



March 22, 2024

The Honorable Deanne Criswell
Administrator
Federal Emergency Management Agency
500 C Street Southwest
Washington, D.C. 20472

Mr. Robert J. Fenton, Jr.
Regional Administrator
Federal Emergency Management Agency
Region IX
U.S. Department of Homeland Security
1111 Broadway, Suite 1100
Oakland, California 94607-4052

Dear Administrators Criswell and Fenton,

As a coalition of local government stakeholders, we write to raise serious concerns regarding the Federal Emergency Management Agency's (FEMA's) proposed 20-day cutoff for reimbursement for emergency Non-Congregate Sheltering during the COVID-19 pandemic.

At the start of the pandemic in March 2020, unhoused people in our communities faced an unacceptable risk of exposure and infection in potentially unsafe encampments and congregate shelters. This risk was particularly acute for those over age 65 and for those with underlying medical conditions that made them more susceptible to the negative health effects of COVID-19. It was imperative that immediate action be taken to ensure the most vulnerable members of our community could isolate indoors in the event of infection and to eliminate a major potential source of community spread. At that time, it was unknown when the public health dangers associated with COVID-19 would begin to subside.

Accordingly, the State of California created and implemented Project Roomkey to provide non-congregate shelter options, such as hotels and motels, for high-risk people experiencing homelessness to protect human life and minimize strain on the state's health care system capacity. Local governments across California relocated thousands of unhoused residents into hotels to protect them from COVID-19, with over 62,000 individuals served during the pandemic. From the outset, the understanding was that FEMA would reimburse local governments for the significant costs associated with Project Roomkey.

There was no indication that local governments would not be reimbursed until three years later, when FEMA Region 9 sent a letter to the California Office of Emergency Services on October 16, 2023, stating that during the June 11, 2021 to May 11, 2023 timeframe, it was only reimbursing for the costs of stays of 20 days or less. This retroactive policy decision comes long after local governments across our State had already expended significant local resources under Project Roomkey with the full expectation for reimbursement. Unless FEMA reverses this retroactive decision, local governments stand to lose more than \$300 million for expenditures which they reasonably believed would be reimbursed.

Local governments undertook this successful but costly public health program due to the commitment by FEMA to reimburse cities, counties, and the State of California for the millions of dollars spent on leases, food, and service providers to run these hotels and motels. The flexibility on the length of stay was a vital part of the program in many jurisdictions, both for public health and, in some cases, to allow people to transition into other housing or shelter. While not a perfect solution for every person, it was a critical program that prevented the mass outbreak of serious illness and death through some of our state's most vulnerable communities.

In order for local governments to do their part in future disaster situations, it is imperative that California cities and counties are able to recover pandemic response costs without sacrificing essential services and their continued investment in housing and community resources.

We are grateful for FEMA's continued support of these vital efforts, and we respectfully urge you to reconsider any action that would limit the expected reimbursement to local governments for the administration of Project Roomkey.

Thank you for your attention to this critical matter.

Sincerely,



Jacqueline Wong-Hernandez, Chief Policy Officer
California State Association of California



Josh Gauger, UCC Legislative Advocate
Urban Counties of California



Tracy Rhine, Senior Policy Advocate
Rural County Representatives of California



Eileen Cubanski, Interim Executive Director
County Welfare Directors Association

Handwritten signature of Joe Saenz in black ink.

Joe Saenz, Deputy Director of Policy
County Health Executives Association of California

Handwritten signature of Kismet Baldwin-Santana MD in black ink.

Kismet Baldwin-Santana MD, MPH, Co-Chair
Association of Bay Area Health Officials