

# EMERGENCY FOOD AND SHELTER NATIONAL BOARD PROGRAM



## PHASE 33 RESPONSIBILITIES AND REQUIREMENTS MANUAL

**Emergency Food and Shelter National Board Program**

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**Catalog of Federal Domestic Assistance (CFDA) No. 97.024**

**This manual contains changes from previous manuals issued to guide implementation of the Emergency Food and Shelter Program. This manual must be carefully studied prior to administering the program, giving any information to the public, or making any grant award. Matters of interpretation must be referred to the National Board staff.**

**This manual is intended for use by Local Boards and Local Recipient Organizations administering and providing services under the Emergency Food and Shelter National Board Program. This manual is not intended for individuals seeking services.**

*For information on other Federal programs to help homeless people, including programs funded under the McKinney-Vento Homeless Assistance Act, contact the U.S. Interagency Council on Homelessness, Federal Center SW Building, 409 Third Street, SW, Suite 310, Washington, DC 20024, (202) 708-4663.*

*This publication was produced with administrative funds provided under the Emergency Food and Shelter National Board Program grant which was awarded to the National Board by the U.S. Department of Homeland Security's Federal Emergency Management Agency. While DHS/FEMA supports the Emergency Food and Shelter National Board Program, the statements in this publication do not necessarily reflect DHS/FEMA's views.*

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# NATIONAL BOARD MEMBERS

**Randall Kinder, Chair**

**Federal Emergency Management Agency**

**U.S. Department of Homeland Security  
Chief, Community Services Section  
Recovery Directorate  
500 C Street, SW  
Washington, DC 20472**

**Dawn P. Latham**  
**American Red Cross**

**Director, Government Relations  
431 18th Street  
Washington, DC 20006**

**Brian Corbin**  
**Catholic Charities USA**

**Senior Vice President for Social Policy  
2050 Ballenger Avenue  
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Alexandria, VA 22314**

**Lindsey Copeland**  
**National Council of the Churches  
of Christ in the USA**

**Lutheran Services in America  
Director, Public Policy and Advocacy  
100 Maryland Avenue, NE, Suite 500  
Washington, DC 20002**

**William Daroff**  
**The Jewish Federations  
of North America**

**Vice President for Public Policy &  
Director of the Washington Office  
1720 I Street NW,  
Suite 800  
Washington, DC 20006**

**Lt. Colonel Ardis Fuge**  
**The Salvation Army**

**National Social Services Secretary  
615 Slaters Lane  
Post Office Box 269  
Alexandria, VA 22313**

**Darlene R. Slaughter**  
**United Way Worldwide**

**Vice President  
Chief Diversity Officer  
701 North Fairfax Street  
Alexandria, VA 22314**

## PREAMBLE

The Emergency Food and Shelter Program (EFSP) was created in 1983 to supplement and expand the work of local social service agencies, both nonprofit and governmental, in an effort to help people with **economic** emergencies (not disaster-related [i.e., fires of any kind, floods, tornadoes, etc.] emergencies). Therefore, EFSP funds are not to be used to provide emergency assistance for circumstances that are the **immediate** result of a disaster situation. EFSP funds may be used to provide economic assistance in the long term, even if the current circumstances may have been impacted by an earlier disaster occurrence. The EFSP funding is open to all organizations helping hungry and homeless people. EFSP funds must be used to supplement feeding, sheltering (including transitional sheltering) and rent/mortgage and utility assistance efforts only.

EFSP is governed by a National Board that selects jurisdictions for funding. Local Boards are convened in those qualifying jurisdictions to determine the highest need and best use of funds and to select Local Recipient Organizations (LROs) that will provide emergency food and shelter services. Each year, needs are to be assessed in an effort to respond to changes in the community.



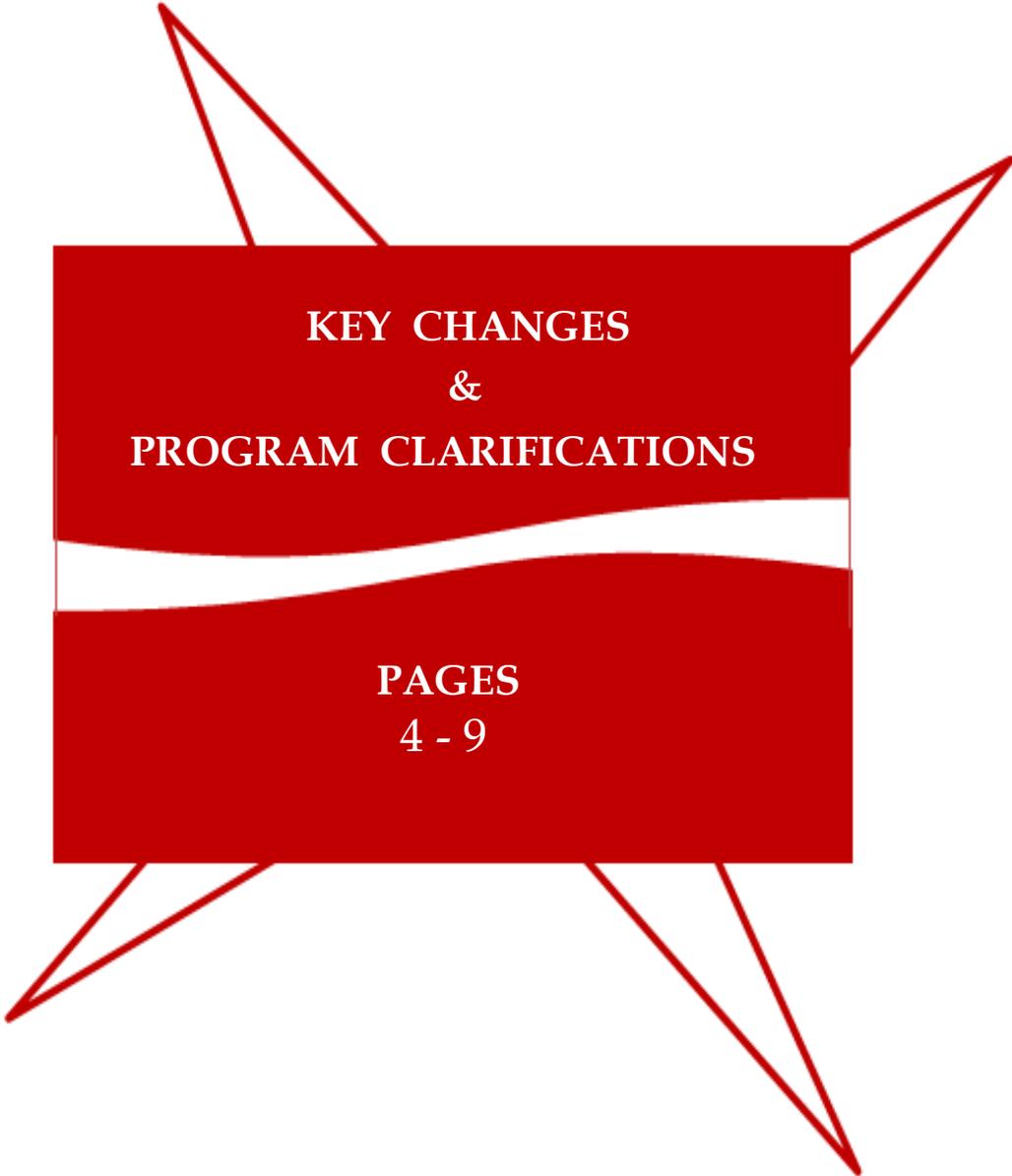
## HISTORY

The Emergency Food and Shelter Program was established on March 24, 1983, with the signing of the “Jobs Stimulus Bill,” Public Law 98-8. That legislation created a National Board, chaired by the Federal Emergency Management Agency (FEMA) that consisted of representatives of the American Red Cross, Catholic Charities USA, National Council of the Churches of Christ in the USA, The Jewish Federations of North America, The Salvation Army, and United Way Worldwide.

The EFSP was authorized under the Stewart B. McKinney Homeless Assistance Act (P.L. 100-77 signed into law on July 24, 1987, since renamed the McKinney-Vento Homeless Assistance Act and subsequently reauthorized under P.L. 100-628, signed into law on November 7, 1988). Since 1983 the EFSP will have distributed \$4.1 billion to over 14,000 human service agencies in more than 2,500 communities across the country.

The original authorizing legislation (PL 100-77) specifically calls for “sensitivity to the transition from temporary shelter to permanent homes and attention to the specialized needs of homeless individuals with mental and physical disabilities and illness and to facilitate access for homeless individuals to other sources of services and benefits.”

Also in accordance with the legislation, the National Board encourages Local Boards, the decision-making local bodies, to place special emphasis on identification of and assistance to the elderly, families with children, Native Americans and veterans. In addition, the authorization as revised (PL 102-550) in 1992 requires that a homeless or formerly homeless person serve on the Local Boards.



**KEY CHANGES  
&  
PROGRAM CLARIFICATIONS**

**PAGES  
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## KEY CHANGES & PROGRAM CLARIFICATIONS

**This Key Changes and Program Clarifications section is provided to assist in your annual reading and review of the EFSP Responsibilities and Requirements Manual (EFSP Manual); it is not a substitute for the EFSP Manual. All State Set-Aside Committee members, Local Board members and all Local Recipient Organizations (LROs) are advised to read the Phase 33 EFSP Manual thoroughly for complete guidelines regarding their responsibilities, program operations, acceptable expenditures and documentation requirements as significant changes have been made.**

### **GRANT AGREEMENT ARTICLES, FINANCIAL TERMS AND CONDITIONS & OTHER TERMS AND CONDITIONS**

The Emergency Food and Shelter National Board Program (EFSP) is a restricted federal grant. All federal grants have terms and conditions that apply to **ALL** parties participating in the grant. For the EFSP, all parties means the National Board which is considered the Recipient, State Set-Aside Committees (SSAs), Local Boards, and Local Recipient Organizations (LROs) that are considered the Sub-Recipients. All parties need to ensure their understanding of the EFSP Manual and the statements on the Certification Forms. By signing the Certification Forms, they are agreeing to specific program requirements of the National Board as well as those mandated by the Federal government, including those that do not appear to apply to the types of programs and activities eligible under the EFSP. All parties will be held accountable for the provisions of the grant.

For further detail, please reference [pages 40-57](#).

### **ADVERTISING AND ACKNOWLEDGEMENT OF FUNDS**

**All** parties as referenced in the Grant Agreement Articles must acknowledge EFSP funding as Federal funds awarded through the Department of Homeland Security. The acknowledgment must be included in Local Boards' advertisement of funding to the jurisdiction and any printed material, including request for proposals, bid invitations, etc.

For further detail, please reference [pages 23-24, 41 and 106-108](#).

### **COMMUNICATING WITH THE NATIONAL BOARD VIA EMAIL**

There are two email addresses for communicating with the National Board. Effective **July 1, 2016**, **ALL** documents submitted by State Set-Aside Committees, Local Boards and LROs via email to the Emergency Food and Shelter Program (EFSP) office must be sent to [documentstoefsp@www.unitedway.org](mailto:documentstoefsp@www.unitedway.org).

Also, effective July 1, 2016, the new email address to send inquiries to the program is [efsp@www.unitedway.org](mailto:efsp@www.unitedway.org). Only questions concerning the program should be sent to this email address.

For further details, please reference [pages 27, 59](#).

### **AUDIT REQUIREMENTS – CHANGE TO THRESHOLDS**

LROs must have their records audited by an independent certified or public accountant if receiving \$100,000 or more in EFSP funds. If an LRO receives from \$50,000 to \$99,999, they must have an annual accountant's review.

Local Boards must ensure that LROs expending \$750,000 or more in Federal funds, comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR 200 of the Office of Management and Budget.

For further details, please reference [pages 34, 38, 54, 75, 92-93 and 103-104](#).

### **LOCAL BOARD MEMBERSHIP – HOMELESS PARTICIPATION**

Legislation requires all Local Boards to include in their membership a homeless or formerly homeless person. Local Boards **must** seek recommendations from LROs for an appropriate representative.

Local Boards who are unable to secure a homeless or formerly homeless representative **must** have a past recipient of food or shelter services or a homeless advocate on their Local Board. A homeless advocacy group may be invited to serve this roll only if those noted previously are unavailable to serve.

For further detail, please reference pages 20-23 and 92.

### **LOBBYING CERTIFICATION**

By signing the LRO Certification Form, each LRO is certifying that EFSP funds will not be used for any type of lobbying activities. Additionally, LROs receiving \$100,000 or more in EFSP funds must complete and submit the *Certification Regarding Lobbying Form* which may be found on the EFSP website, [www.efsp.unitedway.org](http://www.efsp.unitedway.org), under **Forms**. The total of the funds is based on the original allocation to the LRO, plus any combination of subsequent awards to the LRO, including reallocations made by the Local Board.

If the Certification Regarding Lobbying Form is not submitted to the National Board, the funds may be held until it has been provided.

For further detail, please reference pages 38, 47, 55 and 95.

### **SPENDING PERIOD EXTENSIONS**

The National Board may determine on an annual basis to exercise the option to extend the spending period when the receipt of funding is delayed in the federal appropriations or award process. The National Board may choose to exercise this option when funds are received after the first quarter of the federal fiscal year. The National Board will determine the dates of the extension option beyond the end of the calendar year. The National Board has exercised this option; the spending period options for Phase 33 are:

1. *September 30, 2015*
2. *October 31, 2015*
3. *November 30, 2015*
4. *December 31, 2015*
5. *January 31, 2016*
6. *February 29, 2016*
7. *March 31, 2016*
8. *April 30, 2016*
9. *May 31, 2016*
10. *June 30, 2016*
11. *July 31, 2016*
12. *August 31, 2016*
13. *September 30, 2016*
14. *October 31, 2016*
15. *November 30, 2016*
16. *December 31, 2016*
17. *January 31, 2017*
18. *February 28, 2017*
19. *March 31, 2017*

For further detail, please reference pages 9 and 31.

**LOCAL BOARD - LRO CERTIFICATION FORMS**

Local Boards are required to have all agencies selected as LROs on the Local Board Plan sign and date the LRO Certification Form at the beginning of each funding cycle. ***A copy of this form must be retained by both the Local Board and the LRO. The certification forms for all funded LROs must be submitted with the Local Board Plan.*** Funds will not be issued to any LRO who has not provided the signed, dated LRO Certification Form. Only the LRO Certification Form provided by the National Board for the funding cycle will be accepted. The National Board’s LRO Certification Form has changes from prior phases. The National Board’s form may not be amended in any way. Local Boards wishing to have appropriate additional requirements regarding the funding of LROs may add an addendum to the National Board’s form. The addendum must also be submitted to EFSP with the Local Board Plan.

For further detail, please reference [pages 92 and 93](#).

**LOCAL RECIPIENT ORGANIZATION - LRO CERTIFICATION FORMS**

Each Local Recipient Organization (LRO) is required to sign and date the LRO Certification Form at the beginning of each funding cycle. ***A copy of this form must be retained by the LRO and provided to the Local Board for submission to the National Board.*** Funds will not be issued to any LRO who has not provided the signed, dated LRO Certification Form. Only the LRO Certification Form provided by the National Board for the funding cycle will be accepted. The National Board’s LRO Certification Form has changes from prior phases. The National Board’s form may not be amended in any way. Local Boards making appropriate additional requirements regarding the funding of LROs may add an addendum to the National Board’s form. The addendum must also be submitted to EFSP by the Local Board with the Local Board Plan.

For further detail, please reference [page 93](#).

**STATE SET-ASIDE COMMITTEE (SSA) - MINIMUM AWARD PER JURISDICTION**

***The minimum award per jurisdiction by the SSA Committee for Phase 33 is \$2,800.00*** and applies to all jurisdictions selected for funding by the SSA. This minimum award applies even if the SSA is giving additional funding to a jurisdiction that was funded by the National Board’s formula. SSAs acting as Local Boards must follow the Local Board requirements regarding minimum awards to LROs.

For further detail, please reference [pages 17-18](#).

**LOCAL BOARD - MINIMUM AWARD TO A LOCAL RECIPIENT ORGANIZATION (LRO)**

***The minimum award to an LRO by a Local Board for Phase 33 is \$500.00*** and applies to all LROs selected for funding by the Local Board. If an LRO is receiving only administrative funds; the award amount may be less than the \$500 minimum.

For further detail, please reference [pages 20 and 25](#).

**DOCUMENTATION REQUIREMENTS**

**LOCAL BOARD AND LRO FORMS:**

Only EFSP provided forms will be accepted from State Set-Aside Committees, Local Boards and LROs. EFSP provided forms are available on the EFSP website. EFSP provided forms may not be altered by either Local Boards or LROs. Local Boards making additional appropriate requirements may add an addendum to the National Board’s LRO Certification Form for LROs to also sign and date. ***This addendum must be submitted to the National Board.*** (Note: LROs may use their own forms for intake and to document expenditures. EFSP provides several sample forms in the Annex section of the Manual. These forms may be copied onto LRO letterhead and the use of these samples should eliminate compliance problems, provided the forms are fully and accurately completed.) For further detail, please reference [pages 97-102](#).

**SPREADSHEETS FOR ALL PROGRAM CATEGORIES:**

A spreadsheet for each program category (mass feeding, other food, mass shelter, other shelter, supplies/equipment, rent/mortgage, utilities and administration) must be maintained and must be provided when documentation is reviewed for the EFSP. The documentation for EFSP expenditures must support the information on the spreadsheet. Spreadsheets

will provide an overview of how EFSP funds were spent and serve as a checklist with which the documentation can be compared. Sample spreadsheets can be found on the EFSP website. Specific information must be provided on the spreadsheets (i.e., check number, date of check, vendor, client name [as needed], amount of check, amount of check attributed to EFSP, etc.). Reference the sample spreadsheets on the website for the required elements for each spending category. Spreadsheets should be in the appropriate order as should the supporting documentation for each individual program category. EFSP will accept spreadsheets/schedules/reports from an LRO's financial system provided the spreadsheets/schedule/report contains the required elements.

**IMPORTANT CHANGE:** If an LRO pays \$100 or less on a past-due utility bill balance for a client, on the utility spreadsheet in the billing period column, please insert N/A. *No billing period is required for the expenditure. Do not leave the column blank. If the column is left blank, it will result in a compliance exception.*

For further detail, please reference pages 61-69, 74 and 78-91.

**PROOF OF PAYMENT:**

EFSP funding is intended to be used as necessary to meet emergency need and expenditures incurred under EFSP must be promptly paid to vendors. Generally, payments should be made to vendors within one accounting cycle (normally 30 days). However, the EFSP will allow payments made not more than 90 days from the invoice or intake date as appropriate. LROs must ensure any amount paid and attributed to EFSP is still due in its entirety at the time payment is made. Payments made more than 90 days following the invoice or intake date will be considered ineligible and funds will be subject to return to the National Board. It is the intent of EFSP that funds received by LROs are used for costs incurred during the program period and that vendors be paid during the program period to the extent possible. It is also the intent of EFSP that goods or services be purchased and used during the program period. Large purchases made at the end of the program period do not meet this intent and may be considered ineligible. For further detail, please reference pages 59-60 and 74.

**ELIGIBLE PROGRAM COSTS CHANGES**

There are some changes in eligible program costs for Phase 33 which are detailed below. For further detail, please reference pages 61-69 and 72.

**FEMININE HYGIENE ITEMS:** The following changes have been made regarding **supplies and equipment** and are now eligible.

**Feminine Hygiene Items** – The purchase of limited, basic feminine hygiene items by all service providers are now eligible in the Emergency Food and Shelter Program. Prior Local Board approval is required before these expenditures are made. Local Boards must use discretion in selecting LROs to provide this service, taking into consideration the cost effectiveness of bulk purchasing.

*(Documentation required: spreadsheet, dated receipts/invoices for feminine hygiene items purchased and proof of payment to vendor by an acceptable payment method.)*

For further detail, reference page 69.

**REMINDER – CHARGING BACK OF ELIGIBLE EXPENDITURES**

The Emergency Food and Shelter Program allows LROs to chargeback eligible expenditures made prior to the receipt of funds for the spending Phase. The expenditures must meet the program guidelines for the spending category in which they are applied and reported on the LRO's Final Report.

*(Documentation required: Spreadsheets for the categories, documentation including invoices/receipts and proof of payment.)*

For further details reference page 69.

**REMINDER – PAYMENT TO VENDOR (NOT MORE THAN 90 DAYS)**

Payments must be made to vendors for all eligible expenditures, by an approved method, not more than 90 days after the receipt/invoice date or the date of the client intake form. Payments made more than 90 days following the invoice or intake date will be considered ineligible and funds will be subject to return to the National Board.

For further details reference [pages 59-60, 74.](#)

**REMINDER – DOCUMENTATION RETENTION**

LROs are to keep their documentation records for three years after each end of program year. Documentation includes but is not limited to: LRO Certification form, application for funding, Local Board approval of funding, Second Payment Request/Interim Report, Final Report, spreadsheets, all expenditure documentation (vendor invoices/receipts and proof of payment).

