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108th Congress }
2d Session }

SENATE

{ REPORT
{ 108-308

EMERGENCY FOOD AND SHELTER ACT OF
2004

R E P O R T

OF THE

COMMITTEE ON GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

TO ACCOMPANY

S. 2249

TO AMEND THE STEWART B. MCKINNEY HOMELESS ASSISTANCE
ACT TO PROVIDE FOR EMERGENCY FOOD AND SHELTER



JULY 15, 2004.—Ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

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Ms. COLLINS, from the Committee on Governmental Affairs,
submitted the following

REPORT

[To accompany S. 2249]

The Committee on Governmental Affairs, to whom was referred the bill (S. 2249) to amend the Stewart B. McKinney Homeless Assistance Act to provide for emergency food and shelter, having considered the same reports favorably thereon and recommends that the bill do pass.

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I. PURPOSE AND SUMMARY

The Senate Governmental Affairs Committee (the Committee) approved S.2249, the Emergency Food and Shelter Act of 2004, on June 2, 2004. This legislation would reauthorize appropriations for the Federal Emergency Management Agencies's (FEMA) Emergency Food and Shelter Program (EFSP) at \$160 million in fiscal year 2005, \$170 million in fiscal year 2006, and \$180 million for fiscal year 2007.

II. BACKGROUND

In March 1983, Congress first provided funds for the Emergency Food and Shelter National Board Program (Public Law 98-8). The legislation provided \$50 million for emergency food and shelter to

FEMA for allocation by a National Board between March 1983 and March 1984. Because the need for these emergency food and shelter services continued, Congress continued to provide funding through the mid 1980s.

In July 1987, Congress enacted the Stewart B. McKinney Homeless Assistance Act (Public Law 100-77) in response to the increasing number of homeless individuals and their families. The McKinney Act formally authorized a number of assistance programs including EFSP to provide shelter and support services to the homeless. The Governmental Affairs Committee was granted jurisdiction over three of these programs—the Interagency Council on the Homeless, the FEMA Emergency Food and Shelter program, and the Title V Surplus Real and Personal Property program. S. 2249 would reauthorize one of these programs, the Emergency Food and Shelter Program.

The Emergency Food and Shelter Program is governed by a National Board, which is chaired by FEMA and includes representatives of the United Way of America, the Salvation Army, the National Council of Churches of Christ in the U.S.A., Catholic Charities U.S.A., the Council of Jewish Federations Inc. and the American Red Cross. The National Board is guided by five operating principles: speedy administration and funding, award to areas of greatest need, local decision-making, public/private sector cooperation, and minimum but accountable reporting. EFSP provides monies for the purchase of food and shelter to supplement and extend current available resources in order to meet emergency needs.

By all accounts, EFSP has been very effective in bringing together many non-profit groups at the local level. Any area designated by the National Board to receive funds has its own local board. The structure of the local board mirrors that of the National Board. Local boards oversee Local Recipient Organizations. EFSP funds are distributed on a formula basis to emergency shelters, soup kitchens, and other nonprofit groups in counties in every state. The volunteer participation by these charitable organizations has kept administrative costs to less than three percent of the total program, making even more funds directly available for communities. Each non-profit organization essentially raises its own separate funds for administration.

Once local boards in counties and municipalities across America receive the funding, these local organizations decide how to address the emergency food and shelter needs of their residents. Because the local boards are composed of individuals and members of organizations who live and work in the communities they serve, they can best decide how to meet the needs of those who are at risk of becoming homeless within those communities.

Depending on the decisions of the local boards, program funds are used to provide food, in the form of served meals or groceries; lodging in a mass shelter or hotel; one month's rent or mortgage payment; one month's utility bill; minimal repairs to allow a shelter or soup kitchen to function; or equipment necessary to feed or shelter people, up to a \$300 limit per item. The diversity in how communities spend their funds highlights the importance of allowing local boards to allocate these resources in a manner tailored to local needs.

Communities in Maine's Cumberland and Franklin Counties, for example, have used most of these funds to supplement the efforts of local soup kitchens, Meals-on-Wheels programs, and food pantries. The Wayside Soup Kitchen in Portland, Maine uses this funding to supplement its efforts to provide three separate food assistance programs to those in need. Communities in northern Maine's Aroostook County chose to use more than 30 percent of their 2003 funding to address emergency shelter and housing needs.

