

U.S. Department of Homeland Security  
Region II  
Jacob K. Javits Federal Office Building  
26 Federal Plaza, Room 1807  
New York, New York 10278



**FEMA**

April 9, 2020

Lieutenant Michael Gallagher  
Governor's Authorized Representative  
Division of State Police  
Public Assistance Unit  
1034 River Road  
West Trenton, New Jersey 08628

Mr. Daniel J. Kelly  
Alternate Governor's Authorized Representative  
Executive Director, Governor's Office of Recovery & Rebuilding  
State of New Jersey  
Office of the Governor  
P.O. Box 001  
Trenton, New Jersey 08625-0001

RE: FEMA-4488-DR-NJ  
State of New Jersey Office of Emergency Management  
Non-Congregate Sheltering Request

Dear Lieutenant Gallagher and Mr. Kelly:

This letter is in response to the State of New Jersey Office of Emergency Management's (NJOEM) April 6, 2020 request for Federal Emergency Management Agency (FEMA) approval to use non-congregate sheltering in response to the Coronavirus Disease 2019 (COVID-19) pandemic under major disaster declaration FEMA-4488-DR-NJ. NJOEM requests retroactive approval effective March 18, 2020.

Funding for eligible emergency protective measures taken to respond to the COVID-19 disaster at the direction or guidance of state or local public health officials may be provided under the Public Assistance Program pursuant to Section 403 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act if necessary to save lives, protect improved property or public health and safety, and/or lessen or avert the threat of catastrophes.

After a review of NJOEM's request and supporting documentation and information provided, FEMA conditionally approves the request for the use of emergency, non-congregate sheltering based on the April 6, 2020 directive from the Department of Health of the State of New Jersey for the Establishment of Temporary Quarantine/Isolation Non-congregate Housing Program for Specific Populations (Directive). According to the Directive, all New Jersey Departments and

healthcare systems that serve the below listed vulnerable populations, must partner with State, county, and local Offices of Emergency Management to implement non-congregate shelters for:

1. Homeless individuals and families who live in congregate shelters who are symptomatic or tested positive for COVID-19;
2. Homeless individuals who require quarantine or isolation due to being symptomatic or having a positive test for COVID-19;
3. Children and adults living in congregate living settings who have tested positive for COVID-19; and
4. First responders and healthcare workers who do not require hospitalization but nevertheless need to avoid direct contact with their families due to exposure to COVID-19.
5. Other groups that may need assistance as the State continues to respond to the COVID-19 pandemic.

Consistent with the Directive, NJOEM requests approval to implement non-congregate sheltering State-wide for the populations listed above and for COVID-19 positive patients who do not require hospitalization in a traditional setting but who nonetheless require quarantine or isolation outside their residence to prevent the further spread of the virus. Further, NJOEM states that after considering all non-congregate sheltering options, the use of hotel and motel rooms “is the most reasonable option to protect the public and prevent the spread of COVID-19.”

FEMA’s approval of this request is subject to and conditioned by the following:

1. FEMA approves State-wide non-congregate sheltering using hotels or motels for the populations listed above and for:
  - a. COVID-19 positive patients who do not require hospitalization in a traditional setting but who nonetheless require quarantine or isolation outside their residence to prevent the further spread of the virus.
2. This approval is limited to emergency non-congregate sheltering costs that are reasonable and necessary to address the public health needs resulting from FEMA-4488-DR-NJ.
3. This approval is limited to costs associated with sheltering individuals from March 18, 2020 through May 10, 2020, unless the public health needs should sooner terminate. NJOEM must obtain FEMA’s approval for any time extensions, which should include a detailed justification for the continuing need for emergency non-congregate sheltering.

Additionally,

- Each agency, department or organization implementing a non-congregate sheltering program 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 services, and care for those with disabilities or access and functional needs.

- FEMA will not approve Public Assistance funding that duplicates funding by another federal agency, including the U.S. Department of Health and Human Services or Centers for Disease Control and Prevention.
- Each agency, department or organization implementing non-congregate sheltering must comply with, and enable FEMA to comply with, applicable environmental and historic preservation laws, regulations, and executive orders or funding may be jeopardized.

Each agency, department or organization implementing a non-congregate sheltering program must maintain tracking mechanisms to provide sufficient data and documentation to establish the eligibility of costs for which it is requesting Public Assistance funding (including the need for non-congregate sheltering of each individual, length of stay, and costs). As with any activity, lack of sufficient supporting documentation may result in FEMA determining that some or all of the costs are ineligible.

Lastly, while this approval applies to all non-congregate sheltering in the State of New Jersey, each Applicant must submit its own request for funding for non-congregate sheltering, including an estimate of the number of individuals that will require sheltering and explanation of how that number was derived.

Should you have any questions or require further assistance, please contact Ms. Claude Hyacinthe, Recovery Division Director at [claude.hyacinthe@fema.dhs.gov](mailto:claude.hyacinthe@fema.dhs.gov).

Sincerely,



Thomas Von Essen  
Regional Administrator  
FEMA Region II