require hospitalization; and asymptomatic high-risk individuals needing social distancing as a precautionary measure, such as people over 65 or with certain underlying health conditions (respiratory, compromised immunities, chronic disease). Sheltering specific populations in non-congregate shelters should be determined by a public health official's direction or in accordance with the direction or guidance of health officials by the appropriate state or local entities.

My approval does not include the reimbursement of costs for the sheltering of asymptomatic individuals that are not among the populations specifically identified in the previous paragraph, without additional state or local public health official's direction or guidance.

FEMA may provide funding for eligible costs for the establishment of non-congregate sheltering as outlined above in 30 days increments until there is no longer a public health need per the State's Health Officer. The State will need to provide a re-assessment at each 30-day interval that includes the Public Health Official's certification that a threat to lives, public health, or safety still exists, and that continuing non-congregate sheltering eliminates or lessens the threat.

This letter does not approve or obligate specific funding, but rather is approval of specific activities in advance of the grant formulation and reimbursement process. Funding requests will be subject to all elements of Public Assistance program eligibility guidance.

The State must follow FEMA's Procurement Under Grants Conducted Under Exigent or Emergency Circumstances guidance and include a termination for convenience clause in its contracts for sheltering and related services, such as food, security, wrap around services, and care for those with disabilities or access and functional needs.

FEMA will not approve PA funding that duplicates funding by another federal agency, such as Housing and Urban Development or the Centers for Disease Control and Prevention (CDC), U.S. Department of Health and Human Services.

The State must comply with, and enable FEMA to comply with, applicable environmental and historic preservation laws, regulations, and executive orders or funding may be jeopardized.

Additionally, they will need to maintain tracking mechanisms to provide sufficient data and documentation to establish the eligibility of costs for which it is requesting PA funding (including the need for non-congregate sheltering of each individual, length of stay, and costs). As with any activity, lack of sufficient support documentation may result in FEMA determining that some or all of the costs are ineligible.

For more information on the implementation of the non-congregate sheltering, please contact my Recovery Director, Fred Kaehler at Fredric.Kaehler@fema.dhs.gov or call at 312.718.6459.

Sincerely,

A handwritten signature in blue ink, appearing to read "James K. Joseph".

James K. Joseph
Regional Administrator