Local boards in Connecticut also distributed EFSP funds to a variety of organizations serving many needs across the state. A significant portion of the state's funding went to address the needs of Connecticut's urban poor. Recipient non-profits in Bridgeport used the funds to help pay for food pantries, homeless shelters, and to cover emergency rent payments. In Hartford, most of the funding was directed to shelters, and in New Haven the money was allocated broadly across categories. In comparison, many of Connecticut's smaller towns used the funds primarily for food and rent assistance.

The Emergency Food and Shelter Program helps individuals maintain their dignity during difficult times. It also prevents dependency by providing emergency services to individuals and families on a limited basis so that they can remain self-sufficient. Few other programs focus on preventing homelessness. A 1999 General Accounting Office report titled "Homelessness: Coordination and Evaluation of Programs are essential" (GAO-RCED-99-49) concluded, for example, "in most areas of the United States, the Emergency Food and Shelter Program is the only source of funding for the prevention of homelessness."

While EFSP was originally intended to meet emergency food and shelter needs of the early 1980s, the emergency has persisted. According to a U.S. Conference of Mayors study, "Hunger and Homelessness in America's Cities,"¹ requests for emergency food assistance and emergency shelter each increased by an average of 19 percent during 2002. Of those emergency food requests, the study estimated that 16 percent went unmet. The study also found that 48 percent of the people requesting emergency food and shelter were members of families—children and their parents.

Because of this ongoing need, the Committee approved the re-authorization of EFSP to enable communities nationwide to provide services to help individuals who are at risk of becoming homeless or going hungry due to an emergency or economic disaster.

III. LEGISLATIVE HISTORY

S. 2249 was introduced on March 29, 2004 by Senator Susan Collins and Senator Joseph Lieberman and was referred to the Committee on Governmental Affairs. Additional co-sponsors include Senator Daniel Akaka, Senator Carl Levin, Senator Mark Dayton, Senator Richard Durbin, Senator George Voinovich, Senator Frank Lautenberg, and Senator Norm Coleman. The Senate Governmental Affairs Committee met on June 2, 2004 and by voice vote approved S. 2249 without amendment. Senators present: Voinovich,

¹The United States Conference of Mayors, *Hunger and Homelessness Survey*, pp. i-iii, December 2003.

Bennett, Fitzgerald, Lieberman, Levin, Akaka, Carper, Lautenberg, and Collins.

IV. SECTION-BY-SECTION

Section 1 states the title of S. 2249 as the “Emergency Food and Shelter Act of 2004.”

Section 2 would amend Section 322 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11352) to authorize \$160 million in fiscal year 2005, \$170 million in fiscal year 2006, and \$180 million in fiscal year 2007 for carrying out the Emergency Food and Shelter Program.

Section 3 would amend Section 301 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11331(b)) to make a technical change to the membership of the National Board that governs EFSP. Specifically, it would replace Council of Jewish Federation with United Jewish Communities. This change reflects the merger of the Council of Jewish Federation, United Israel Appeal, and United Jewish Appeal.

Section 4 would amend Section 316(a) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11346(a)) to make a technical change to the membership of the local board. Specifically, Section 4 would direct the National Board to issue guidelines requiring each local board to include in their membership not less than one homeless individual, former homeless individual, homeless advocate, or recipient of food or shelter services, except that such guidelines may waive such requirement for any board unable to meet such requirement if the board otherwise consults with homeless individuals, former homeless individuals, homeless advocates, or recipients of food or shelter services.

V. EVALUATION OF REGULATORY IMPACT

Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this bill. CBO states that there are no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and no costs on State, local, or tribal governments. The legislation contains no other regulatory impact.

VI. CBO COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 14, 2004.

Hon. SUSAN M. COLLINS,
Chairman, Committee on Governmental Affairs,
U.S. Senate, Washington, DC.

DEAR MADAM CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 2249, a bill to amend the Stewart B. McKinney Homeless Assistance Act to provide for emergency food and shelter.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Kathleen FitzGerald.

Sincerely,

ELIZABETH M. ROBINSON
(For Douglas Holtz-Eakin, Director).