Since documentation must be retained for three years, all of those years are subject to review/audits at any time, even if the LRO has filed Final Reports and received clearing letters.

For further details, reference [pages 30, 37-38, 53-54 and 104.](#)

**REMINDER - MEETING FREQUENCY**

The National Board requires Local Boards to select one of the following options for meetings during the Phase and specify such in the required materials (Local Board Plan Certification and Final Report submission). Meetings may be conducted via conference calls.

**QUARTERLY MEETINGS:** The National Board encourages Local Boards to meet quarterly to monitor the program and ensure LROs are implementing the program according to guidelines.

**SEMI-ANNUAL MEETINGS:** Local Boards electing to meet semi-annually must also monitor the program and ensure LROs are implementing the program according to guidelines. Local Boards electing to hold meetings semi-annually must submit copies of their meeting minutes with the jurisdiction's Final Report. Failure to return this information may result in the delay of any future funding to the jurisdiction.

For further detail, please reference [pages 22-23.](#)

**KEY DATES for PHASE 33**

The National Board sets key program dates during the course of each phase in an effort to ensure funds are released in a timely manner. Due to the delay in Phase 33 funding, some of these dates do not conform to the timeframes of past funding phases. **All dates are subject to change and may unilaterally be changed by the National Board, as needed**, including submission of Local Board Plans, Second Payment Requests, EFT enrollment, and Final Reports. Local Boards will be notified of changes via email, as necessary. **The failure of Local Boards and LROs to adhere to the key program dates may result in the loss of funds.**

ITEM	KEY DATE																																						
Phase 33 <b>Local Board Plan</b> due to <a href="#">National Board</a>	<p><b>August 19, 2016</b> for jurisdictions qualifying via the National Board’s funding formula.</p> <p>For <i>State Set-Aside Committee</i> funded jurisdictions, this date will vary and is noted on the individual jurisdiction’s Local Board Plan. This date is specified on the Local Board Certification.</p>																																						
<p><b>Final Report Due</b></p> <p><b>Spending Period End Date</b></p> <p>(Jurisdiction’s end date selection options are listed on the Phase 33 Local Board Plan. The jurisdiction’s end date is also printed on each LRO’s payment letter notification.)</p> <p><i>Local Boards failing to select a spending period end date will automatically end on September 30, 2015.</i></p>	<table border="0"> <tr><td>September 30, 2015</td><td>Due May 15, 2017</td></tr> <tr><td>October 31, 2015</td><td>Due May 15, 2017</td></tr> <tr><td>November 30, 2015</td><td>Due May 15, 2017</td></tr> <tr><td>December 31, 2015</td><td>Due May 15, 2017</td></tr> <tr><td>January 31, 2016</td><td>Due May 15, 2017</td></tr> <tr><td>February 29, 2016</td><td>Due May 15, 2017</td></tr> <tr><td>March 31, 2016</td><td>Due May 15, 2017</td></tr> <tr><td>April 30, 2016</td><td>Due May 15, 2017</td></tr> <tr><td>May 31, 2016</td><td>Due May 15, 2017</td></tr> <tr><td>June 30, 2016</td><td>Due May 15, 2017</td></tr> <tr><td>July 31, 2016</td><td>Due May 15, 2017</td></tr> <tr><td>August 31, 2016</td><td>Due May 15, 2017</td></tr> <tr><td>September 30, 2016</td><td>Due May 15, 2017</td></tr> <tr><td>October 31, 2016</td><td>Due May 15, 2017</td></tr> <tr><td>November 30, 2016</td><td>Due May 15, 2017</td></tr> <tr><td>December 31, 2016</td><td>Due May 15, 2017</td></tr> <tr><td>January 31, 2017</td><td>Due May 15, 2017</td></tr> <tr><td>February 28, 2017</td><td>Due May 15, 2017</td></tr> <tr><td>March 31, 2017</td><td>Due May 15, 2017</td></tr> </table>	September 30, 2015	Due May 15, 2017	October 31, 2015	Due May 15, 2017	November 30, 2015	Due May 15, 2017	December 31, 2015	Due May 15, 2017	January 31, 2016	Due May 15, 2017	February 29, 2016	Due May 15, 2017	March 31, 2016	Due May 15, 2017	April 30, 2016	Due May 15, 2017	May 31, 2016	Due May 15, 2017	June 30, 2016	Due May 15, 2017	July 31, 2016	Due May 15, 2017	August 31, 2016	Due May 15, 2017	September 30, 2016	Due May 15, 2017	October 31, 2016	Due May 15, 2017	November 30, 2016	Due May 15, 2017	December 31, 2016	Due May 15, 2017	January 31, 2017	Due May 15, 2017	February 28, 2017	Due May 15, 2017	March 31, 2017	Due May 15, 2017
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<p><b>LROs’ Interim Report/Second Payment Requests</b> due to <a href="#">Local Board</a></p> <p><b>LROs’ Interim Report/Second Payment Requests</b> due to <a href="#">National Board</a></p>	<p>Not later than <b><u>March 15, 2017</u></b></p> <p>Not later than <b><u>March 31, 2017</u></b></p>																																						
<b>EFT enrollment</b> form for <u>new</u> LROs	Newly funded LROs must sign up for EFT not later than <b><u>March 31, 2017</u></b>																																						
<b>Adding a new LRO</b>	<p>If an LRO has NOT previously been funded in the current phase, it may not be added for funding after <b><u>February 28, 2017</u></b>.</p> <p>(This also applies when reallocating funds.)</p>																																						
<b>Local Board’s Reallocation Requests</b> of funds due to the <a href="#">National Board</a>	Not later than <b><u>March 31, 2017</u></b>																																						



**NATIONAL BOARD  
RESPONSIBILITIES**

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## NATIONAL BOARD RESPONSIBILITIES

The Emergency Food and Shelter National Board Program (EFSP) is a restricted federal grant. All federal grants have terms and conditions that apply to all parties participating in the grant. For the EFSP, all parties means the National Board which is considered the Recipient, State Set-Aside Committees (SSAs), Local Boards, and Local Recipient Organizations (LROs) that are considered the Sub-Recipients. See Grant Agreement Articles, Financial Terms and Conditions and Other Terms and Conditions, pages 41-57 for additional requirements.

The National Board will:

1. Select jurisdictions of highest need for food and shelter assistance and determine amount to be distributed to each. The National Board's formula is based upon average unemployment statistics from the U.S. Department of Labor, Bureau of Labor Statistics for the most current 12-month period available and poverty statistics from the U. S. Bureau of the Census. The poverty is based on the data collected in the American Community Survey (5-year estimates, 2010 – 2014). Poverty and unemployment were selected as the best indicators of need available nationwide at the city or county level. The National Board adopted these combined criteria (i.e., unemployment and poverty) in order to more effectively target funds for high-need areas and to allocate these funds rapidly and fairly.
2. Develop the operational manual and establish criteria for expenditure of funds and distributing funds.
3. In jurisdictions that received previous awards, notify the jurisdiction that new funds are available. In areas newly selected for funding, notify the local United Way, or other National Board organization to request that a Local Board be formed. The National Board will notify qualifying jurisdictions of award eligibility within 60 days following allocation by the Federal Emergency Management Agency (FEMA).
4. Provide copies of award notification materials to National Board member affiliates and other interested parties.
5. Secure board plan, certification forms and board roster from Local Boards. Secure Second Payment Request and Interim Reports and Final Reports from Local Boards. Ensure Local Boards and Local Recipient Organizations (LROs) comply with established guidelines.
6. Distribute funds to selected LROs.
7. Review and grant requests for program variances submitted by Local Boards.
8. Establish an equitable system to accomplish the reallocation of unclaimed or unused funds including hearing special requests from State Set-Aside Communities and Local Boards.
9. Ensure that funds are properly accounted for and that funds due are collected.
10. Provide consultation and technical assistance regarding the program.
11. Compile reports from data received from the Local Boards and submit a detailed accounting of use for all program monies in the form of a report to FEMA.
12. Conduct compliance reviews of food and shelter expenditures made under this program for specified LROs. The National Board, DHS/FEMA, the National Board's public accounting firm, or the Office of the Inspector General may also conduct an audit/review of these funds. The National Board is also responsible for monitoring LRO compliance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR 200 of the Office of Management and Budget [Item 5, page 53-54](#). Site reviews are performed for specific LROs participating in the program as part of monitoring.

***National Board  
Administration and  
Secretariat***

The National Board has selected United Way Worldwide as the Secretariat and Fiscal Agent to perform the necessary administrative duties for the Board. An administrative allowance of one percent of the total award may be used for National Board administration.

***Grant Payment Process***

United Way Worldwide has been designated as the Fiscal Agent for the National Board and as such will process all Local Board plans and make payments directly to eligible LROs recommended by Local Boards for funding.

**The National Board will not issue any payments to a jurisdiction until the previous phase's final report has been received in its entirety. No payments will be issued to any LRO with any known or unresolved compliance problems in any jurisdiction in which they have previously received funds including the previous phase's final report, if reviewed.**

**Payments will also not be issued to LROs with identified exceptions/findings in any compliance review, audit or assessment conducted which includes EFSP funding.**

***Method of Payment***

All awards will be paid in two equal installments. Except for the first check to newly funded LROs, **the National Board will make all payments by electronic funds transfer (EFT) only.** If an LRO has received funds subsequent to October 1998 (Phase 17), they are not considered new for payment purposes; therefore they must have **EFT** in place to receive payments. This authorization form is made available to each new LRO with their first payment notice and may be printed from the EFSP website or it may be obtained by **contacting the National Board staff for the preprinted authorization form.**

***First Payments***

The National Board will issue first payments by EFT to eligible LROs funded in the previous phase. **LROs with any known compliance problems from any phase in any jurisdiction in which they received funds are not eligible to be paid until all compliance problems are resolved.** The National Board will issue checks to newly funded eligible LROs (those not funded prior to the EFT requirement established in October 1998) for the first payment only.

Awards totaling \$100,000 or more will only be paid upon submission of the Certification Regarding Lobbying. See [Annex 5, page 95](#).

***Second Payments***

Second payments will be made to eligible LROs once the jurisdiction's compliance review of the previous phase is completed and any compliance problems resolved in any jurisdiction in which an LRO has received funds. Compliance resolution after the end of the funded phase does not guarantee that any remaining award will be forthcoming. Notice of second payments will be made to Local Boards and LROs, via email, only upon the submission of each LRO's Interim Report/Second Payment Request Form. See [page 28](#) for further details. **This form is available on the EFSP website only after an LRO has received their first payment.**

The Interim Report/Second Payment Request submission is a two-step process. After the LRO(s) complete the form online, they will need to forward the signed copy to the Local Board for approval and signature. The Local Board chair will submit the request via the website and will authorize by signing and submitting the Interim Report/Second Payment Request Form once assured the LRO is implementing the program as intended and according to EFSP guidelines or other requirements established by the Local Board. The LRO must report on the first payment by indicating how the funds were spent to date in the categories. If funds were unspent, they must be entered in the unspent category on the form. The Interim Report/Second Payment Request must only reflect the total of the first payment issued to the agency.

Second payment requests must be submitted via the website by each funded LRO and a

signed copy provided to the Local Board. The request must also be signed by an authorized Local Board signer prior to submission to the National Board.

**The National Board will advise Local Boards and LROs of the deadline to request all second payments under Phase 33.** Second payments will be held until all compliance exceptions (if any) are satisfied by the LRO. LROs with unresolved compliance exceptions or compliance exceptions resolved after the end of the funded phase **may not be paid**.

***Subsequent Payments***

If an LRO receives additional EFSP funds after the second payment has been made (e.g., through a national reallocation), the National Board will issue a subsequent payment to the LRO; notification will be sent via email.

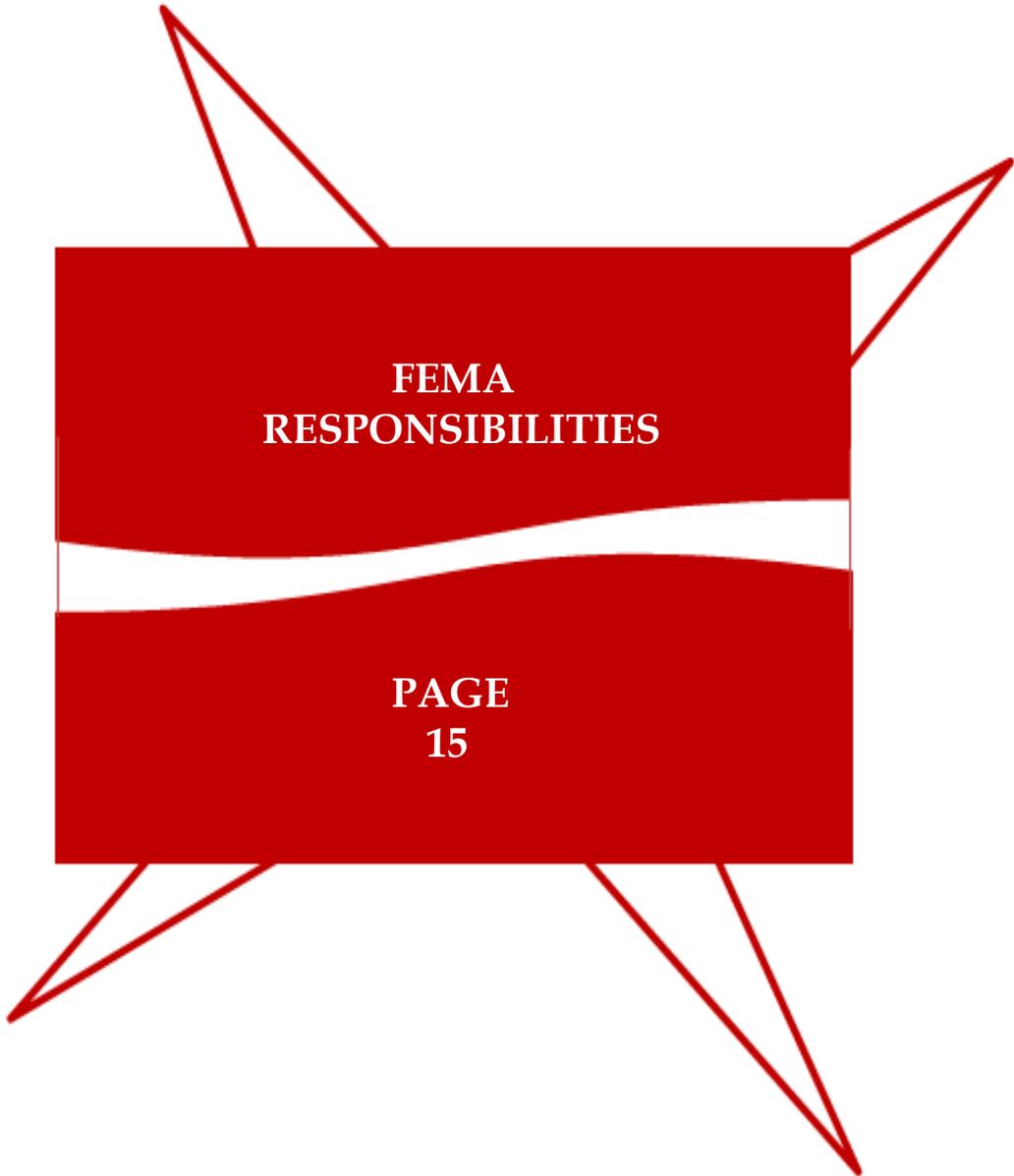
***State Set-Aside Payments***

State Set-Aside funding will be included either in part with the first and second payment or in whole with the second payment, if the first payment has already been made.

***Client Eligibility***

The EFSP is a needs based program, for which clients must qualify.

**The National Board does not set client eligibility criteria.** Local Boards may choose to set such criteria. If the Local Board does not set eligibility criteria, the LRO may use its existing criteria or set criteria for assistance under this award. Any criteria used must provide for assistance to needy individuals without discrimination (age, race, sex, religion, national origin, disability, economic status or sexual orientation), sensitivity to the transition from temporary shelter to permanent homes and attention to the specialized needs of homeless individuals with mental and physical disabilities and illness and to facilitate access for homeless individuals to other sources of services and benefits. In providing assistance under the EFSP, verification of proof of citizenship or qualified alien status of any applicant for assistance is not required. **Note: Funds allocated to a jurisdiction can only be used for permanent residents and transients within that jurisdiction.**



## FEMA RESPONSIBILITIES

The Federal Emergency Management Agency (FEMA) will:

1. Constitute a National Board consisting of individuals affiliated with American Red Cross; Catholic Charities USA; National Council of Churches of Christ in the USA; The Jewish Federations of North America; The Salvation Army; United Way Worldwide; and the Federal Emergency Management Agency (FEMA).
2. Chair the National Board, using parliamentary procedures and consensus by the National Board as the mode of operation.
3. Provide policy guidance, monitoring and oversight, Federal coordination and staff assistance to the National Board.
4. Award the grant to the National Board.
5. Assist the Secretariat and Fiscal Agent in implementing the National Board Program.
6. Report to Congress on the year's program activities independently and through the U.S. Interagency Council on Homelessness Annual Report.
7. Through the DHS Office of the Inspector General (OIG), and FEMA Office of the Chief Financial Officer (OCFO), monitor the National Board's annual audit of the program.
8. Monitor the overall administration and management of the grant expenditures.
9. Obtain reports from the Secretariat and Fiscal Agent, which provide detailed accounting of all program monies.



**STATE SET-ASIDE  
COMMITTEE  
RESPONSIBILITIES**

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## STATE SET-ASIDE COMMITTEE RESPONSIBILITIES

The Emergency Food and Shelter National Board Program (EFSP) is a restricted federal grant. All federal grants have terms and conditions that apply to all parties participating in the grant. For the EFSP, all parties means the National Board which is considered the Recipient, State Set-Aside Committees (SSAs), Local Boards, and Local Recipient Organizations (LROs) that are considered the Sub-Recipients. See Grant Agreement Articles, Financial Terms and Conditions and Other Terms and Conditions, pages 41-57 for additional requirements.

The **State Set-Aside (SSA)** Committee process under the Emergency Food and Shelter Program allows greater flexibility in selection of jurisdictions to target pockets of homelessness or poverty. The SSA Committee should consider jurisdictions which have documented measures of need that are not adequately reflected in unemployment or poverty data, areas experiencing drastic economic changes such as plant closings, and areas with high levels of unemployment or poverty which do not meet the minimum level of unemployment to qualify under the National Board's formula.

### *Basis of State Award*

Funds allocated to SSA Committees will be based on a ratio calculated as follows: each state's average number of unemployed in non-funded jurisdictions divided by the average number of unemployed in non-funded jurisdictions nationwide equals each state's percentage of the total amount available for SSA awards. **There will be no SSA award should all jurisdictions in a state qualify for funding except to satisfy a minimum award per state.**

### *Deadline*

The National Board will provide SSA Committees with a specific deadline for the submission of award materials. The deadline is approximately 25 working days after award notification. **State Set-Aside Committees not meeting this specific deadline risks the loss of these funds.**

### *Selection of SSA Jurisdictions*

SSA Committees in each state will submit high need jurisdictions and award amounts to the National Board. **SSA Committees must give priority to and consider the special circumstances of jurisdictions that did not meet criteria for direct funding, including those that qualified in the most recent funding phase or other prior phases.** SSA Committees may wish to provide these jurisdictions with an allocation so that the abrupt change in funding status is not too disruptive to local services.

SSA Committees may consider qualifying jurisdictions with extreme need for additional funding. SSA Committees wishing to provide additional funding to qualifying jurisdictions **must** submit a request to the National Board.

**The National Board recommends that SSA Committees consider current state and/or local data in their decision making; however, the National Board does not mandate any particular formula.**

These committees are free to act independently in developing their funding formula and in selecting jurisdictions for funding; however, each SSA Committee funding formula is subject to review by the National Board. SSA Committees must provide the National Board with selection criteria and the formula used to determine jurisdictions to receive funds according to the required process.

**The minimum SSA award that may be made to a jurisdiction is \$2,800.**

***Composition***

The National Board will notify the chair or contact of the previous SSA Committee of the award amount available. In a state where there are state-level affiliates of the voluntary organizations represented on the National Board, they **must** be invited to serve on the SSA Committee. If no single state affiliate exists, appropriate representatives should be invited. The National Board member agencies are the Federal Emergency Management Agency (FEMA), American Red Cross, Catholic Charities USA, The Jewish Federations of North America, National Council of the Churches of Christ in the USA, The Salvation Army and United Way Worldwide. **The Governor or his/her representative will replace the FEMA member.**

SSA Committees are encouraged to expand participation by inviting or notifying other nonprofit organizations on the state level. The National Board encourages SSA Committees to include Native Americans, minorities, and other appropriate representatives on the committee. Members of the SSA Committee shall elect a chair each phase.

***Participation of Special Emphasis Groups***

Additionally, SSA Committees should involve and include the needs of the special emphasis groups identified in the legislation (e.g., elderly, families with children, Native Americans, veterans, and mentally and physically disabled) in convening their committees and selecting areas for funding.

***SSA Committee Function***

SSA Committees must develop a formula that considers needs and resource gaps in services, to select high-need jurisdictions to determine award amounts (**minimum \$2,800**) within the state. When selecting jurisdictions with demonstrated need, the National Board encourages the consideration of jurisdictions incorporating or adjoining Native American reservations. The SSA Committee will notify the National Board, as required of its selections and the appropriate contact person for any selected jurisdiction without a previously established Local Board or contact. The National Board will then notify these jurisdictions directly of their awards.

**If the selected jurisdictions do not claim awards, SSA Committees may recommend other jurisdictions to receive the unclaimed funds.**

***Administrative Allowance***

The SSA Committee may use an administrative allowance of one-half of one percent (½%) of the total SSA award for its administrative costs.



**LOCAL BOARD  
RESPONSIBILITIES**

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## LOCAL BOARD RESPONSIBILITIES

The Emergency Food and Shelter National Board Program (EFSP) is a restricted federal grant. All federal grants have terms and conditions that apply to all parties participating in the grant. For the EFSP, all parties means the National Board which is considered the Recipient, State Set-Aside Committees (SSAs), Local Boards, and Local Recipient Organizations (LROs) that are considered the Sub-Recipients. See Grant Agreement Articles, Financial Terms and Conditions and Other Terms and Conditions, pages 41-57 for additional requirements.

Each award phase is new; therefore, the Local Board is a new entity in every phase. The convener of the Local Board must ask each National Board agency to designate or re-designate a representative every program year. Other invited agencies must also designate or re-designate a representative each year. Each agency represented on the Local Board should have an alternate from their agency to attend meetings when the designated board member is unable to attend. If there is more than one representative from an agency/organization present, only one vote is allowed for the agency/organization. To ensure funding, the Local Board chair or staff must submit via the website, and return all required current, updated forms as follows to the National Board by the specified deadline:

- Local Board Plan, including LRO information via the website with designation of dollar amounts [whole dollars only of \$500 or more] awarded;
- Signed Local Board Certification Form,
- Local Board Roster, (the roster information must be updated via the EFSP website prior to submission)
- **LRO Certification Form for all funded LROs; and,**
- Certification Regarding Lobbying Forms, as needed.

The National Board assigns each jurisdiction a unique ID number under this program as well as numbers for each LRO either new in this phase or previously funded. **When contacting the National Board for assistance regarding this program, please reference your Local Board's ID and LRO ID numbers, if needed.**

### *Composition/Roster*

Each jurisdiction designated by the National Board to receive funds will constitute a Local Board. Local representatives of the National Board member agencies must be invited to serve on the Local Board. The National Board member agencies are the Federal Emergency Management Agency (FEMA), American Red Cross, Catholic Charities USA, The Jewish Federations of North America, National Council of the Churches of Christ in the USA, The Salvation Army and United Way Worldwide. **An agency's own governing board cannot replace or act as the Local Board.**

**The highest ranking county government official or his/her designee will replace the National Board's FEMA member.**

### *National Board Affiliates*

Each Local Board will provide a roster of current members with their plan. The roster must reflect the status of National Board member agencies. If a National Board member agency does not serve the jurisdiction, this must be noted on the Local Board roster. The National Board requires complete business contact information for all Local Board members. Required information for all Local Board members consists of:

- the name of the agency they are representing;
- the Board member's name;
- the address including zip + 4;
- the telephone number
- the fax number; and,
- a current, valid email address

If an agency is invited but chooses not to participate, the same information must be provided noting that they were "invited but did not participate" on the Local Board

roster. The name of the individual invited must be included along with all of the agency contact information.

If the convener of the Local Board is unsure of the appropriate National Board affiliate to invite, they should check the National Board members' agency's website. In jurisdictions where affiliates of National Board agencies do not exist, other appropriate groups and individuals **must** be invited to sit on the Local Board. For example, if there is no Catholic Charities, a comparable Roman Catholic group or a priest could serve. In the case of The Jewish Federations of North America (JFNA), if no local Jewish Federation exists in a given jurisdiction, each Local Board must first check with JFNA to identify local JFNA-affiliated Jewish organizations to serve. Please check their web site, [www.jewishfederations.org](http://www.jewishfederations.org), or you may call JFNA at (202) 785-5900. If none are available, then a comparable group or synagogue representative may be asked to serve. The National Council of Churches of Christ (NCCC) is a wide spectrum of Protestant, Anglican, Orthodox, Evangelical, historic African American and Living Peace churches. The NCCC could be represented by a local or regional ecumenical or interfaith council of churches in partnership with the NCCC, or a representative of a congregation of one of the member communions of the NCCC. To establish whether a potential board member is an appropriate representative of the NCCC, contact the Office of the General Secretary at 212-870-3398.

It is not a requirement for either a mandated National Board member agency or other agencies to have a physical site in a jurisdiction in order to be on the Local Board. Any agency providing services to a jurisdiction may be invited to participate on the Local Board and National Board member agencies serving a jurisdiction **must** be invited even if their primary physical location is in an adjoining jurisdiction.

#### ***Local Board Membership & Voting***

Agencies are represented on Local Boards and each agency is entitled to one vote. Each agency must name a representative to the Local Board although other individuals may also attend meetings. When voting, only the official representative (or designated alternate) may vote on behalf of the organization.

In jurisdictions where multiple organizations exist, the organization still only gets one vote and the agencies must work together and vote as one. For example, United Way of County – North and United Way of County – South are considered to be one organization – United Way. United Way gets one vote. Additionally, no United Way may vote on any United Way award. The same would be true for multiple units of The Salvation Army, Community Action Agency, local government, etc.

#### ***Participation by Homeless, Formerly Homeless, or Homeless Advocate***

Legislation requires all Local Boards to include in their membership a homeless or formerly homeless person. Local Boards **must** seek recommendations from LROs for an appropriate representative.

Local Boards who are unable to secure a homeless or formerly homeless representative **must** have a past recipient of food or shelter services or a homeless advocate on their Local Board. A homeless advocacy group may be invited to serve this roll only if those noted previously are unavailable to serve.

#### ***Native American Participation***

Legislation requires that if a jurisdiction is located within or encompasses a Federally recognized Native American reservation, the Local Board **must** invite a Native American representative to serve on the Board. In addition, legislation requires that if there is a Native American population in a jurisdiction, they must be invited to serve.

#### ***Local Board Expansion***

The designated members of the Local Board are encouraged to expand their membership by inviting participation from minority populations and other private nonprofit organizations and government organizations. In addition, all geographic areas within the

jurisdiction should be represented. Local Boards may want to expand to broaden community input from other national nonprofit organizations (e.g., Community Action, Feeding America, Volunteers of America) as well as those providing emergency food and shelter services (e.g., food pantries, soup kitchens, domestic violence shelters). In designing the EFSP, Congress created a unique public-private partnership that brings the voluntary sector and the government together to address critical human needs in the areas of hunger and homelessness. When expanding, Local Boards should carefully cultivate this public-private partnership.

***Participation of Special Emphasis Groups***

In expanding, Local Boards **must** involve organizations that advocate for or provide services to the special emphasis groups identified in the legislation (e.g., elderly, families with children, Native Americans, veterans, and mentally and physically disabled).

***Election of Chair***

The members of the Local Board **must** elect a chair each award Phase. The Local Board chair is not an honorary position. Local Boards may also designate staff and/or a contact person for their jurisdiction. **Care must be taken to select individuals who are reliable, accessible and knowledgeable about the program.**

***Notification of Changes in Contacts/Addresses***

**Local Boards are responsible for maintaining a current roster of members and LRO information via the EFSP website. Local Boards must notify the National Board of changes in Local Board chair, staff contact, or LRO contacts, including complete business addresses, phone numbers, fax numbers and current, valid email addresses. This information must be submitted via the EFSP website. Board and LRO changes should be updated as they occur throughout the Phase.**

***Local Board Participation***

The National Board will communicate with Local Board chairs, contacts, members and LROs primarily through email. For EFSP purposes only, email addresses and other contact information may be shared, so business information and email is recommended. Local Board membership is not honorary. If a member cannot regularly attend meetings, that member's designated agency must select a replacement. The designated agency must also designate an alternate. If a member must be absent from a meeting, the agency's alternate should attend.

***Convening the Board***

If a locality has not previously received funding and is now designated as being in high need, the National Board has designated the local United Way to constitute and convene a Local Board.

In the event there is no local United Way, or the United Way does not convene the Board, a representative from one of the National Board organizations will convene the initial meeting of the Local Board.

***Reconvening the Board***

If a jurisdiction has previously received funds, the National Board will contact the Local Board chair or designated contact person from the previous phase regarding funding. If the previous Local Board chair/contact fails to convene the Local Board for the new award, the process noted above will be followed.

If the previous phase's Local Board has failed to comply with National Board guidelines, the National Board will work to find another Local Board convener.

***Local Board Meetings***

The National Board requires Local Boards to select one of the following options for meetings during the Phase and specify such in the required materials (Local Board Plan Certification and Final Report submission). Meetings may be conducted via conference calls.

**A. Quarterly meetings:**

**The National Board encourages Local Boards to meet quarterly** to monitor the program and ensure LROs are implementing the program according to guidelines.

**B. Semiannual meetings:**

Local Boards meeting twice a year must also monitor the program and ensure that LROs are implementing the program according to guidelines. They must also ensure all program requirements and deadlines are met, including the submission of both online materials and required paperwork.

**Local Boards electing to hold meetings semiannually must submit copies of their meeting minutes with the jurisdiction's Final Report. Failure to return this information may result in the delay of any future funding to the jurisdiction.**

***Quorum Requirement***

**A quorum of member agencies must be present for meetings to be official and to take any action.** (Quorum: According to Webster's New Collegiate Dictionary, the majority of officers or members of a body that when duly assembled is legally competent to transact business.) If there is more than one representative from an agency/organization present, only one vote is allowed for the agency/organization. Meeting minutes must be voted on and approved by the Local Board at the next meeting. Meeting minutes must also be available to the National Board, Federal authorities, and the public upon request.

***Meeting Minutes***

Meeting minutes must include but are not limited to the following:

- names of members attending;
- members absent;
- notation of participation of homeless or formerly homeless member;
- date, time and location of the meeting;
- approval of previous Local Board meeting minutes;
- agenda action items (decision making items, votes taken [i.e., election of chair, allocation of funds, reallocation]);
- date, time and location of next meeting; and,
- meeting adjournment.

Minutes must include sufficient detail of the Board's discussion and decisions.

***Board Plan Deadline***

The National Board will provide Local Boards with a specific deadline for the submission of the board plan with award materials. The board plan must be submitted via the EFSP website using the instructions provided. Following the online submission, all required paperwork must be received by the National Board for the submission to be complete. The deadline is approximately 25 working days after award notification. **Local Boards not meeting the specified deadline risk the loss of these funds.**

***Advertising***

Local Boards must publicly advertise in the print media and promote the program to give any agency capable of providing emergency food and shelter services an opportunity to apply for funds. **Advertising must take place prior to the Local Board's allocation of funds.** Local Boards must ensure their advertisement acknowledges the Federal funding source as required by the Grant Agreement Articles on [page 41](#). Failure to advertise properly will delay processing of the jurisdiction's board plan and subsequent payment of funds. Local Boards must allow **at least five business days after publication of the advertisement** for interested agencies to apply for funding. The Local Board should retain a copy of the public advertisement in their records and have it available for review, if requested. **It is important that the Local Board places the advertisement in the**

**most widely available local print media forum for a jurisdiction since any agency providing or capable of providing emergency food and shelter services must have the opportunity to apply for funding. Failure to advertise according to the National Board's requirements will result in a delay in processing the Local Board Plan.**

See Annex 15, pages 106-107 for advertising requirements and a sample advertisement. See Annex 16, page 108 for application elements.

Local Boards do not have to re-advertise the availability of funds for additional allocations within the same phase unless specifically required by the National Board.

### ***Disaster Recovery Plan***

Local Boards should have a disaster recovery plan ensuring continuity of services under EFSP and records retention. Each Local Board is required to retain EFSP records for a period of three years after submission of the Final Report, unless there are compliance issues which require a longer retention period. Records that should be retained include:

- copies of decision-making minutes;
- Local Board Plans;
- Local Board and LRO Final Reports with documentation as appropriate;
- second payment request forms;
- reallocation forms;
- LRO funding applications
- LRO Certification Forms;
- Lobbying Certification Forms, if necessary; and,
- administrative expense documentation (vendor invoices and canceled checks or other approved method of payment).

**Local Boards must also retain documentation regarding all outstanding compliance problems including those from all prior phases which may not be part of the three year retention period.** Additionally, Local Boards should retain other pertinent information for their jurisdiction that provides background and history of their operations.

The U.S. Department of Homeland Security's website contains business continuity information which may be helpful to LROs. [www.ready.gov/business](http://www.ready.gov/business).

Reference [Item 5, page 53 and Annexes 12-13, pages 103-104.](#)

### ***Setting Priorities and Selection of LROs***

Local Boards must set funding priorities annually prior to the selection of agencies for funding. Local Boards must look at the resources available in the community, the emergency food and shelter needs of the community, gaps in services in the community and focus the dollars to address these needs in the areas of emergency food and shelter. The priorities may vary from year to year, so each award phase must be evaluated individually. Once priorities are set, the Local Board must review the priorities of the jurisdiction and select LROs to help meet the identified needs.

**Local Boards may not discriminate in the selection of LROs. Local Board members must strive to use consistent criteria, sound judgment, and fairness in their approach. Local Board membership must have no relationship to funding and is not a guarantee of funding. Local Board members must abstain from voting on award applications for their own agency.**

**Local Boards cannot select agencies for funding where the agency has received an adverse or no opinion audit in their independent audit.**

Any agency, regardless of services offered or populations served, must be given equal

opportunity to apply for funding. All applicant agencies must comply with all articles, terms and conditions of this funding and must sign and submit the EFSP provided LRO Certification Form in order to receive funds as stated on [page 24](#). Agencies must have a program in the category for which they are seeking funding.

Local Boards must have a written application process and consider all private voluntary and public agency applicants. In selecting an agency to receive funds, the Local Board must consider the demonstrated ability of that agency to provide food and/or shelter assistance.

The Local Board must select agencies that have the staff and capacity to take on the added responsibility of this program and who can comply with and maintain documentation and accountability standards. Local Boards must select fully operational agencies to receive funds to supplement and expand eligible on-going services and must not fund agencies in anticipation of a needed service (i.e., fire victims, floods, tornadoes, etc.) nor for singular or special celebratory/holiday events. Local Boards should not select agencies for funding due to budget shortfalls or due to reductions in other funding sources

See [Annex 16, page 108](#) for Standard Application Elements.

### ***Funding of LROs Serving Special Emphasis Groups***

Any agency, including those on Native American reservations, is eligible to receive EFSP funding if they meet LRO requirements. Additionally, Local Boards must consider the needs of agencies serving the special emphasis groups (i.e., elderly, families with children, Native Americans, veterans, and mentally and physically disabled) in their selection of LROs.

The minimum grant per LRO is \$500, unless only receiving administrative funding. Only whole dollar amounts may be allocated. **Local Boards should be prepared to justify an allocation of one-third or more of their total allocation to a single LRO.**

Any LRO that will receive \$100,000 or more in EFSP funds is required to submit:

- a certification that EFSP funds will not be used for lobbying activities; and
- a disclosure of lobbying activities (if applicable). LROs must submit these items prior to award payment. See [Annex 5, page 95](#) for Certification Regarding Lobbying.

At the beginning of each phase, the Local Board must secure and retain signed LRO Certification Forms from each LRO certifying that program guidelines have been read and understood, and that the LROs will comply with all program requirements including the Grant Agreement Articles, Financial Terms and Conditions and Other Terms and Conditions stated on [pages 41-57](#) in addition to the cost eligibility and reporting requirements. **(LRO Certification Forms for all LROs must be submitted with the Local Board Plan to the National Board.)** Refer to [Annex 3, page 93](#). If after reading the LRO Certification Form, the agency determines that it cannot abide by the EFSP guidelines, they must notify the Local Board immediately and not incur any costs or charge any expenses against the grant.

### ***Coordination of Service***

The Local Board **must** establish a system to ensure that no duplication of payment occurs within the expenditure categories of rent/mortgage assistance or utility assistance. Multiple LROs may not provide assistance to the same client for the same service.

### ***Client Eligibility***

The EFSP is a needs based program, for which clients must qualify.

Local Boards may determine client eligibility for EFSP or use established LRO

eligibility. Any criteria used must provide for assistance to needy individuals without discrimination (age, race, sex, religion, national origin, disability, economic status or sexual orientation), sensitivity to the transition from temporary shelter to permanent homes and attention to the specialized needs of homeless individuals with mental and physical disabilities and illness and to facilitate access for homeless individuals to other sources of services and benefits. In providing assistance under the EFSP, verification of proof of citizenship or qualified alien status of any applicant for assistance is not required.

A separate needs test for assistance under EFSP may be developed and used by LROs, but must first be approved by the Local Board. The Local Board must inform LROs of any eligibility criteria set by the Local Board.

### ***Notification of Changes in LRO Contacts/Addresses***

**Local Boards must notify the National Board of changes in LRO contacts for business purposes, including complete;**

- addresses,
- phone numbers;
- fax numbers, and
- valid email addresses.

**(Changes for the jurisdiction's EFSP information should be updated throughout the phase as they occur via the website.) When there is a change in the name of an LRO or a change with an LRO's Federal Employee Identification Number (FEIN) or Data Universal Number System (DUNS), the legal document supporting those changes must be forwarded to the National Board before the changes can be made. Ensure the Local Board and LRO ID numbers are included in all correspondence.**

The National Board will communicate with LROs primarily through email. For EFSP purposes only, email addresses and other contact information may be shared, so business contact information and email is recommended.

### ***Combining Local Boards***

If a Local Board determines that they can better utilize their resources by merging with neighboring Local Boards, they may do so. The head of government or his/her designee for each jurisdiction must sit on the merged board, along with, at a minimum, National Board agency representatives from each jurisdiction. Voting and decision-making must be limited to only those Local Board members either providing services to the jurisdiction under consideration or representing the jurisdiction. The merged Local Board must ensure that the award amount designated for each civil jurisdiction is used to provide assistance to individuals within that jurisdiction.

### ***Communications***

Local Boards are responsible for communicating with Local Recipient Organizations (LROs) and should do so throughout the life cycle of each Phase for which funds are received. Strong communication links are valuable in program administration; constant communication may also help avoid delays in funding/payments and compliance exceptions. Local Boards should develop a communications plan that assists with their responsibility to monitor the EFSP in their jurisdiction. Local Board communications should be ongoing and done as part of technical assistance and monitoring.

Key communication periods are:

- Application for funding
- Awarding of funds
- Requesting second payments
- Making reallocations
- Reporting final expenditures
- Requiring and reviewing documentation

- Notification of deadlines
- Notification of compliance problems

Local Boards may communicate with LROs via email, letters, meetings or webpage created for the EFSP program in the community.

### *Technical Assistance*

Local Boards must read, understand and be familiar with the EFSP guidelines as found in this manual and provide technical assistance to LROs. Local Boards are responsible for the training of all LROs and should ensure new LROs have thoroughly read this manual and are trained before incurring expenses. The Local Board should be familiar with any personnel changes within an agency to ensure that new staff are trained. Questions that cannot be answered by Local Boards must be referred to the National Board staff. Any matter of interpretation must be referred to the National Board staff at [efsp@uww.unitedway.org](mailto:efsp@uww.unitedway.org). Please reference your Local Board ID number and LRO number when contacting the National Board staff.

**NOTE:** The EFSP website ([www.efsp.unitedway.org](http://www.efsp.unitedway.org)) has a training feature for LROs to familiarize new staff and board members with EFSP requirements. FEMA's Emergency Management Institute also provides a training opportunity through the following link: (<http://www.training.fema.gov/emiweb/IS/IS420.asp>).

### *Appeals Process*

Local Boards **must** establish a written appeals process to address participation or funding and to hear and resolve appeals made by funded LROs or non-funded agencies. **Local Boards must handle appeals promptly.**

Local decision-making is an operating principle of this emergency effort. If the Local Board cannot handle an appeal locally, the case should be referred in writing to the National Board, including details on action that has been taken. Only when there are significant questions on the part of the Local Board concerning misapplication of guidelines, fraud or other abuse on the part of the Local Board will the National Board consider action.