Enclosure.

S. 2249—A bill to amend the Stewart B. McKinney Homeless Assistance Act to provide for emergency food and shelter

Summary: S. 2249 would authorize appropriations for the Emergency Food and Shelter Program. The bill also would change the name of one of the organizations on the national board of the program and provide for the inclusion of homeless advocates or food and shelter recipients on local boards.

The bill would authorize the appropriation of \$510 million over the 2005–2007 period. CBO estimates that appropriation of those amounts would result in outlays of \$510 million over that same period. Enacting S. 2249 would not affect direct spending or revenues.

S. 2249 contains no intergovernmental or private-sector mandates as defined in the unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of S. 2249 is shown in the following table. The costs of this legislation fall within budget function 600 (income security).

	By fiscal year, in millions of dollars—					
	2004	2005	2006	2007	2008	2009
SPENDING SUBJECT TO APPROPRIATION						
Emergency food and shelter spending under current law:						
Budget authority ¹	152	0	0	0	0	0
Estimated outlays	152	0	0	0	0	0
Proposed changes:						
Authorization level	0	160	170	180	0	0
Estimated outlays	0	160	170	180	0	0
Emergency food and shelter spending under S. 2249:						
Authorization level ¹	152	160	170	180	0	0
Estimated outlays	152	160	170	180	0	0

¹The 2004 level is the amount appropriated for that year for the program.

Basis of estimate: Section 2 would authorize the appropriation of \$160 million for fiscal year 2005, \$170 million for 2006, and \$180 million for 2007 for the Emergency Food and Shelter Program. The authorization of appropriations for this program expired in 1994 but it has continued to receive funding through annual appropriation acts. In 2004, \$152 million was appropriated for this program. CBO estimates that implementing this bill would result in \$510 million in outlays over the 2005–2007 period. Over the past several years, all funds appropriated for this program have been spent in the year that they were provided.

Intergovernmental and private-sector impact: S. 2249 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

Estimate prepared by: Federal Costs: Kathleen FitzGerald. Impact on State, Local, and Tribal Governments: Leo Lex. Impact on the Private Sector: Samuel Kina.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

VII. CHANGES TO EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing laws made by S. 2249 as reported are shown as follows (existing law proposed to be omitted is enclosed in brackets, new matter is printed in italic, and existing law in which no changes is proposed is shown in roman):

UNITED STATES CODE

TITLE 42—PUBLIC HEALTH AND WELFARE

CHAPTER 119—HOUSING ASSISTANCE

Subchapter III—Federal Emergency Management Food and Shelter Program

SECTION 1. SHORT TITLE.

* * * * *

SUBCHAPTER III—FEDERAL EMERGENCY MANAGEMENT
FOOD AND SHELTER PROGRAM

SEC. 11331(b). MEMBERS.

[(5) The Council of Jewish Federations, Inc.]
(5) *United Jewish Communities.*

* * * * *

SEC. 11346. PROGRAM GUIDELINES.

[(6) guidelines requiring each private nonprofit organization and local government carrying out a local emergency food and shelter program with amounts provided under this part to provide for the participation of not less than 1 homeless individual or former homeless individual on the board of directors or other equivalent policy making entity of the organization or governmental agency to the extent that such entity considers and makes policies and decisions regarding the local program of the organization or locality; except that such guidelines may grant waivers to applicants unable to meet such requirement if the organization or government agrees to otherwise consult with homeless or formerly homeless individuals in considering and making such policies and decisions.]

(6) *guidelines requiring each local board to include in their membership not less than 1 homeless individual, former homeless individual, homeless advocate, or recipient of food or shelter services, except that such guidelines may waive such requirement for any board unable to meet such requirement if the board otherwise consults with homeless individuals, former homeless individuals, homeless advocates, or recipients of food or shelter services.*

* * * * *

SEC. 11352. AUTHORIZATION OF APPROPRIATIONS.

[There are authorized to be appropriated to carry out this subchapter \$180,000,000 for fiscal year 1993 and \$187,560,000 for fiscal year 1994.]

There are authorized to be appropriated to carry out this title \$160,000,000 for fiscal year 2005, \$170,000,000 for fiscal year 2006, and \$180,000,000 for fiscal year 2007.