Should anyone have reason to suspect that EFSP funds are being used for purposes contrary to the law and guidelines governing this program, the National Board staff must be notified immediately. A detailed follow-up letter of actions taken should be forwarded as soon as possible to Emergency Food and Shelter Program, 701 North Fairfax Street, Alexandria, VA, 22314. When reports have been made to the DHS OIG, the case number they provide must be included with all correspondence to the National Board. The OIG's preferred method for reporting fraud is to submit their online allegation form from their website [www.oig.dhs.gov](http://www.oig.dhs.gov). The address for mailing information is:

DHS Office of Inspector General/ MAIL STOP 0305  
 Attention: Office of Integrity & Quality Oversight – Hotline  
 245 Murray Lane SW  
 Washington, DC 20528-0305

For more details, see [page 30](#).

### *Local Resource Coordination*

The chair of the Local Board or his/her designated staff will be the central coordination point of contact between the National Board staff and the LROs selected to receive EFSP funds. Additionally, the Local Board, if requested by the National Board, should nominate an appropriate feeding organization to receive surplus food from the U. S. Department of Defense commissaries.

### *Monitoring of LROs*

Local Boards are responsible for monitoring LROs throughout the phase in their use of EFSP funds. Each Local Board must establish a process for monitoring LROs, including ensuring that LROs have read and understand the manual. Local Boards must review required reports and documentation for completeness, and compliance with program

guidelines, including the agency's annual audit/review, if required.

Local Boards must ensure that LROs expending \$750,000 or more in Federal funds, comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR 200 of the Office of Management and Budget [Item 7, page 54](#).

Local Boards **cannot** change National Board cost eligibility, approve expenditures outside of the National Board's guidelines, or approve changes in documentation requirements without National Board permission.

As part of LRO monitoring, Local Boards must investigate complaints made by individuals seeking services under this program. At times, the National Board may request Local Board assistance in investigating client complaints. Local Boards must investigate and report to the National Board, if required.

### ***Interim Report***

The interim report of expenditures is due to the National Board as part of each LRO's second payment request. The National Board will advise LROs of the deadline for the submission of the Interim Report/Second Payment Request form to their Local Board. Local Boards may determine and advise their LROs of an earlier due date to ensure the jurisdiction meets the National Board's deadline. A second payment request must be submitted via the website by each funded LRO and a signed copy provided to the Local Board. The request must also be signed by an authorized Local Board signer prior to submission to the National Board. Local Boards must submit the Interim Report/Second Payment Request to the National Board by the established deadline. This form will be available to each LRO following issuance and notification of their first payment. The form may be accessed from the EFSP website.

Second payments will be made to eligible LROs once the jurisdiction's compliance review of the previous phase is completed and any compliance problems resolved in any jurisdiction in which an LRO has received funds. Compliance resolution after the end of the funded phase does not guarantee that any remaining award will be forthcoming. Notice of second payments will be made to Local Boards and LROs, via email, only upon the submission of each LRO's Interim Report/Second Payment Request Form.

The Interim Report/Second Payment Request submission is a two-step process. After the LRO(s) complete the form online, they will need to forward the signed copy to the Local Board for approval and signature. The Local Board chair will submit the request via the website and will authorize by signing and submitting the Interim Report/Second Payment Request Form once assured the LRO is implementing the program as intended and according to EFSP guidelines or other requirements established by the Local Board. The LRO must report on the first payment by indicating how the funds were spent to date in the categories. If funds were unspent, they must be entered in the unspent category on the form. The Interim Report/Second Payment Request must balance to the total of the first payment issued to the agency.

Second payment requests must be submitted via the website by each funded LRO and a signed copy provided to the Local Board. The request must also be signed by an authorized Local Board signer prior to submission to the National Board.

### ***Final Report***

Local Boards must submit a Final Report (accompanied by financial documentation for specified LROs) approximately 45 days after the end of the jurisdiction's spending period or upon a date determined by the National Board. The National Board will advise Local Boards and LROs of the submission deadline. The National Board will provide forms and instructions for all required reports. Local Boards may request other reports from LROs (e.g., monthly or quarterly updates).

**Reallocation of Funds**

Local Boards may decide to reallocate funds **within** their jurisdiction. Funds may be reallocated locally at any time during the program spending period. When funds are reallocated from one Local Recipient Organization (LRO) to another, the Local Board must inform both the National Board and affected LROs in writing. The National Board will be informed via the website. **The Local Board must advise in writing, all concerned LROs of any reallocation of their original award. LROs must be informed in writing.**

When requesting reallocations, please indicate if the funds are being transferred locally or if they are to be issued by the National Board. If a portion of the funds are being reallocated locally and another portion nationally, separate reallocations must be submitted.

**Local Reallocation:**

If the funds to be reallocated have already been paid to LROs in the jurisdiction, the funds must be transferred locally. In this case, the LRO whose funds are being reallocated must write a check to the LRO(s) receiving the funds.

**National Reallocation:**

If the National Board has not paid out the funds, payments will be issued to the appropriate LRO as requested by the Local Board.

**Important Information About Reallocations:**

The Local Board must reallocate funds during the spending period whenever it determines that the original allocation plan does not reflect the actual need for services or if an LRO cannot effectively utilize the full award. Local Boards must reallocate funds if an LRO makes ineligible expenditures or uses funds for items that have clearly not been approved by the Local Board. Local Boards must also reallocate funds as a result of gross negligence, inadequate use of funds, failure to use funds for purposes intended and any other violation of National Board guidelines or the Local Board plan. LROs must comply with their Local Boards' reallocation decisions.

Local Boards must reallocate funds held for LROs with unresolved compliance exceptions by the date specified by the National Board or they will be forfeited and reclaimed by the National Board. **If an LRO has not previously been funded in the current phase, it may not be funded after the deadline established by the National Board.**

Local Boards reallocating funds late in the spending period should ensure the LRO(s) receiving the funds can document the full amount of funds received, including any reallocations within the jurisdiction's spending period.

Local Boards may reallocate funds from one service to another (i.e., from food to shelter) without National Board approval if the transfer is within a single LRO.

**Local Boards may not reallocate funds to any LRO with a known compliance problem from any phase of funding in any jurisdiction in which the LRO received funds either currently or previously.**

**Reallocation to  
New Agencies**

Local Boards may reallocate funds to new LROs, which must be approved by the National Board. Reallocations may not be made to new LROs after the National Board's established deadline. **This is the last date to add new LROs.** Prior to a new LRO receiving funds, the Local Board must provide the Federal Employer Identification Number (FEIN) and the Data Universal Number System (DUNS) number issued by Dun & Bradstreet (D&B) along with the associated information.

### ***Returning Funds for Reallocation***

If funds are returned to the National Board for reallocation, the check must be made payable to United Way Worldwide/Emergency Food and Shelter Program, 701 North Fairfax Street, Alexandria, VA 22314. The LRO ID Number (9 digits) of the agency returning the funds must be printed on the face of the check in the upper right hand corner. The Local Board or LRO must indicate the funds are being returned for reallocation.

### ***Reporting Fraud, Theft and Criminal Activity***

Should anyone have reason to suspect that EFSP funds are being used for purposes contrary to the law and guidelines governing this program, the National Board staff must be notified immediately. A detailed follow-up letter of actions taken should be forwarded as soon as possible to Emergency Food and Shelter Program, 701 N. Fairfax Street, Alexandria, VA, 22314. When reports have been made to the DHS OIG, the case number they provide must be included with all correspondence to the National Board.

The National Board requires that the DHS OIG be contacted immediately when fraud, theft, or other criminal activity is suspected in connection with the use of EFSP funds, or the operation of a facility receiving EFSP funds. The OIG's preferred method for reporting fraud is to submit their online allegation form from their website [www.oig.dhs.gov](http://www.oig.dhs.gov). The address for mailing information is:

DHS Office of Inspector General/ MAIL STOP 0305  
Attention: Office of Integrity & Quality Oversight – Hotline  
245 Murray Lane SW  
Washington, DC 20528-0305

Persons contacting the OIG should include as much information as possible to support the allegation and preferably furnish his/her name and telephone number so that the Special Agents assigned to that office may follow-up. Federal Law protects the confidentiality of any communication made with the DHS OIG.

A person wishing to remain totally anonymous should make a follow-up phone call to the DHS OIG within 30 days from the date of the original contact so that any follow-up questions may be asked. Follow-up calls should be made to (800) 323-8603 during normal business hours, Eastern Standard Time (charges may be reversed). The caller should advise that he/she is making a follow-up call regarding a prior anonymous complaint.

**The DHS OIG will appropriately notify both local law enforcement authorities and the National Board concerning the substance of the allegations and the results of the investigation. The person reporting the allegation should also contact local law enforcement authorities.**

### ***End-of-Program***

After close of program, Local Boards **must** review the accuracy of **all** LRO reports and documentation including the agency's annual audit, if required. (see pages 74-75). The Local Board then sends reports for all LROs and documentation for specified LROs to the National Board as requested by the due date indicated on the final reports. In the event expenditures violate the eligible costs under this program or cannot be documented (as required), the Local Board must require reimbursement from the LROs to the National Board.

### ***Record Retention***

Local Boards must remain in operation until all program and compliance requirements of the National Board have been satisfied. Local Boards (and LROs) must retain their records related to the program for three years following the submission of the Final Report. Local Boards and LROs must also retain documentation regarding all compliance problems until the problem is resolved even when outside the three year retention period. See [Annex 13, page 104](#).

**Spending Period Extension** Each jurisdiction will be granted the option to extend its spending period by one, two or three months. This extension applies to the entire jurisdiction. Should the jurisdiction receive a grant in the next phase, that phase's spending period will begin the day after the chosen end date. If a Local Board does not request an extension, the spending period will end September 30, 2015. The other options for the spending period to end are October 31, 2015, November 30, 2015, December 31, 2015, January 31, 2016, February 29, 2016, March 31, 2016, April 30, 2016, May 31, 2016, June 30, 2016, July 31, 2016, August 31, 2016, September 31, 2016, October 31, 2016, November 30, 2016, December 31, 2016, January 31, 2017, February 28, 2017 or March 31, 2017. **The spending period must be selected at the beginning of the phase when submitting the Local Board Plan.** The spending period is then noted on each Local Board and LRO payment advisory. Changes in the spending period must be submitted in writing by the Local Board to the National Board. **Ensure the Local Board ID number is included in all correspondence.**

At its discretion, the National Board may allow for the extension of the spending period should the receipt of funding to the National Board be delayed beyond the first quarter of the Federal fiscal year. The National Board may allow spending period extensions into the next calendar year and will advise Local Boards as necessary.

**Variances and Changes** Local Boards may receive requests for variances from applicant agencies or for changes in the spending plans they approved for LROs. Local Boards may fund such requests or may allow such changes if the requested items are eligible costs under this program. Requests that do not adhere to the approved cost eligibility section of this manual may not be approved by the Local Board. If there is any doubt on the part of the Local Board as to cost eligibility, contact the National Board staff for clarification.

The National Board will consider requests submitted via the website for program variances to the approved cost eligibility that meets the intent of the EFSP. The request for any variance from the Local Board must be made **before** any LRO makes the expenditure and must clearly state the need for the variance, approximate costs, timelines, or any other pertinent information necessary for the National Board to make their decision.

Local Boards may also receive requests from LROs for program variances of the agency responsibility or documentation requirements outlined in this manual. Local Boards **may not approve** such requests or alter the program or documentation requirements in any way. LROs are required to comply with all agency responsibility and documentation requirements as stated in this manual. Agencies that cannot comply with the requirements should not be selected for funding by the Local Board, including those agencies funded through a Fiscal Agent or Fiscal Conduit. In special circumstances, the National Board will hear variance requests from Local Boards on behalf of LROs who have not complied with agency responsibility and documentation requirements.

The National Board will only allow variances for consideration from Local Boards in support of an agency's request. Variances will not be allowed from individual agencies.

**The National Board does not consider variances for EFT enrollment.**

Local Boards may not grant program variances to the National Board's guidelines including cost eligibility.

**Local Boards may not change the National Board's documentation requirements. Only the National Board may grant variances.**

**If a variance is granted by the National Board, it is for a single phase for the LRO. A variance does not carry forward into the next phase and it cannot be applied to a**

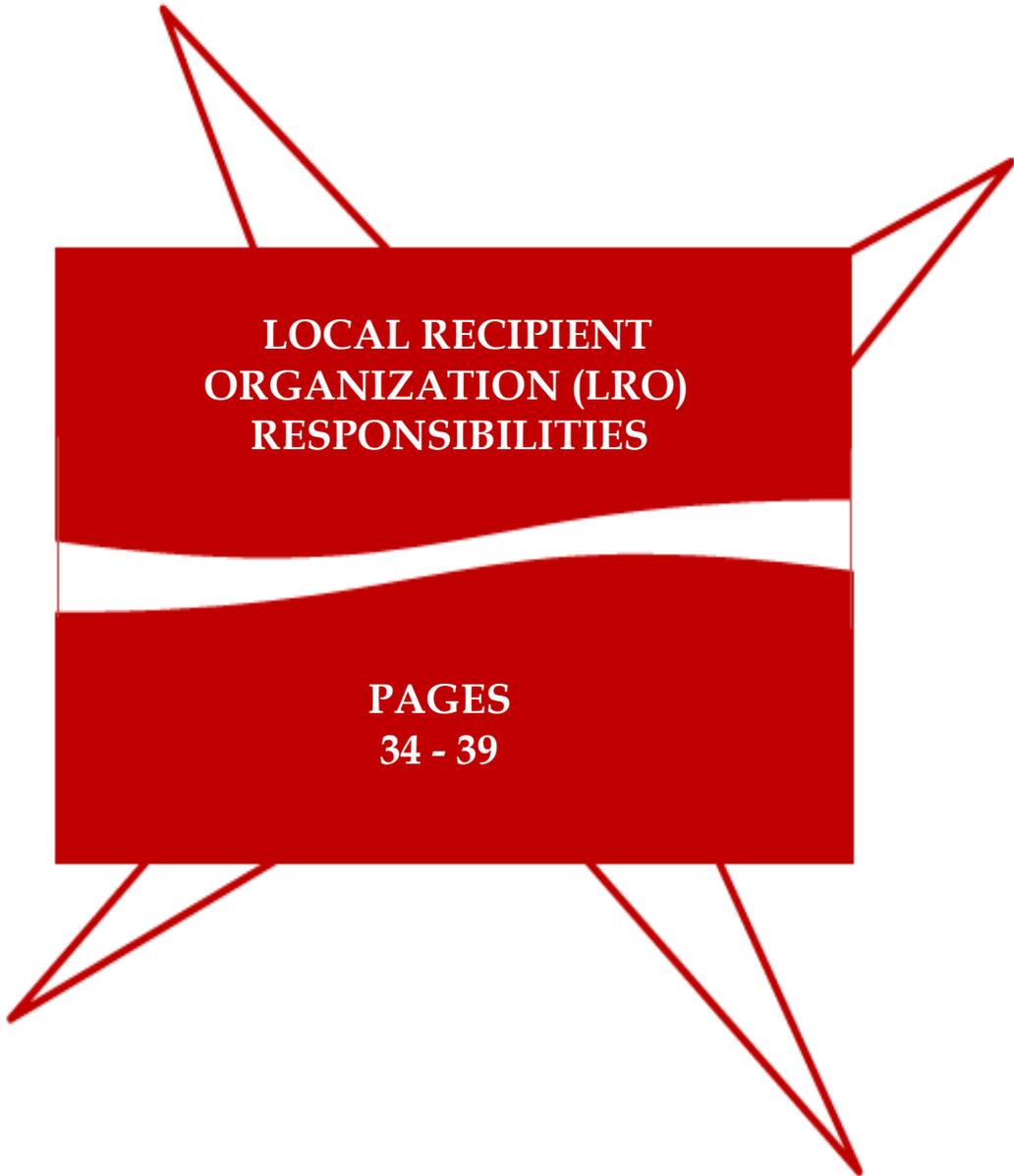
**previous phase. Each phase, if a variance is required, it must be requested by the Local Board.**

*Administrative Allowance*

The Local Board determines the use of the administrative allowance. The Local Board may elect to use, for its own administrative costs, all or any portion of the 2% allowance. Local Boards may award all or part of the administrative allowance to LROs applying for administrative funds. LROs may receive no more than 2% of their own award for administration. Like all EFSP expenditures, the administrative expenses must be documented with appropriate costs for the administration of the EFSP. Documentation of administrative costs must be maintained including appropriate vendor invoices and proof of payment. Spreadsheets documenting the administrative allowance must be submitted with the Final Report.

While the National Board does not require administrative documentation, other than the spreadsheet, to be submitted with the Final Report, this documentation may be requested at any time and must be retained according to EFSP documentation retention requirements.

The Local Board may elect to apply the administrative allowance toward advertising expense if necessary. Any of the administrative allowance not spent must be put back into program funds for additional services.



**LOCAL RECIPIENT  
ORGANIZATION (LRO)  
RESPONSIBILITIES**

**PAGES  
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## LOCAL RECIPIENT ORGANIZATION (LRO) RESPONSIBILITIES

The Emergency Food and Shelter National Board Program (EFSP) is a restricted federal grant. All federal grants have terms and conditions that apply to all parties participating in the grant. For the EFSP, all parties means the National Board which is considered the Recipient, State Set-Aside Committees (SSAs), Local Boards, and Local Recipient Organizations (LROs) that are considered the Sub-Recipients. See Grant Agreement Articles, Financial Terms and Conditions and Other Terms and Conditions, pages 41-57 for additional requirements.

The National Board assigns each jurisdiction a unique ID number for the program as well as numbers for each LRO whether new or previously funded. When contacting the National Board for assistance regarding this program, please reference your LRO ID number which is your Local Board's ID number plus your LRO number (example: 1234-56-789).

### *Criteria for LROs*

#### **For a local agency to be eligible for funding it must:**

- Be nonprofit or an agency of government;
- Not be debarred or suspended from receiving Federal funding;
- Have a checking account. (Cash payments are not allowed);
- Have an accounting system or fiscal agent approved by the Local Board;
- Have a Federal Employer Identification Number (FEIN), (Note: contact local IRS office for more information on securing FEIN and the necessary form [SS-4] or go to the website: [www.irs.gov](http://www.irs.gov));
- Have a Data Universal Number System (DUNS) number issued by Dun & Bradstreet (D&B) and provide along with other required associated information (See the EFSP website for information on how to obtain.)
- Conduct an independent annual audit if receiving \$100,000 or more in EFSP funds; conduct an annual accountant's review if receiving \$50,000 to \$99,999 in EFSP funds. See [Annex 12, page 103](#).
- Conduct annual audit, if expending \$750,000 or more in Federal funds, in compliance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR 200 of the Office of Management and Budget;
- Be providing services and using its other resources in the area in which they are seeking funding;
- Practice nondiscrimination (those agencies with a religious affiliation wishing to participate in the program must not refuse services to an applicant based on religion or require attendance at religious services as a condition of assistance, nor will such groups engage in any religious proselytizing in any program receiving EFSP funds;
- Have a voluntary board if private, not-for-profit; and,
- To the extent practicable, involve homeless individuals and families, through employment, volunteer programs, etc., in providing emergency food and shelter services.

**Each award Phase, each LRO must certify to the Local Board by signing the LRO Certification Form for the specific Phase and forwarding it to the Local Board that they have read, understand and agree to abide by the EFSP Responsibilities and Requirements Manual including the LRO Responsibilities section, Financial Terms and Conditions, Program Costs (eligible and ineligible), and Required Documentation. See [Annex 3, page 93](#).**

**If after reading, signing and submitting the LRO Certification Form, the agency determines that it cannot or can no longer abide by the National Board or Federal requirements, they must notify their Local Board immediately. If funds have already been received, they must be returned in their entirety and no expenses may be incurred or charged against the grant.**

**The Local Board must submit the signed LRO Certification Form for each funded LRO with the jurisdiction's Board Plan to the National Board.**

**The LRO Certification Form is available on the EFSP website under Forms.**

***LRO Documentation  
and Disaster  
Recovery Plan***

LROs should have a disaster recovery plan that ensures continuity of eligible services and records retention under the EFSP. Each LRO is required to retain EFSP records for a period of three years from the submission of the Final Report. Records that should be retained include LRO application and approval of application from Local Board, signed LRO Certification form, documentation of any reallocations approved by the Local Board, completed Interim Report/Second Payment Request form, program exceptions granted by the National Board, and all expenditure documentation for expenses charged to the EFSP. **LROs also need to retain documentation regarding all compliance problems including those outside the retention period until the problem is resolved.** Specific information on documentation is provided in the Program Costs (eligible and ineligible) section of this manual. The U.S. Department of Homeland Security's website contains business continuity information which may be helpful to LROs. [www.ready.gov/business](http://www.ready.gov/business).

Reference [Item 5, page 53 and Annex 13, page 104](#).

***LRO/Vendor  
Relationships***

An LRO may not operate as a vendor for itself or other LROs. Purchases may not be made from or payments made to other LROs except for the shared maintenance fee of food banks.

Local agencies selected for funding must:

***Knowledge of  
Requirements***

1. Maintain records according to guidelines set forth in this manual. Consult your Local Board chair/staff on matters requiring interpretation or clarification **prior to** incurring an expense or entering into a contract. **It is important to have a thorough understanding of these guidelines to avoid ineligible expenditures and consequent repayment of funds.** Questions that LROs have should be directed first to Local Board chairs or staff. National Board staff must be contacted by the Local Board chairs or staff to answer those questions that cannot be answered locally.

***Use of Funds***

2. Provide services within the intent of the program. Funds are to be used on an ongoing basis to supplement and extend food and shelter services, not as a substitute for other program funds or to start new programs. Funds are not to be held or reserved for future use but spent on an as needed basis to supplement and extend existing services. Agencies must have a program in the category for which they are seeking funding. All funds awarded to an LRO must provide for services within the jurisdiction's spending period. See [pages 61-69](#) for eligible and ineligible program costs.

***Bank Accounts/  
Interest Income***

3. Maintain a checking account in the **LRO's name** in a federally insured bank into which EFSP funds are deposited. (Bank accounts must not be set up with FEMA, EFSP or in the name of the LRO's program.) The National Board does not require funds to be placed in a separate bank account. LROs are required to notify the National Board in writing of any changes in their bank account for EFT purposes. This includes changes such as the closure of bank accounts, opening new bank accounts, and mergers of financial institutions. ***LROs funded in multiple jurisdictions must provide bank account changes for each jurisdiction individually even if funds are deposited into the same account.*** The EFT authorization form must be used for initial sign-ups **and**

**any changes.** This form may be printed by LROs from the EFSP website. Local Boards and LROs may also contact the National Board staff for the preprinted authorization form. Copies, faxes, or emails cannot be accepted for EFT processing. For EFT processing, an original LRO voided blank check and form are accepted by mail only by the deadline established by the National Board. **EFT ENROLLMENTS CANNOT BE ACCEPTED IN ANY OTHER FORMAT.** Failure to notify the National Board of bank account changes will delay the receipt of funds.

LROs must maintain proper documentation for all expenditures under this program according to the guidelines. Any interest income must be used for eligible program expenditures, not administrative expenses. If EFSP funds are placed in an interest-earning account with other LRO funds, interest must be prorated/calculated for the EFSP grant.

**LROs that have unspent funds of \$5.00 or more must return the entire unspent amount to the National Board. (Do not send back unspent funds of \$4.99 or less). Checks for funds being returned to the National Board must be made payable to United Way Worldwide/Emergency Food and Shelter Program. The LRO ID number of the agency returning the funds must be printed on the face of the check in the upper right hand corner.**

**LROs' expenditures and documentation will be subject to review for program compliance by the Local Board, National Board, the National Board's public accounting firm, DHS/FEMA or the Office of the Inspector General. Maintain records for a three-year period after phase end unless there is an outstanding compliance problem. (See pages 75-76).**

4. Pay for all eligible program expenses by an approved method of payment. Approved payment methods are:
  - LRO check
  - LRO debit card
  - LRO credit card–vendor issued (i.e., Sam's Club, other stores–vendor issued credit card
  - LRO credit card–third party (i.e., American Express, Visa)
  - Electronic payment from LRO's bank account

This program does not allow the reimbursement of staff/volunteers, other LROs or any party other than the vendor of services. **Cash payments are ineligible. The use of personal debit cards or credit cards is not allowed.**

#### *Payment to Vendor*

**Note: A Fiscal Agent/Fiscal Conduit must pay the vendor directly with an approved method of payment and may not reimburse other agencies for which they are serving as the Fiscal Agent/Fiscal Conduit.**

#### *LRO Reporting*

5. Submit reports to the Local Board by their due dates. The National Board will make interim report/second payment requests available to each LRO after the first payment notification. When the LRO is ready to request its second payment it must complete the form via the website, print and sign the form and forward to the Local Board chair for review and approval by the deadline determined by the National Board.

This form may be accessed and printed from the EFSP website. **Note:** LROs should retain a copy of their Interim Report/Second Payment Request form and should not wait until their first payment has been exhausted before making the request.

The Interim Report/Second Payment Request submission is a two-step process. After

the LRO(s) complete the form online, they will need to forward the signed copy to the Local Board for approval and signature. The Local Board chair will submit the request via the website and will authorize by signing and submitting the Interim Report/Second Payment Request Form once assured the LRO is implementing the program as intended and according to EFSP guidelines or other requirements established by the Local Board. The LRO must report on the first payment by indicating how the funds were spent to date in the categories. If funds were unspent, they must be entered in the unspent category on the form. The Interim Report/Second Payment Request must only balance to the total of the first payment issued to the agency.

**The National Board will advise Local Boards and LROs of the deadline to request all second payments under Phase 33.** Second payments will be held until all compliance exceptions (if any) are satisfied by the LRO. LROs with unresolved compliance exceptions **will not be paid.**

### *Final Report*

- All LROs must complete the Final Report; return the original and **two** copies to the Local Board, along with the required spreadsheets, including **one** copy of documentation, if requested. A copy of the LRO Final Report, spreadsheets and documentation must be retained by the LRO for their records. Complete, accurate, legible documentation must be submitted and must support the expenditures claimed in each category on the initial Final Report. The final LRO report is due to the Local Board 30 days after the jurisdiction's end-of-program date. LROs receiving Phase 33 awards from more than one jurisdiction must keep and submit documentation **separately** for each **when requested.**

LROs receiving SSA awards in addition to a regular award or reallocation funds in a single jurisdiction must consider all the awards as though they were one and combine the documentation.

### *Program Compliance Resolution*

- Work with the Local Board to **quickly clear up** any problems related to compliance exception(s) at the end of the program.

The National Board requires that all LROs maintain expenditure and proof of payment documentation as expenses are incurred. It is expected that when documentation is submitted with Final Reports or reviewed under other circumstances, that it is complete and accurate initially when reviewed the first time. The National Board will notify Local Boards and LROs of problems should the documentation contain errors.

Failure of an LRO to comply with the National Board's reporting requirements will result in funds being withheld. The National Board will hold funds until all reporting requirements have been satisfied. If an LRO does not comply in a timely manner to compliance issues, the Local Board or National Board may reclaim and reallocate the funds being withheld.

**Note: Any LRO, including those serving as a Fiscal Agent/Fiscal Conduit, receiving funds in multiple jurisdictions with a compliance exception in any single jurisdiction from any prior phase will be subject to all funds being withheld. That is, all funds allocated to that LRO from all jurisdictions will be withheld until all problems have been resolved. Funding is not guaranteed when compliance problems have been identified, even if resolved.**

### *Documentation Retention*

LROs are to keep their documentation records for three years after each end of program year. Documentation includes but is not limited to: LRO Certification form, application for funding, Local Board approval of funding, Second Payment Request/Interim Report, Final Report, spreadsheets, all expenditure documentation (vendor

invoices/receipts and proof of payment).

Since Documentation must be retained for three years, all of those years are subject to review/audits at any time, even if the LRO has filed Final Reports and received clearing letters.

***Lobbying Prohibition and Reporting Requirements***

8. Comply with lobbying requirements. Lobbying is not permitted with EFSP funds. **Any LRO receiving more than \$100,000 in EFSP funds is required to submit:**
- **certification that EFSP funds will not be used for lobbying activities; and,**
  - **disclosure of lobbying activities (if applicable).**

See [Annex 5, page 95](#) for the certification and disclosure form. This form may be printed from the EFSP manual or website. These forms must be submitted prior to payment of funds.

***Annual Audit Requirements***

9. Comply with audit requirements. For LROs receiving \$100,000 or more in EFSP funding, the National Board requires an independent annual audit in accordance with Government Auditing Standards. For LROs receiving from \$50,000 to \$99,999, the National Board requires an annual accountant's review. For newly funded LROs or LROs funded above the amount requiring an audit or review for the first time, the LRO will be eligible to receive funds if it arranges for the audit or review of funds to coincide with the next scheduled annual audit or annual review of its financial affairs. See [Annexes 12-13, pages 103-104](#).

The National Board will accept an LRO's national/regional annual audit if the following conditions are met:

- LRO is truly a subsidiary of the national organization (i.e., shares a single Federal tax exemption).
- The LRO is audited by the national/regional office internal auditors or other person designated by the national/regional office **AND** the national/regional office is audited by an independent certified public accountant or public accountant or accounting firm, which includes the national/regional organization's review of the LRO in a larger audit review.
- A copy of the local audit review along with a copy of the independent audit of the national/regional office will be made available to the National Board upon request.

***Uniformed Guidance of the Office of Management & Budget***

10. **Any agency expending \$750,000 or more in Federal funds must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR 200 of the Office of Management and Budget [Item 7, page 54](#). **Note: A copy of this report must be forwarded to the National Board annually along with the regular audit.****

Audits of units of government shall be made annually unless the state or local government had, by January 1, 1987, a constitutional or statutory requirement for less frequent audits. **LROs receiving funds in a single or multiple jurisdictions must identify each award individually by their LRO ID number in each jurisdiction under the Pass-Through Grantors Number on the Schedule of Expenditures of Federal Awards.**

***Audit Confirmation Request***

11. LROs requesting audit confirmations of funds received for their external auditors must indicate the LRO ID numbers for each jurisdiction for which a confirmation is needed.

**Technical Assistance**

12. Contact should first be directed to the Local Board regarding technical assistance, interpretation of guidelines and resources from other Federal programs as Local Boards are responsible for providing training and technical assistance to LROs.

**NOTE:** The EFSP website has a training feature for LROs ([www.efsp.unitedway.org](http://www.efsp.unitedway.org)) to familiarize new staff and board members with EFSP requirements. **Another training opportunity has been made available by FEMA's Emergency Management Agency Institute at the following address: (<http://www.training.fema.gov/emiweb/IS/IS420.asp>).**

**Reallocation of Funds**

13. Cooperate and comply with Local Board reallocation decisions. Local Boards may reallocate funds at their discretion during the current phase. Reference the Local Board section, [page 29](#).

**Fiscal Agent/Fiscal Conduit**

14. For National Board purposes, a Fiscal Agent is an LRO that maintains all EFSP financial records for another agency under a single grant. A Fiscal Conduit is an LRO that maintains all EFSP financial records on behalf of two or more other agencies under a single grant.

**If any one LRO in a jurisdiction is making bulk purchases for other agencies not funded directly, it must serve as a Fiscal Conduit and follow all rules noted in this section.**

The Fiscal Agent/Fiscal Conduit is the LRO responsible for the receipt of funds, disbursement of funds to vendors, documentation of funds received and maintenance of documentation. The Fiscal Agent/Fiscal Conduit must meet all of the requirements of an LRO. Only the Fiscal Agent/Fiscal Conduit may pay the vendors, not reimburse other agencies for which they are serving as their Fiscal Agent/Fiscal Conduit.

Local Boards may wish to use a Fiscal Agent/Fiscal Conduit when they desire to fund an agency that does not have an adequate accounting system but still meets all other criteria. The Fiscal Agent/Fiscal Conduit arrangement must be determined and arranged prior to funding decisions. Fiscal Agents/Fiscal Conduits will be held accountable for compliance with program requirements. Any agency being supported through a fiscal agent/fiscal conduit must have its own Federal Employee Identification Number (FEIN). (This IRS form [SS-4] may be obtained on the IRS website, [www.irs.gov](http://www.irs.gov).) Agencies funded under a Fiscal Agent/Fiscal Conduit must also have or obtain a Data Universal Number System (DUNS) number issued by Dun & Bradstreet (D&B). (This form and instructions may be obtained from the EFSP website.) The DUNS number and other relevant information must be provided on the form.

**May Fiscal Agents/  
Fiscal Conduits  
Issue Payments**

**Fiscal Agents/Fiscal Conduits must issue their payments for LRO expenditures to vendors only by an approved method of payment; may not reimburse other agencies for which they are serving as their Fiscal Agent/Fiscal Conduit, or to agencies/sites under their 'umbrella'.** The exception to this is when an LRO is using the per diem allowance for mass shelter or the per meal allowance for served meals.

**What Criteria Must the  
Agency Benefitting Meet**

Any agency benefitting from funds received by a Fiscal Agent/Fiscal Conduit must meet all of the criteria to be an LRO except the accounting system and annual audit requirements and must sign the Fiscal Agent/Fiscal Conduit Relationship Certification form. See [Annex 4, page 94](#). **For tracking purposes, all agencies funded through Fiscal Agents or Fiscal Conduits must provide an FEIN number and a DUNS number.**



**GRANT AGREEMENT ARTICLES  
FINANCIAL TERMS AND CONDITIONS  
OTHER TERMS AND CONDITIONS**

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41 - 57**

The Emergency Food and Shelter National Board Program (EFSP) is a restricted federal grant. All federal grants have terms and conditions that apply to **ALL** parties participating in the grant. For the EFSP, all parties mean the National Board which is considered the *Recipient*, State Set-Aside Committees (SSAs), Local Boards, and Local Recipient Organizations (LROs) that are considered the *Sub-Recipients*. This section of the EFSP Responsibilities and Requirements Manual (EFSP Manual) provides guidance related to the Grant Agreement Articles, Financial Terms and Conditions, and Other Terms and Conditions of the grant. The EFSP Certification Forms for all parties contain statements that incorporate the Grant Agreement Articles, Financial Terms and Conditions, and Other Terms and Conditions. All parties must ensure their understanding of this section of the EFSP Manual and the statements on the Certification Forms being signed, as they are agreeing to specific program requirements mandated by the Federal government, including those that do not appear to apply to the types of programs and activities eligible under the EFSP. While some of the articles do not appear to be consistent with the types of programs and activities funded under the EFSP and some state recipient but not sub-recipient, all of the Grant Agreement Articles, Financial Terms and Conditions, and Other Terms and Conditions must be passed on to all parties participating in the EFSP. ***All parties will be held accountable for complying with the provisions of the grant as well as full compliance with applicable requirements of all other Federal laws, Executive Orders, regulations, and policies governing this program including those not specifically stated in this Manual.***

Most SSAs and Local Boards do not receive funds (except administrative funds where they are considered to be an LRO and therefore a *Sub-Recipient*), these parties participating in the EFSP have responsibility for ensuring compliance in their selection of jurisdictions and/or LROs for funding and adhering to all EFSP requirements, including the Grant Agreement Articles, Financial Terms and Conditions, and Other Terms and Conditions. SSAs, Local Boards, and LROs should familiarize themselves with all of the specific citations noted in the Manual.

## GRANT AGREEMENT ARTICLES

### Article I Assurances, Administrative Requirements and Cost Principles

Recipients of DHS federal financial assistance must complete OMB Standard Form 424B [Assurances– Non-Construction Programs](#). Certain assurances in this document may not be applicable to your program, and the awarding agency may require applicants to certify additional assurances. Please contact the program awarding office if you have any questions. The administrative and audit requirements and cost principles that apply to DHS award recipients originate from [2 C.F.R. Part 200](#), Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, as adopted by DHS at [2 C.F.R. Part 3002](#).

*EFSP Applicability:* This article applies to all State Set-Aside Committees, Local Boards and LROs. The statements contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” as well as those regarding accounting systems, audits, and other financial matters and the Financial Terms and Conditions and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.

### Article II Acknowledgement of Federal Funding from DHS

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

*EFSP Applicability:* This article applies to all State Set-Aside Committees, Local Boards and LROs. The use of the Sample Advertisement in the EFSP Manual complies with this Grant Agreement Article for advertising purposes only. If the Sample Advertisement is not used, the Acknowledgement of Federal Funding from DHS must be included in the advertisement made by the Local Board. Please note: this acknowledgement is not just for the advertisement.

### Article III Activities Conducted Abroad

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

***EFSP Applicability:*** *This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.*

**Article IV Age Discrimination Act of 1975**

All recipients must comply with the requirements of the Age Discrimination Act of 1975 (42 U.S.C. §6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

***EFSP Applicability:*** *This article applies to all State Set-Aside Committees, Local Boards and LROs. The statement contained in the Certification Forms – “Practices non-discrimination [those agencies with a religious affiliation must agree not to refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling with Federal funds]” and the Client Eligibility sections in the EFSP Manual speak to this Grant Agreement Article.*

**Article V Americans with Disabilities Act of 1990**

All recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12101–12213).

***EFSP Applicability:*** *This article applies to all State Set-Aside Committees, Local Boards and LROs. The statement contained in the Certification Forms – “Practices non-discrimination [those agencies with a religious affiliation must agree not to refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling with Federal funds] and the Client Eligibility sections in the EFSP Manual speak to this Grant Agreement Article.*

**Article VI Best Practices for Collection and Use of Personally Identifiable Information (PII)**

All recipients who collect PII are required to have a publically-available privacy policy that describes what PII they collect, how they use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate. Award recipients may also find as a useful resource the DHS Privacy Impact Assessments: [Privacy Guidance](#) and [Privacy template](#) respectively.

[http://www.dhs.gov/xlibrary/assets/privacy/privacy\\_pia\\_guidance\\_june2010.pdf](http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf)  
[http://www.dhs.gov/xlibrary/assets/privacy/privacy\\_pia\\_template.pdf](http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_template.pdf).

***EFSP Applicability:*** *This applies to all State Set-Aside Committees, Local Boards and LROs. In order to meet the documentation requirements of the EFSP in certain program categories, it is necessary to obtain, retain, and provide, if requested, PII for clients served with EFSP funding. Additionally, there must be a system in place to ensure there is no duplication of service in the specific categories of rent/mortgage and utility assistance which may require the sharing of PII for this purpose. The National Board does not require and does not expect to receive PII beyond what is noted in the EFSP Documentation Requirements as stated in the Manual. Items that should not be submitted to EFSP as documentation include, but are not limited, to driver’s licenses, Social Security Numbers or cards, pay stubs, etc.*

**Article VII Title VI of the Civil Rights Act of 1964**

All recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Implementing regulations for the Act are found at [6 C.F.R. Part 21](#) and [44 C.F.R. Part 7](#).

***EFSP Applicability:*** *This article applies to all State Set-Aside Committees, Local Boards and LROs. The statement contained in the Certification Forms – “Practices non-discrimination [those agencies with a religious affiliation must agree not to refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling with Federal funds]” and the Client Eligibility sections in the EFSP Manual speak to this Grant Agreement Article.*

**Article VIII**      **Civil Rights Act of 1968**

All recipients must comply with [Title VIII of the Civil Rights Act of 1968](#), which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex ([42 U.S.C. § 3601 et seq.](#)), as implemented by the Department of Housing and Urban Development at [24 C.F.R. Part 100](#). The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground floor units in buildings without elevators)—be designed and constructed with certain accessible features (see [24 C.F.R. § 100.201](#)).

***EFSP Applicability:** This article applies to all State Set-Aside Committees, Local Boards and LROs. The statement contained in the Certification Forms – “Practices non-discrimination [those agencies with a religious affiliation must agree not to refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling with Federal funds]” and the Client Eligibility sections in the EFSP Manual speak to this Grant Agreement Article.*

**Article IX**      **Copyright**

All recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards, unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations).

***EFSP Applicability:** This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. With the exception of the administrative allowance, there are no allowable activities that can be funded regarding materials that would be copyrighted with EFSP funds. Any necessary materials for use in the EFSP would not generally be copyrighted. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.*

**Article X**      **Debarment and Suspension**

All recipients must comply with Executive Orders [12549](#) and [12689](#), which provide protection against waste, fraud and abuse by debarment or suspending those persons deemed irresponsible in their dealings with the Federal government.

***EFSP Applicability:** This article applies to all State Set-Aside Committees, Local Boards and LROs. The statement contained in the Certification Forms – “Is not debarred or suspended from receiving Federal funds” and the Financial Terms and Conditions sections in the EFSP Manual speak to this requirement.*

**Article XI**      **Drug-Free Workplace Regulations**

All recipients must comply with the Drug-Free Workplace Act of 1988 ([41 U.S.C. § 701 et seq.](#)), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. DHS has adopted the Act’s implementing regulations at [2 C.F.R Part 3001](#).

***EFSP Applicability:** This article applies to all State Set-Aside Committees, Local Boards and LROs.*

**Article XII**      **Duplication of Benefits**

Any cost allocable to a particular Federal award provided for in [2 C.F.R. Part 200, Subpart E](#) may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by Federal statutes, regulations, or terms and conditions of the Federal awards, or for other reasons. However, this prohibition would not preclude the non-Federal entity from shifting costs that are allowable under two or more Federal awards in accordance with existing Federal statutes, regulations, or the terms and conditions of the Federal awards.

***EFSP Applicability:** This applies to all State Set-Aside Committees, Local Boards and LROs. EFSP is not intended to make up for budget shortfalls or to be considered a line item in an annual budget. EFSP is non-disaster, supplemental funding. Expenditures charged in full to the EFSP grant may not also be charged to other awards/grants; nor may expenditures paid for with EFSP funding be charged to other awards/grants. The statements contained in the*

*Certification Forms – “Will use funds to supplement/extend existing resources and not to substitute or reimburse ongoing programs and services” and “Will expend monies only on EFSP eligible costs” as well as the Costs Eligibility sections of the EFSP Manual speak to this requirement.*

### **Article XIII – Energy Policy and Conservation Act**

All recipients must comply with the requirements of 42 U.S.C. § 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issues in compliance with this Act.

**EFSP Applicability:** *This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. With the exception of supplies and equipment purchases, up to \$300 per item, and emergency rehabilitation costs/building code citations for mass shelter and mass feeding sites, there are no allowable activities that can be funded with EFSP funds. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.*

### **Article XIV – Reporting Subawards and Executive Compensation**

#### **A. Reporting of first-tier subawards**

**1. Applicability.** Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).

**2. Where and when to report.**

- a. You must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.
- b. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

**3. What to report.** You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

#### **B. Reporting Total Compensation of Recipient Executives**

**1. Applicability and what to report.** You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—

- a. the total Federal funding authorized to date under this award is \$25,000 or more;
- b. in the preceding fiscal year, you received—(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
- c. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

**2. Where and when to report.** You must report executive total compensation described in paragraph b.1. of this award term:

- a. As part of your registration profile at <https://www.sam.gov>.
- b. By the end of the month following the month in which this award is made, and annually thereafter.

#### **C. Reporting of Total Compensation of Subrecipient Executives.**

**1. Applicability and what to report.** Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the

subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—

- a.** in the subrecipient's preceding fiscal year, the subrecipient received—(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
- b.** The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

**2. Where and when to report.** You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

- a.** To the recipient.
- b.** By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

#### **D. Exemptions**

**1.** If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

- a.** Subawards, and
- b.** The total compensation of the five most highly compensated executives of any subrecipient.

#### **E. Definitions. For purposes of this award term:**

**1.** Entity means all of the following, as defined in 2 CFR part 25:

- a.** A Governmental organization, which is a State, local government, or Indian tribe;
- b.** A foreign public entity;
- c.** A domestic or foreign nonprofit organization;
- d.** A domestic or foreign for-profit organization;
- e.** A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

**2.** Executive means officers, managing partners, or any other employees in management positions.

**3.** Subaward:

- a.** This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
- b.** The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see the Uniform Guidance of OMB).
- c.** A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

**4.** Subrecipient means an entity that:

- a.** Receives a subaward from you (the recipient) under this award; and
- b.** Is accountable to you for the use of the Federal funds provided by the subaward.

**5.** Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

- a.** Salary and bonus.
- b.** Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.

- c. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
- d. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
- e. Above-market earnings on deferred compensation which is not tax-qualified.
- f. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

*EFSP Applicability:* This article applies to the Grantee (National Board) and all State Set-Aside Committees, Local Boards and LROs. As information received from State Set-Aside Committees, Local Boards and LROs are necessary components of the required reports, the statements contained in the Certification Forms regarding the DUNS number, Federal Employer Identification Number (FEIN), and reporting requirements also speak to this Grant Agreement Article.

**Article XV False Claims Act and Program Fraud Civil Remedies**

All recipients must comply with the requirements of [31 U.S.C. § 3729](#) which set forth that no recipient of federal payments shall submit a false claim for payment. See also [38 U.S.C. § 3801-3812](#) which details the administrative remedies for false claims and statements made.

*EFSP Applicability:* This article applies to all State Set-Aside Committees, Local Boards and LROs. Generally, this act provides for criminal penalties if false claims are filed.

**Article XVI Federal Debt Status**

All recipients are required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See [OMB Circular A-129](#) and form SF-424B, item number 17 for additional information and guidance.

*EFSP Applicability:* This article applies to all State Set-Aside Committees, Local Boards and LROs.

**Article XVII Fly America Act of 1974**

All recipients must comply with Preference for U.S. Flag Air Carriers: (air carriers holding certificates under [49 U.S.C. § 41102](#)) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 ([49 U.S.C. § 40118](#)) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, [amendment](#) to Comptroller General Decision B-138942.

*EFSP Applicability:* This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. With the exception of the administrative allowance, there are no allowable activities that can be funded regarding air travel with EFSP funds. Any necessary air travel would be limited to travel necessary for the administration of the EFSP and would not include international travel. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.

**Article XVIII Hotel and Motel Fire Safety Act of 1990**

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, [15 U.S.C. §2225a](#), all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, as amended, [15 U.S.C. §2225](#).

*EFSP Applicability:* This article applies to all State Set-Aside Committees, Local Boards and LROs. Should SSAs, Local Boards, or LROs conduct conferences, meetings, or trainings for EFSP using any administrative funding from the EFSP, they must comply with this requirement.

**Article XIX Limited English Proficiency (Civil Rights Act of 1964, Title VI)**

All recipients must comply with the Title VI of the Civil Rights Act of 1964 (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. Providing meaningful access for persons with LEP may entail providing language assistance services, including oral interpretation and written translation. In order to facilitate compliance with Title VI, recipients are encouraged to consider the need for language services for LEP persons served or encountered in developing program budgets. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (August 11, 2000), requires federal agencies to issue guidance to recipients, assisting such organizations and entities in understanding their language access obligations. DHS published the required recipient guidance in April 2011, DHS Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 76 Fed. Reg. 21755-21768, (April 18, 2011). The Guidance provides helpful information such as how a recipient can determine the extent of its obligation to provide language services; selecting language services; and elements of an effective plan on language assistance for LEP persons. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-helpdepartment-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

*EFSP Applicability:* This article applies to all State Set-Aside Committees, Local Boards and LROs. The statement contained in the Certification Forms – “Practices non-discrimination [those agencies with a religious affiliation must agree not to refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling with Federal funds]” and the Client Eligibility sections in the EFSP Manual speak to this Grant Agreement Article.

**Article XX Lobbying Prohibitions**

All recipients must comply with 31 U.S.C. §1352, which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal.

*EFSP Applicability:* This article applies to all State Set-Aside Committees, Local Boards and LROs. The statement contained in the Certification Forms – “Will not use EFSP funding for any lobbying activities and if receiving \$100,000, or more, will provide the “Certification Regarding Lobbying” and, if applicable, will complete Standard Form LLL, “Disclosure Form to Report Lobbying”, in advance with its instructions. The “Lobbying Prohibition and Reporting Requirements” sections in the EFSP Manual also speak to this Grant Agreement Article.

**Article XXI Non-supplanting Requirement**

All recipients who receive awards made under programs that prohibit supplanting by law must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Where Federal statutes for a particular program prohibits supplanting, applicants or recipients may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt of expected receipt of Federal funds.

*EFSP Applicability:* This applies to all State Set-Aside Committees, Local Boards and LROs. EFSP is not intended to make up for budget shortfalls or to be considered a line item in an annual budget. EFSP is non-disaster, supplemental funding. The Preamble and the statement contained in the Certification Forms – “Will use funds to supplement/extend existing resources and not to substitute or reimburse ongoing programs and services” speak to this requirement.

**Article XXII Patents and Intellectual Property Rights**

Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. § 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards are in 37 C.F.R. Part 401 and the standard patent rights clause in 37 C.F.R. § 401.14.

*EFSP Applicability:* This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and

activities funded by EFSP, the article still applies. With the exception of the administrative allowance, there are no allowable activities that would be patented with EFSP funds. Any necessary materials for use in the EFSP would not generally be patented. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.

**Article XXIII Procurement of Recovered Materials**

All recipients must comply with section 6002 of the [Solid Waste Disposal Act](#), as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at [40 C.F.R. Part 247](#) that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

*EFSP Applicability:* This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.

**Article XXIV Contract Provisions for Non-federal Entity Contracts under Federal Awards**

**A.** Contracts for more than the simplified acquisition threshold set at \$150,000. All recipients who have contracts exceeding the acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by Civilian Agency Acquisition Council and the Defense Acquisition Regulation Council as authorized by [41 U.S.C. §1908](#), must address administrative, contractual, or legal remedies in instance where contractors violate or breach contract terms and provide for such sanctions and penalties as appropriate.

**B.** Contracts in excess of \$10,000. All recipients that have contracts exceeding \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

*EFSP Applicability:* This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.

**Article XXV SAFECOM**

All recipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the [SAFECOM](#) Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

*EFSP Applicability:* This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. With the exception of the administrative allowance, there are no allowable activities that can be funded regarding communication equipment. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.

**Article XXVI Terrorist Financing E.O. 13224**

All recipients must comply with [U.S. Executive Order 13224](#) and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of recipients to ensure compliance with the E.O. and laws.

*EFSP Applicability:* This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. The statement contained in the Certification Forms – “Will expend

monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.

**Article XXVII Title IX of the Education Amendments of 1972 (Equal Opportunity in Education Act)**

All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), which provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. Implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19

*EFSP Applicability:* This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. The statement contained in the Certification Forms – “Practices non-discrimination [those agencies with a religious affiliation must agree not to refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling with Federal funds]” and the Client Eligibility sections in the EFSP Manual speak to this Grant Agreement Article.

**Article XXVIII Trafficking Victims Protection Act of 2000**

All recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104). This is implemented in accordance with OMB Interim Final Guidance, Federal Register, Volume 72, No. 218, November 13, 2007. Full text of the award term is located at 2 CFR § 175.15.

*EFSP Applicability:* This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.

**Article XXIX Rehabilitation Act of 1973**

All recipients of must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. These requirements pertain to the provision of benefits or services as well as to employment.

*EFSP Applicability:* This article applies to all State Set-Aside Committees, Local Boards and LROs. The statement contained in the Certification Forms – “Practices non-discrimination [those agencies with a religious affiliation must agree not to refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling with Federal funds] and the Client Eligibility sections in the EFSP Manual speak to this Grant Agreement Article.

**Article XXX System of Award Management and Universal Identifier Requirements**

**A. Requirement for System of Award Management**

Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

**B. Requirement for unique entity identifier**

If you are authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its unique entity identifier to you.
2. May not make a subaward to an entity unless the entity has provided its unique entity identifier to you.

**C. Definitions**

For purposes of this award term:

1. System of Award Management (SAM) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at <http://www.sam.gov>).
2. Unique entity identifier means the identifier required for SAM registration to uniquely identify business entities.
3. Entity, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:
  - a. A Governmental organization, which is a State, local government, or Indian Tribe;
  - b. A foreign public entity;
  - c. A domestic or foreign nonprofit organization;
  - d. A domestic or foreign for-profit organization; and
  - e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
4. Subaward:
  - a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
  - b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.330).
  - c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.
5. Subrecipient means an entity that:
  - a. Receives a subaward from you under this award; and
  - b. Is accountable to you for the use of the Federal funds provided by the subaward.

***EFSP Applicability:** SAMS registration in this article applies to the recipient, the EFSP National Board. The EFSP is registered in the SAMS system. Any necessary updates to EFSP information in the system will be made yearly.*

*The unique identifier statement apply to all State Set-Aside Committees, Local Boards and LROs. All funded LROs are required to provide their DUNS number to EFSP before payments can be released. The statement contained in the Certification Forms – “Has provided a Data Universal Number System (DUNS) number issued by Dun & Bradstreet (D&B) and required associated information to EFSP” speak to this Grant Agreement Article.*

**Article XXXI USA Patriot Act of 2001**

All recipients must comply with requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c. Among other things, the USA PATRIOT Act prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose.

***EFSP Applicability:** This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.*

**Article XXXII Use of DHS Seal, Logo and Flags**

All recipients must obtain DHS’s approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

***EFSP Applicability:** This article applies to all State Set-Aside Committees, Local Boards and LROs. The use of any organization’s marks, including those of DHS, must be approved through proper channels. EFSP does not approve the use of the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials including those of the Federal Emergency Management Agency (FEMA) or those of any other National Board member agency. SSAs, Local Boards or LROs wishing to use the marks of any of these organizations must secure the individual agency’s*

permission. Bank accounts used by agencies funded under the EFSP should be set up in the individual agency's name, not as FEMA.

**Article XXXIII Whistleblower Protection Act**

All recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.

***EFSP Applicability:*** This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. The article speaks to employees and contractors with the Department of Defense and disallowed costs with funding. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.

**Article XXXIV DHS Specific Acknowledgements and Assurances**

All recipients must acknowledge and agree—and require any sub-recipients, contractors, successors, transferees, and assignees acknowledge and agree—to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS.
2. Recipients must give DHS access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties.
6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office. The United States has the right to seek judicial enforcement of these obligations.

***EFSP Applicability:*** This article applies to all State Set-Aside Committees, Local Boards and LROs. The Financial Terms and Conditions of the EFSP Manual speak to items 1 – 4 of this Grant Agreement Article.

**Article XXXV Disposition of Equipment Acquired Under the Federal Award**

When original or replacement equipment acquired under this award by the recipient or its subrecipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313.

***EFSP Applicability:*** This article applies to all State Set-Aside Committees, Local Boards and LROs. While it may appear the types of programs and activities referenced in this article would not be consistent with the types of programs and activities funded by EFSP, the article still applies. LROs may use up to \$300 to purchase eligible equipment with EFSP funds and would generally fall beneath the \$5,000 threshold. The statement contained in the Certification Forms – “Will expend monies only on EFSP eligible costs” and the Costs Eligibility sections of the EFSP Manual speak to this Grant Agreement Article.

**Article XXXVI Prior Approval for Modification of Approved Budget**

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. § 200.308. For awards with an approved budget greater than \$150,000, you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of

the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

***EFSP Applicability:*** This article applies to the EFSP National Board. The budget submitted with the application in the ND Grant system generally remains the same. The scope and purpose of the program does not change, the guidelines are detailed in the EFSP Manual.

#### **Article XXXVII Acceptance of Post Award Changes**

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to [ASK-GMD@dhs.gov](mailto:ASK-GMD@dhs.gov) if you have any questions.

***EFSP Applicability:*** This article applies to all State Set-Aside Committees, Local Boards and LROs. Should there be changes to the award, the EFSP National Board will communicate changes (as necessary) to State Set-Aside Committees, Local Boards and LROs. Item 2 (Amendments) under Financial Terms and Conditions also speaks to this Grant Agreement Article.

## **FINANCIAL TERMS AND CONDITIONS**

The National Board requires all participants to meet the requirements stated in this manual regarding program compliance, reporting, documentation and submission of documentation.

### 1) **Definitions**

- a) “Jurisdiction” refers to the city, county or combination receiving funds through EFSP.
- b) “Local Recipient Organization” or “LRO” refers to the local private or public agency that will receive any award of funds from the National Board.
- c) “Award” refers to the award of funds made by the National Board to a local private or public agency on the recommendation of a Local Board.
- d) “End-of-program” refers to the jurisdiction’s end date, as agreed by Local and National Board, by which all monies must be spent or returned to the National Board.
- e) “Begin Date” is the date LROs may begin expending funds.
- f) “End date” is the date by which all funds must be expended or returned to the National Board.

### 2) **Amendments**

An award may be amended at any time by a written modification. Amendments, which reflect the rights and obligations of either party, shall be executed by both the National Board and the LRO. ***Administrative amendments such as changes in accounting data may be issued unilaterally by the National Board.***

### 3) **Local Board Authority Related to Local Recipient Organizations**

The Local Board is responsible for monitoring expenditures of LROs receiving EFSP funds; authorizing the adjustment of funds between EFSP funded services; and, reallocating funds from one LRO to another.

Local Boards may not alter or change National Board cost eligibility or approve expenditures outside of the National Board’s criteria without National Board permission. Local Boards may not alter or change the National Board’s documentation requirements.

A Local Board can recall an award to an LRO and reallocate to another LRO in the case of gross negligence, inadequate use of funds, failure to use funds, failure to use funds for purposes intended, for any other violation of the National Board guidelines, or in cases of critical need in the community. **The Local Board must advise, in writing, all concerned LROs of any reallocation of their original award.**

**In the event the Local Board discovers ineligible expenditures by an LRO, the Local Board must send to the LRO a written request for reimbursement of the amount.** The National Board must also be notified. If the LRO is unwilling or unable to reimburse the National Board for the ineligible expenditure, the Local Board must refer the matter to the National Board. The National Board may ask the Local Board to take further action to see that reimbursement of **ineligible** expenditures is made to the National Board, or the National Board may refer the matter to FEMA.

If the Local Board suspects that fraud has been committed by an LRO, the Local Board must contact the DHS/Office of Inspector General with details of the suspected fraud or misuse of Federal funds. The OIG's preferred method for reporting fraud is to submit their online allegation form from their website [www.oig.dhs.gov](http://www.oig.dhs.gov). The address for mailing information is DHS Office of Inspector General/MAIL STOP 0305, Attention: Office of Integrity & Quality Oversight – Hotline, Murray Lane SW, Washington, DC 20528-0305. See [page 30](#) for more details.

If an LRO received an award under previous phases (Public Laws 98-8, 98-151 and 98-181, 98-396, 99-88 and 99-160, 99-500 and 100-6, 100-71 and 100-120, 100-404 and 101-45, 101-100, 101-467, 102-139, 102-389, 103-124, 103-327, 104-91 and 104-134, 104-204, 105-65, 105-276, 106-74, 106-377, 107-73, 107-294 and 108-7, 108-90, 108-334, 109-90, 109-295, 110-161, 110-329 and 111-5, 111-83, 112-10, 112-74, 113-6 or 113-76), it must not include those funds in any reporting for the current award. Reports should be confined to the amount granted by the National Board under the new appropriations legislation (Public Law 114-4).

#### 4) Cash Depositories

- a) Any money advanced to the LRO under the terms of this award must be deposited in a checking account in a bank with Federal Deposit Insurance Corporation (FDIC) or Federal Savings & Loan Insurance Corporation (FSLIC) insurance coverage (whose responsibility has been taken over by FDIC), and the balance exceeding the FDIC or FSLIC coverage must be collaterally secured. Interest income earned on these funds must be put back into eligible program costs, not administration.
- b) LROs are encouraged to use minority-owned banks (a bank that is owned at least 51 percent by minority group members). This is consistent with the national goal of expanding the opportunities for minority business enterprises. A list of minority-owned banks can be obtained at the addresses below.
  - i) [www.federalreserve.gov/releases/mob/current/default.htm](http://www.federalreserve.gov/releases/mob/current/default.htm)
  - ii) [www.fdic.gov/regulations/resources/minority/MDI.html](http://www.fdic.gov/regulations/resources/minority/MDI.html)

#### 5) Retention and Custodial Requirements for Records

- a) Financial records, supporting documentation, statistical records, and all other records pertinent to the award shall be retained by the LRO for a period of three years from the end-of-program date with the following exceptions: See [Annex 13, page 104](#).
  - i) If any litigation, claim, program compliance review, or audit is started before the expiration of the three-year period, the records shall be retained until all litigation, claims, program compliance problems, or audit findings involving the records have been resolved.
  - ii) Records for non-expendable property, if any, acquired in part with EFSP funds shall be retained for three years after submission of the final financial report (Final Report). Non-expendable property is defined as tangible property having a useful life of more than one year and an acquisition cost of more than \$300 per unit.
- b) The retention period starts from the date of the submission by the LRO of the final expenditure report (Final Report).

- c) The National Board may request transfer of certain records to its custody from the LRO when it determines that the records possess long-term retention value. The LRO shall make such transfers as requested.
- d) The Director of FEMA, the Comptroller General of the United States, and the National Board, or any of their duly authorized representatives, shall have access to any pertinent books, documents, papers, and records of the LRO, and its sub grantees, to make audits, examinations, excerpts, and transcripts.

#### 6) Financial Management Systems

The LRO/Fiscal Agent or Fiscal Conduit shall maintain a financial management system that provides for the following:

- a) Accurate, current and complete disclosures of the financial results of this program.
- b) Records that identify adequately the source and application of funds for federally supported activities. These records shall contain information pertaining to Federal awards, authorizations, obligations, non-obligated balances, assets, outlays, and incomes.
- c) Effective control over and accountability for all funds, property, and other assets.
- d) Procedures for determining eligibility of costs in accordance with this manual.
- e) Accounting records that are supported by source documentation. The LRO must maintain and retain a register of cash receipts and disbursements and original supporting documentation such as purchase orders, invoices, canceled checks or documentation for other acceptable payment methods, sign-in logs and any other documentation that is necessary to support their costs under the program.
- f) A systematic method to assure timely and appropriate resolution of audit findings and recommendations.
- g) In cases where more than one civil jurisdiction (e.g., a city and a balance of county, or several counties) recommends awards to the same LRO, the LRO can combine these funds in a single account. However, separate program records for each civil jurisdiction award must be kept.

#### 7) Audit Requirements

If receiving \$100,000 or more in EFSP funds, the LRO will be eligible to receive the funds if it arranges for an independent audit of funds to coincide with the next scheduled annual audit of its financial affairs. If receiving \$50,000 to \$99,999 in EFSP funds, the LRO will be eligible to receive the funds if it arranges for an annual accountant's review of funds to coincide with the next scheduled annual review of its financial affairs. An original copy of this audit or review will be provided to the National Board upon request. **It is not necessary to have a separate, independent audit/review for this award so long as program funds are treated as a separate element in the LRO's regular annual audit/review.** If the LRO does not have a certified annual audit/review, that audit/review must be provided by a Local Board designated Fiscal Agent for the LRO willing to account for the funds. **The audit submitted must be from the current year or one year prior. See Annex 12, page 103.**

All EFSP funded LROs (both governmental and not-for-profit) that expend \$750,000 or more in Federal funds must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR 200 of the Office of Management and Budget, Audits of States, Local Government, and Nonprofit Organizations, which requires a single organization-wide audit. This \$750,000 could be exclusively EFSP funds or a combination of EFSP and other Federal funds that an agency might be receiving. **Note: A copy of the audit report must be forwarded to the National Board annually along with the regular audit. EFSP funds must be clearly identified by ID number in the audit/review and Schedule of Federal Awards.**

Audits of units of government shall be made annually unless the state or local government had, by January 1, 1987, a constitutional or statutory requirement for less frequent audits. **LROs receiving funds in a single or multiple jurisdictions must identify each award individually by their LRO ID number in each jurisdiction under the Pass-Through Grantors Number on the Schedule of Expenditures of Federal Awards.**

**8) Payment**

A first payment shall be made to the LRO upon recommendation of the Local Board and approval by the National Board. Second payment requests include an interim report to be submitted and signed by each LRO. The request is also signed by the Local Board chair, and submitted to the National Board. For each LRO funded in the previous phase, second installments will be held until the jurisdiction's final Local Board report and documentation for the previous year has been reviewed and found to be compliant.

**9) Financial Reporting Requirements**

The National Board shall provide the LRO, through the Local Board, with the necessary reporting requirements in advance of report deadlines.

LROs shall submit their final report to the Local Board that will then be forwarded to the National Board approximately 45 days after the jurisdiction's program ending date or the date designated by the National Board.

**10) Closeout**

The following definitions shall apply:

- a) "Closeout" is the process by which the National Board determines that all applicable administrative actions and all required work of the award have been completed.
- b) "Disallowed costs" are those charges that the National Board determined to be unallowable in accordance with the legislation, National Board requirements and applicable Federal cost principles or other conditions contained in the award. The applicable cost principles are contained in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR 200 of the Office of Management and Budget. If you are unsure of where to find this circular check with your local Congressional Representative, contact the National Board staff, or visit the Office of Management and Budget's website: [www.omb.gov](http://www.omb.gov).

**11) Suspension and Termination Procedures**

The following definitions shall apply:

- a) Termination – termination of this award means the cancellation of EFSP assistance, in whole or in part, under the award at any time prior to the date of completion.
- b) Suspension – the suspension of this award is an action by the Local Board or National Board that temporarily suspends EFSP assistance under the award pending corrective action by the LRO or pending a decision by the National Board to terminate the award.
- c) Local Board Authority – authority to suspend/reallocate all or a portion of an LRO's award at its discretion for any cause (i.e., inability to deliver services, suspected fraud, violation of eligible costs, changing need in the community, etc.).

**12) Lobbying**

Pursuant to [31 U.S.C. §1352](#), an LRO is prohibited from using federally appropriated grant funds for lobbying activities. This condition bars the use of Federal money for political activities, but does not in any way restrict lobbying or political activities paid for with non-Federal funds. This condition prohibits the use of Federal grant funds for the following activities:

- Federal, state or local electioneering and support of such entities as campaign organizations and political action committees;
- Direct lobbying of the Congress and State Legislatures to influence legislation;
- Grassroots lobbying concerning either Federal or state legislation;
- Lobbying of the Executive Branch in connection with decisions to sign or veto enrolled legislation; and,
- Efforts to utilize state or local officials to lobby the Congressional or State Legislatures.

Any LRO that will receive more than \$100,000 in EFSP funds is required to submit:

- a certification form that EFSP funds will not be used for lobbying activities; and,
- a disclosure of lobbying activities (if applicable).

This certification and disclosure must be submitted prior to grant payment. See [Annex 5, page 95](#) for certification and disclosure forms.

### **13) Debarment and Suspension Regarding Funding**

Pursuant to Executive Order 12549, Debarment and Suspension, all LROs, including Fiscal Agents, Fiscal Conduits, and agencies benefiting from EFSP funding under the Fiscal Conduit, must certify that they have not been debarred or suspended from receiving funds from or doing business with the Federal government. Each LRO will make this certification by signing the LRO certification form which states the requirement. Each Local Board must certify they have received the LRO Certification Form from the LRO which state the requirements. Additionally, the Local Board will return each LRO Certification Form with the Local Board Plan.

## **OTHER TERMS AND CONDITIONS**

### **Duplication of Benefits**

There may not be a duplication of any Federal assistance by governmental entities, per [2 CFR Part §225](#), basic Guidelines Section C.(c), which states: Any cost allocable to a particular Federal award or cost objective under the principles provided for in this Authority may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by law or terms of the Federal awards, or for other reasons. However, this prohibition would not preclude governmental units from shifting costs that are allowable under two or more awards in accordance with existing program agreements. Non-governmental entities are also subject to this prohibition per [2 CFR Parts §220 and §230](#) and [48 CFR Part §31.2](#).

***EFSP Applicability:** This applies to all State Set-Aside Committees, Local Boards and LROs. EFSP is not intended to make up for budget shortfalls or to be considered a line item in an annual budget. EFSP is non-disaster, supplemental funding. Expenditures charged in full to the EFSP grant may not also be charged to other awards/grants; nor may expenditures paid for with EFSP funding be charged to other awards/grants. The statements contained in the Certification Forms – “Will use funds to supplement/extend existing resources and not to substitute or reimburse ongoing programs and services” and “Will expend monies only on EFSP eligible costs” as well as the Costs Eligibility sections of the EFSP Manual speak to this requirement.*

### **Non-Supplanting Requirement**

Grant funds will not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Applicants or grantees may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt or expected receipt of Federal funds.

***EFSP Applicability:** This applies to all State Set-Aside Committees, Local Boards and LROs. EFSP is not intended to make up for budget shortfalls or to be considered a line item in an annual budget. EFSP is supplemental (non-disaster) funding. The Preamble and the statement contained in the Certification Forms – “Will use funds to supplement/extend existing resources and not to substitute or reimburse ongoing programs and services” speak to this requirement.*

### **Hatch Act**

The Hatch Act restricts the political activity of individuals principally employed by state or local executive agencies and who work in connection with programs financed in whole or in part by Federal loans or grants. All recipients of financial assistance will comply with the regulations, as applicable, to States and Local Governments, of the Hatch Act, [5 U.S.C. § 1501 – 1508](#), as amended.

***EFSP Applicability:** This applies to all State Set-Aside Committees, Local Boards and LROs (both governmental and non-profit). These entities are responsible for determining the applicability of this requirement to the employees of their agency/organization as this requirement is fact-dependent and needs to be compared to the work of the individual employee.*

### **False Claims Act and Program Fraud Civil Remedies**

All recipients of financial assistance will comply with the requirements of [31 U.S.C. § 3729](#) which sets forth that no recipient of Federal payments shall submit a false claim for payment. Further, [38 U.S.C. § 3801 – 3812](#) contains administrative remedies for false claims and statements made.

***EFSP Applicability:** This applies to all State Set-Aside Committees, Local Boards and LROs. Generally, this act provides for criminal penalties if false claims are filed.*

### **Debarment and Suspension**

[Executive Orders 12549](#) and [12689](#) provide protection against waste, fraud and abuse by debarment or suspending those persons/agencies deemed irresponsible in their dealings with the Federal government. The recipient agency must certify that they are not debarred or suspended from receiving Federal assistance. For additional information, see [2 CFR Part §3000](#). \*See also Appendix B. Certifications and Assurances\*

***EFSP Applicability:** This article applies to all State Set-Aside Committees, Local Boards and LROs. The statement contained in the Certification Forms – “Is not debarred or suspended from receiving Federal funds” and the Financial Terms and Conditions sections in the EFSP Manual speak to this requirement.*

### **Hotel and Motel Fire Safety Act of 1990**

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, [15 U.S.C. §2225\(a\)](#), the recipient agrees to ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, [15 U.S.C. §2225](#).

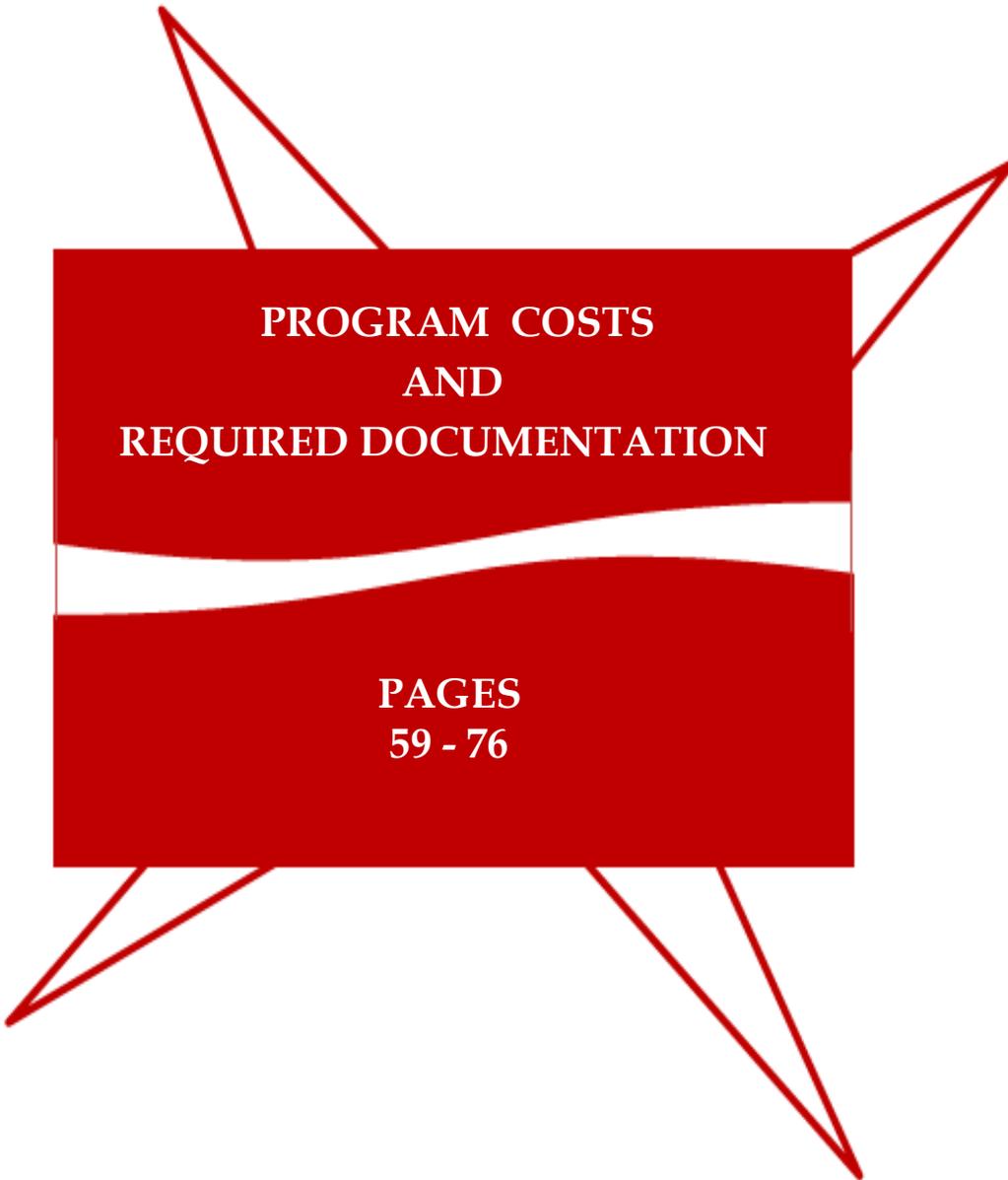
***EFSP Applicability:** This applies to all State Set-Aside Committees, Local Boards and LROs. Should SSAs, Local Boards, or LROs conduct conferences, meetings, or trainings for EFSP using any administrative funding from the EFSP, they must comply with this requirement.*

### **Best Practices for Collection and Use of Personally Identifiable Information (PII)**

DHS recommends that all grantees who collect PII have a publically-available privacy policy that describes what PII they collect, how they use the PII, whether they share the PII with third parties, and how individuals may have their PII corrected where appropriate. Grantees may also find as a useful resource the DHS Privacy Impact Assessments: The Privacy Office Official Guidance and the Privacy Impact Assessment Template (available on the DHS Privacy Office website at:

- a. [http://www.dhs.gov/xlibrary/assets/privacy/privacy\\_pia\\_guidance\\_june2010.pdf](http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf) and
- b. [http://www.dhs.gov/xlibrary/assets/privacy/privacy\\_pia\\_template.pdf](http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_template.pdf).

***EFSP Applicability:** This applies to all State Set-Aside Committees, Local Boards and LROs. In order to meet the documentation requirements of the EFSP in certain program categories, it is necessary to obtain, retain, and provide, if requested, PII for clients served with EFSP funding. Additionally, there must be a system in place to ensure there is no duplication of service in the specific categories of rent/mortgage and utility assistance which may require the sharing of PII for this purpose. The National Board does not require and does not expect to receive PII beyond what is noted in the EFSP Documentation Requirements as stated in the Manual. Items that should not be submitted to EFSP as documentation include, but are not limited, to driver’s licenses, Social Security Numbers or cards, pay stubs, etc.*



**PROGRAM COSTS  
AND  
REQUIRED DOCUMENTATION**

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## PROGRAM COSTS

**Important:** LROs may not operate as vendors for themselves or other LROs, except for the shared maintenance fee for food banks.

### *Intent of Program*

**The intent of this program is for the purchase of food and shelter, to supplement and expand current available resources and not to substitute or reimburse ongoing programs and services or to start new programs.**

The intent regarding the use of funds is that goods and services purchased or provided with EFSP funds should be used as necessary on a daily basis to help meet community need during the spending period. Food vouchers and purchased gift certificates/gift cards must be distributed and used during the jurisdiction's spending period. Large purchases made at the end of the spending period do not meet the intent of the program and will be considered ineligible.

### *Questions*

LROs with questions regarding interpretation of the program's guidelines **must** direct them to the **Local Board** prior to action. Local Boards unsure of the meaning of these guidelines must contact the National Board staff at [efsp@www.unitedway.org](mailto:efsp@www.unitedway.org) for clarification prior to advising the LRO. The EFSP website has a training feature for Local Boards and LROs to familiarize new staff and board members with EFSP requirements.

### *Client Eligibility*

The EFSP is a needs based program for which clients must qualify.

**The National Board does not set client eligibility criteria.** Local Boards may choose to set such criteria. If the Local Board does not set eligibility criteria, the LRO may use its existing criteria or set criteria for assistance under this award. Any criteria used must provide for assistance to needy individuals without discrimination (age, race, sex, religion, national origin, disability, economic status or sexual orientation), sensitivity to the transition from temporary shelter to permanent homes, attention to the specialized needs of homeless individuals with mental and physical disabilities and illness and to facilitate access for homeless individuals to other sources of services and benefits. In providing assistance under the EFSP, verification of proof of citizenship or qualified alien status of any applicant for assistance is not required.

**Note: Funds allocated to a jurisdiction may only be used for residents and transients within that jurisdiction.**

### *No Fee Requirement for Service*

No individual, family or household may be charged a fee for service or be required to attend religious/counseling services with relation to assistance received under EFSP.

### *Payment to Vendors*

**Pay for all eligible program expenses by an approved method of payment directly to the vendor not more than 90 days after the invoice date. Approved payment methods are:**

- LRO check
- LRO debit card
- LRO credit card - vendor issued (i.e., Sam's Club, other store vendor issued credit card)
- LRO credit card - third party (i.e., American Express, Visa)
- Electronic payment from LRO's bank account

**This program does not allow the reimbursement of staff/volunteers, other LROs or**

**any party other than the vendor of services. Cash payments are ineligible.**

**Note:** A Fiscal Agent/Fiscal Conduit must pay the vendor directly with an approved method of payment and may not reimburse other agencies for which they are serving as the Fiscal Agent/Fiscal Conduit.

***Selection of Vendors***

The LRO must select vendors whose requirements do not conflict with EFSP requirements. If a vendor's requirements conflict, the LRO must either use a different vendor or work with the vendor so EFSP guidelines are followed. Vendors must be able to provide a vendor originated invoice and must be able to accept an EFSP acceptable method of payment. (If a vendor only accepts cash, they may not be used for EFSP provided services unless they agree to accept an agency check or other EFSP acceptable payment method.)

***Client Confidentiality***

While the National Board respects the need for confidentiality, required documentation must be maintained.

When client confidentiality is protected by statute, LROs may use a unique identifier in providing and documenting services to clients. When submitting documentation where a unique identifier has been used, the LRO is responsible for providing documentation of the statute that applies to the clients served and services provided by their agency that are protected.

## ELIGIBLE PROGRAM COSTS

**Special Documentation Note:** Spreadsheets are required for all expenditures in all funding categories, including administration and must be submitted with each LRO's Final Report, even if complete documentation is not required. The spreadsheets may be generated from the agency's financial or case management system. The required elements for the spreadsheets are stated in the Required Forms section, page 78. Sample spreadsheets are available on the website under **Forms**.

Eligible program costs include, but are not limited to:

**Food Purchases for Food Banks/Pantries and Other Food Providers**

For food banks/pantries and other food providers, eligible costs include:

Food, food vouchers, seeds, gift certificates for food (gift certificates must be marked "Food Only", "Food & Diapers Only" or Food, Diapers & Feminine Hygiene Items Only"). **Note: Gift Cards are eligible only if they can be marked/encoded "Food Only", "Food & Diapers Only" or "Food, Diapers & Feminine Hygiene Items Only". The same applies for food vouchers and gift certificates. There must be an agreement with the vendor that food, food and diapers only or food, diapers and feminine hygiene items only will be allowed and no cash will be returned to clients.**

An allowance for maintenance fees charged by food banks may be granted by a Local Board at the prevailing rate. EFSP funds cannot be used to pay such a maintenance fee twice: by a food bank and by the food pantry/LRO it is serving.

Only food banks may operate under EFSP as both vendor and LRO.

**Note:** EFSP funding is intended to provide for basic, nutritional meals on an ongoing basis not for non-nutritive items. The funding is not intended to be used for a singular event, special celebratory events, holiday baskets, etc. Also, dessert items (i.e., cookies, snack food, candy, etc.) used as part of a daily meal plan may be purchased in limited amounts.

*(Documentation required: spreadsheets, dated receipts/invoices/completed vouchers for food purchased and proof of payment to vendor by an acceptable payment method. Vouchers and gift certificates/gift cards must state "food items only" not "groceries or merchandise". Invoices and evidence of payment for the purchase of food gift certificates/gift cards are required. Additionally, a single copy of the gift certificate/gift card indicating restrictions [i.e., food items only, diapers and feminine hygiene items, if approved by the Local Board, no cash back] must be supplied along with the invoice. When using a food voucher, if all three signatures and dates are included, no itemized receipts will be necessary; however, if one or more signatures or the dates are missing, the itemized receipts must be submitted. The signatures must be from the client, caseworker and the vendor of service. See [Annex 8 \[page 99\]](#) for sample of food voucher.)*

**Transportation for Food Banks/Pantries and Other Food Providers** Transportation expenses for picking up, delivery and distribution of purchased and donated food; contracted services or public transportation (e.g., taxi, local bus, subway). A dated mileage log at the Federal rate of \$.54 cents per mile. (**Note:** The reimbursement rate is the rate in existence at the time of publication of this manual. The begin date applies as of June 1, 2016, and is to be used throughout the entire Phase.

*(Documentation required: [1] dated mileage log (Note: The mileage log serves as the spreadsheet for the mileage allowance.), with departure, destination and trip purpose noted or [2] spreadsheet, receipts/invoices from contracted services or public transportation, and proof of payment to vendor by an acceptable payment method. See Annex 11 [page 102] for sample of mileage log.)*

**Equipment and Consumable Supplies for Food Banks/ Food Pantries**

Purchase of small equipment **not exceeding \$300 per item** and essential to the operation of food bank or pantry (e.g., shelving and storage containers).

Purchase of consumable supplies essential to the distribution of food (e.g., bags, boxes).

*(Documentation required: spreadsheet, dated, itemized receipts/invoices for equipment/supplies purchased and proof of payment to vendor by an acceptable payment method.)*

**Food Purchases for Mass Feeding**

For mass feeding sites, eligible expenditures include:

Food (hot meals, groceries). Dessert items (e.g., cookies, snack food, candy, etc.) used as a part of a daily meal plan may be purchased in limited amounts. Also allowable are vegetable seeds and vegetable plants cultivated in an LRO's garden on-site and canning supplies.

*(Documentation required: spreadsheet, dated receipts/invoices for food/seeds/plants purchased and proof of payment to vendor by an acceptable payment method.)*

**Transportation for Mass Shelter/Mass Feeding**

Local transportation expenses for picking up/delivery of food, transporting clients to a mass shelter (five or more beds in one location), or feeding site. (**Note:** The reimbursement rate is the rate in existence at the time of publication of this manual. (The begin date applies as of June 1, 2016 and is to be used throughout the entire Phase.) Limited to a dated mileage log at the Federal rate of \$.54 cents per mile, contracted services or public transportation (e.g., taxi, local bus, subway).

*(Documentation required: [1] dated mileage log (Note: The mileage log serves as the spreadsheet for the mileage allowance.), with departure, destination and trip purpose noted or [2] spreadsheet, receipts/invoices from contracted services or public transportation, and proof of payment to vendor by an acceptable payment method. See Annex 11 [page 102] for sample of mileage log.)*

**Consumable Supplies for Mass Shelter/Mass Feeding as Direct Cost**

Purchase of consumable supplies essential to mass feeding (e.g., plastic cups, utensils, detergent, feminine hygiene items, etc.) and/or mass shelters of five or more beds (e.g., soap, toothbrushes, toothpaste, feminine hygiene items, cleaning supplies, etc.). **Note: Supplies for mass shelter/mass feeding awards are included in per diem/per meal costs. An LRO may not be awarded additional funds for supplies if documenting their expenditures with a per meal or per diem schedule.**

*(Documentation required: spreadsheet, dated receipts/invoices for supplies purchased and proof of payment to vendor by an acceptable payment method.)*

***Equipment Purchases  
for Mass Shelters/Mass  
Feeding as Direct Cost***

Purchase of small equipment **not exceeding \$300 per item** and essential to mass feeding (e.g., pots, pans, plates, utensils, microwave oven, dining table and chairs, toasters, blenders, etc.) and/or mass shelters (e.g., beds, mattresses, cots, blankets, linens, etc.) **Note: Equipment for mass shelter/mass feeding awards are included in per diem/per meal costs. An LRO may not be awarded additional funds for equipment, if documenting their expenditures with a per meal or per diem schedule.**

*(Documentation required: spreadsheet, dated receipts/invoices for equipment purchased and proof of payment to vendor by an acceptable payment method.)*

***Minor Emergency  
Equipment Repairs for  
Mass Shelters/Mass  
Feeding as Direct Cost***

With prior Local Board approval, minor emergency repair of small equipment essential to mass feeding or sheltering not exceeding \$300.00 in repair costs per item. Equipment eligible for repairs under the EFSP is any that if not repaired would force the mass feeding or mass sheltering site to terminate or curtail services (e.g., stove, refrigerator, and hot water heater). **Note: Minor emergency equipment repair for mass shelter/mass feeding awards are included in per diem/ per meal costs. An LRO may not be awarded additional funds for minor emergency equipment repair if documenting their expenditures with a per meal or per diem schedule.**

**Routine maintenance and service contracts are not eligible.**

*(Documentation required: spreadsheet, dated letter from Local Board indicating approval and dated invoices for equipment repair and proof of payment to vendor by an acceptable payment method.)*

**Note:** Good judgment must be exercised in determining the most cost effective use of EFSP funds when deciding an equipment purchase against a repair.

***Limited First Aid  
Supplies for Mass  
Shelter/Mass Feeding***

Limited amounts of basic first aid supplies (e.g., aspirin, Band-Aids, cough syrup, etc.) for mass shelter providers and mass feeding sites only. (**Note:** May not be claimed in addition to per diem or per meal allowance.)

*(Documentation required: spreadsheet, dated receipts/invoices for first-aid supplies and proof of payment to vendor by an acceptable payment method.)*

***Building Code Repairs  
to Mass Shelter or Mass  
Feeding Facilities***

Building Code/Accessibility Improvements – Emergency repairs to comply with building code citations for a mass feeding facility or mass shelter only, provided:

The facility is owned by a not-for-profit LRO (profit-making facilities, leased facilities, government facilities and individual residences are not eligible); and,

***National Board and  
Local Board Approval  
for Building Code  
Repairs***

The building code plan and the contract detailing work to be done and material and equipment to be used or purchased is **approved in writing by both the National Board and the Local Board prior to the start of the emergency repair/building code project to ensure compliance with program guidelines;** and,

- a. The repair is limited to bringing a facility into compliance with local building codes; maximum expenditure: **\$2,500.00**;
- b. All emergency repair work is completed and paid for by the end of the jurisdiction's spending period;
- c. Facility must be used primarily for mass feeding or mass sheltering programs; and,
- d. No award funds are used for **decorative** or **non-essential** purposes or **routine maintenance/repairs**.

*(Documentation required: spreadsheet, dated letters from both the National Board and the Local Board indicating approval and amount approved, copy of contract including cost or invoices for supplies and contract labor, document citing building code violation requiring the repair and proof of payment to vendor by an acceptable payment method.)*

**Facility Improvements for the Disabled for Mass Shelter/Mass Feeding**

Expenses incurred from accessibility improvements for the disabled are eligible for mass feeding or mass shelter facilities up to a limit of **\$2,500.00**. These improvements may include those required by the Americans With Disabilities Act of 1990. A building code citation is not necessary for accessibility improvements. Both the National Board and the Local Board must approve in advance, any accessibility improvements.

**Note: All social service providers are mandated to comply with the Americans With Disabilities Act of 1990 (ADA).**

**Note: Building code repairs and facility improvements are allowable for mass feeding and mass sheltering sites only. These costs must have prior National Board and Local Board approval even if using the per meal or per diem rate.**

*(Documentation required: spreadsheet, dated copy of contract describing work to be done including cost, letters dated from the National Board and the Local Board indicating approval and amount approved, and proof of payment to vendor by an acceptable payment method.)*

**Mass Shelter Expenses**

For mass shelter providers, there are two options for eligible costs. One option must be selected at the beginning of the program year and continued throughout the entire year.

**Note:** The documentation requirements for each option are noted with each option.

**Mass Shelter/ Direct Costs**

1. Reimbursement of actual direct eligible costs for supplies/equipment essential to the operation of the mass shelter (e.g., cots, mattresses, soap, linens, blankets, cleaning supplies, etc.). Refer to previous sections for description of direct eligible expenditures.

*(Documentation required: spreadsheet, dated receipts/invoices from vendor and proof of payment to vendor by an acceptable payment method.)*

**Per Diem Allowance**

2. Per diem allowance of **exactly \$7.50 or \$12.50 per person** per night for mass shelter providers (five beds or more in one location), only if:

- Approved in advance by the Local Board; and,
- LRO's total mass shelter award is expended in this manner.

**Note:** It is the decision of the Local Board to choose between the \$7.50/\$12.50 rates. This rate may vary from agency to agency depending on the level of services provided to the clients. The \$7.50 or \$12.50 rates, if elected, may be expended by the LRO for any cost related to the operation of the mass shelter; it is not limited to otherwise eligible items. The per diem allowance may be used to cover costs such as shelter rent, shelter utilities, and shelter staff salaries if necessary to provide a night of shelter. **The per diem allowance does not include the additional costs associated with food or the food per meal allowance.**

*(Documentation required: schedules showing daily rate of \$7.50 or \$12.50 and number of persons sheltered by date with totals. Note: The daily schedule serves as the spreadsheet for the per diem allowance. Supporting documentation must be retained on-site, e.g., invoices, service records and sign-in logs, proof of payment to vendor by an acceptable payment method. See [Annex 9 \[page 100\]](#) for sample.)*

**Mass Feeding Expenses** For mass feeding programs, there are two options for eligible costs. One option must be selected at the beginning of the program year and continued throughout the entire year.

**Note:** The documentation requirements are noted with each option.

**Mass Feeding  
Direct Cost**

1. Reimbursement of actual direct eligible costs for supplies/equipment essential to the operation of the mass feeding program (e.g., food, paper products, cleaning products, pots and pans, etc.). Refer to previous sections for description of direct eligible expenditures. **Note: EFSP funding is intended to provide for daily, basic, nutritional meal costs on an ongoing basis. The funding is not intended to be used for a singular event, special events/celebratory events/holiday meals, etc. Basic non-excessive meal costs may be applied towards special/celebratory/holiday meals served only as part of an ongoing program. Also, dessert items (e.g., cookies, snack food, candy, etc.) used as part of a daily meal plan may be purchased in limited amounts.**

*(Documentation required: spreadsheet, dated receipts/invoices from vendor relating to operation of facility and proof of payment to vendor by an acceptable payment method.)*

**Per Meal Allowance**

2. Per meal allowance of **exactly \$2 per meal served** if:
  - a. Approved in advance by the Local Board; and,
  - b. LRO's total mass feeding award is expended in this manner.

The \$2 per meal allowance, if elected, may be expended by the LRO for any related cost; it is not limited to otherwise eligible items. The per meal allowance may be used to cover costs such as rent, utilities, and staff salaries for those staff necessary for the preparation and serving of food. **The per meal allowance does not include the additional costs associated with shelter or the per diem shelter allowance.**

**Note: EFSP funding is intended to provide for daily, basic, nutritional meal costs on an ongoing basis. The funding is not intended to be used for a singular event, special events/celebratory events/holiday meals, etc. Basic non-excessive meal costs may be applied towards special/celebratory/holiday meals served only as part of an ongoing program. Also, dessert items (e.g., cookies, snack food, candy, etc.) used as part of a daily meal plan may be purchased in limited amounts.**

*(Documentation required: daily schedule showing meal rate of \$2 and number of meals served by date with totals. Note: The daily schedule serves as the spreadsheet for the per meal allowance. Supporting documentation must be retained on-site, (i.e. invoices, service records and proof of payment to vendor by an acceptable payment method). See [Annex 10 \[page 101\]](#) for sample).*

**Other Shelter Assistance  
(Off-Site Lodging  
Hotel/Motel)**

For other shelter assistance, eligible program costs include off-site emergency lodging (room and tax only) in a hotel/motel or other off-site shelter facility provided conditions 1 and 2 below are met.

1. No appropriate on-site shelter is available; and
2. It is limited to 30-days assistance per individual or household during the current program period. **(Note: Assistance may be extended in extreme cases with prior Local Board written approval.** A copy of this approval must accompany the LRO's documentation.)

*(Documentation required: spreadsheet, dated vendor receipts/invoices from off-site shelter [hotel/motel/etc. on their stationery] and proof of payment to vendor by an acceptable payment method. Receipts/invoices must include client's name, length of stay and charge per night. Note: If using a unique identifier when submitting documentation for clients served, the LRO is required to provide documentation of the statute which applies to the protecting of clients and the services provided.)*

**Rent/Mortgage  
Assistance/Eviction  
Prevention**

For rent/mortgage assistance, eligible program costs include:

1. Limited emergency rent or mortgage assistance principal and interest only (P&I), for individuals or households provided conditions "a" through "f" below are met:
  - a. Payment is in arrears or due within **10** calendar days.
  - b. other resources have been exhausted;
  - c. The client is 1) a resident of the home or apartment and 2) responsible for the rent/mortgage on the home or apartment where the rent/mortgage assistance is to be paid;
  - d. Payment is limited to a maximum of one month's assistance for each individual or household; assistance can be provided 1) for a full month's rent/mortgage (P&I) all at one time, or 2) in separate payments over a period of up to 90 consecutive days so long as the total amount paid does not exceed one month's cost and is paid by a single LRO;
  - e. Assistance is provided only once in a jurisdiction by a single LRO in each award phase for each individual/household (with exception of item d [2] above);
  - f. The month paid is the current amount or part of the arrearage that is still owed at the time of payment and is from the current award phase and,
  - g. Payment must guarantee an additional 30 days service.

**Notes: Late fees, legal fees, deposits, and condo fees are ineligible.**

**If a client has two mortgages, assistance may only be given on the principal or first mortgage for the client's residence.**

**Payments for mobile homes and lots are eligible and can be paid to a mortgage company or to a private landlord.**

*(Documentation required: spreadsheet, dated and signed letters from landlords [must include amount of one month's rent and due date] mortgage company's letter and/or copy of mortgage loan coupon showing monthly mortgage amount and date due and proof of payment to vendor by an acceptable payment method. Payments must be made to the landlord **ONLY**, not to both client and landlord. Documentation must support the payment made and is limited to a maximum of one month's assistance. A copy of the client's lease is only accepted when paying the first month's rent.) See Annex 7, page 98.*

***First Month's Rent  
Payment***

2. First month's rent may be paid when an individual or household:
  - a. Is transient and plans to stay in the area for an extended period of time; or
  - b. Is moving from a temporary shelter to a more permanent living arrangement; or
  - c. Is being evicted because one-month's payment will not forestall eviction in current housing.

First month's rent:

- a. **Cannot** be provided in addition to emergency rent/mortgage assistance under item 1 above.
- b. **May** be provided in addition to assistance provided for off-site or mass shelter.
- c. **May** only be provided by a single LRO in a jurisdiction each award phase for an individual/household.
- d. **Cannot** be paid more than **30** calendar days before occupancy.

*(Documentation required: spreadsheet, dated and signed letters from landlords or current lease [must include amount of first month's rent and due date] and proof of payment to vendor by an acceptable payment method.) See Annex 7, Page 98.*

*(Documentation must support the payment made which is limited to a maximum of one month's assistance.)*

*Note: First month's rent is the only situation in which the lease is acceptable documentation.*

***Rent/Mortgage  
Assistance Special Note***

**EFSP will allow a one-time payment of \$250 or less for rent/mortgage assistance where the past due balance is \$250 or more without the verification of the monthly rent/mortgage amount.**

***Utility Assistance***

For utility assistance, eligible program costs include:

Limited metered utility assistance (includes gas, electricity, water, and sewer service) for individuals or households. The client must be 1) a resident of the home or apartment and 2) responsible for the utility on the home or apartment for which utility assistance is to be paid provided conditions "a" through "f" below are met:

- a. Payment is in arrears or due within **10** calendar days;
- b. All other resources have been exhausted (e.g., State's Low Income Home Energy Assistance Program);
- c. Payment is limited to a **maximum of one month's billed usage** cost for each utility (e.g., gas, electric and water) for each individual or household;
- d. The month paid is the current amount, budget amount or part of the arrears that is still owed at the time of payment and that is either from the current award phase or for continuous service prior to award phase that remains past due;
- e. Each utility is paid only once in each award phase for any individual or household; and
- f. Payment guarantees an additional 30 days service.

**Note:** If paying from a past due notice, a breakdown of the monthly usage charges must be obtained (a copy of current client billing and payment history by month from the utility provider). The highest one month amount from the phase/year may not be

paid unless it is part of the amount currently owed at the time of payment. Where clients have made a partial payment, the payment is generally applied to the oldest past due amount. The entire EFSP amount paid may only be a maximum one month amount that is all still past due. Documentation must clearly indicate which month is being paid from the breakdown of monthly charges and must be part of the past due amount still owed at the time of payment.

Reconnect fees are eligible. Required fees that are included on the bill are eligible. Level billing or budget payments are eligible. Elective fees/items are not eligible.

**Late fees and deposits are not eligible.** Repayment agreements beyond the one month billing are not eligible.

Limited non-metered utility assistance (includes oil, firewood, coal, propane) for individuals or households provided conditions “a” through “c” below are met:

- a. All other resources are exhausted (e.g., State’s Low Income Home Energy Assistance Program).
- b. Payment is limited to a one-time delivery (e.g., the **minimum** amount of delivery for firewood, minimum gallons of fuel oil, propane).
- c. Each utility is paid only once in each award phase for any individual or household.

The intent of non-metered utility assistance, like metered utility assistance, is to provide 30 days of service.

**Note:** A maximum of a one month's utility bill may be paid for a client/household by a single LRO in a jurisdiction. Multiple LROs **may not** join together and each pay a portion of a single utility bill. Rental fees for propane tanks or other equipment are not eligible.

*(Documentation required: (1) spreadsheet, metered utilities [e.g., electricity, water], the most recent copy of past due or current utility bill with a breakdown which clearly identifies the one month's charges being paid including due date and proof of payment to vendor by an acceptable payment method; (2) spreadsheet, non-metered utilities [e.g., propane, firewood], receipts/invoices for fuel including due date or delivery date and canceled checks or documentation for other acceptable payment methods. (Estimated delivery quotes are not acceptable.)*

**Utility Assistance  
Documentation  
Special Note**

EFSP allows a payment of \$100 or less on a utility bill with a past due amount or shut-off notice of \$100 or more without the monthly breakdown showing the client’s monthly billing amount.

**Note:** Utility disconnects and termination notices often do not show the amount owed by month. The monthly information must be verified with the utility company (a copy of current client billing and payment history by month from the utility provider) and written onto the notice or metered utility verification form. If one month's service cannot be verified from the bill or with the utility company, the LRO may pay up to \$100 per individual or household provided at least \$100 is owed on the bill. This \$100 is not a cap. If an LRO wishes to pay more than \$100 the one month amount paid must be verified.

*(Documentation required: spreadsheet, dated copy of utility bill, disconnect, termination, final or shut-off notices with one month verification, if necessary, and proof of payment to vendor by an acceptable payment method. Documentation must state which month's usage is being paid from the breakdown of monthly charges as well as the due date.)*

*(For additional information on utility assistance guidelines, see [Annex 14 \[page 105\]](#)).*

### **Metered Utility Verification Form**

The National Board encourages the use of the Metered Utility Verification Form (**along with a copy of the current utility bill or the client's billing and payment history from the utility company**) as the preferred method for verifying eligible utility assistance. The bill must be attached to the metered utility verification form and the information on the bill must support the information completed on the form. **Documentation must state which month's usage is being paid from the breakdown of monthly charges as well as the due date.** The form must be completed in its entirety and proof of payment must be provided with the form and supporting documentation. See [Annex 6, page 97](#) for sample metered utility verification form.

### **Diapers**

For all service providers, the purchase of diapers is eligible as described below:

- a. For direct distribution to individuals.
- b. For residents of mass shelters.
- c. For vouchers to grocery stores.

**Note:** Local Boards must use discretion in selecting LROs to provide this service, taking into consideration the cost effectiveness of bulk purchasing.

*(Documentation required: spreadsheet, dated receipts/invoices for diapers purchased and/or proof of payment to vendor by an acceptable payment method.)*

### **Feminine Hygiene Items**

For all service providers, the purchase of limited, basic feminine hygiene items is eligible as described below:

- a. For direct distribution to individuals.
- b. For residents of mass shelters.
- c. For vouchers to grocery stores.

**Note:** Prior Local Board approval is required. Local Boards must use discretion in selecting LROs to provide this service, taking into consideration the cost effectiveness of bulk purchasing.

*(Documentation required: spreadsheet, dated receipts/invoices for feminine hygiene items purchased and/or proof of payment to vendor by an acceptable payment method.)*

**REMINDER:** If LROs make expenditures during their jurisdiction's spending period, prior to the receipt of EFSP funds, they may chargeback any eligible expenditures that meet EFSP program guidelines. All documentation requirements for the category in which the expenditures are reported will apply.

**INELIGIBLE PROGRAM COSTS**

The following purposes for which funds **cannot be used** include, but are not limited to:

1. **CASH PAYMENTS** of any kind, including checks made out to cash, petty cash expenditures, money orders or cashier checks purchased with cash.
2. Payments made in any form **other than** LRO check, LRO credit card, electronic payment from the LRO's bank account or LRO debit card to vendor. (Payments may not be made to clients.)
3. Advances or reimbursements to staff, volunteers, or clients for program purchases. Cash back to client from gift certificates/vouchers.
4. Payments made more than 90 days after the receipt/invoice or client intake date.
5. Reimbursement to other LROs or agencies including those agencies under an LRO serving as a Fiscal Agent or Fiscal Conduit.
6. Fees: No bank fees, membership fees to food banks, shopping clubs, etc.
7. Deposits of any kind.
8. Administrative cost reimbursement to state or regional offices of governmental or voluntary organizations.
9. Use of administrative funds for purposes other than administering EFSP.
10. Lobbying efforts.
11. Expenditures made outside jurisdiction's spending period. All award funds must be expended within the current phase begin and end dates.
12. No pre-payment for expenses or services not yet rendered or incurred (i.e., where no goods or services have been provided prior to payment during program period).
13. Telephone costs, salaries, or office equipment by LRO, except as administrative allowance authorized by the Local Board, and limited to the total allowance (2%) of the LRO's award.
14. Rental security deposit or revolving loan accounts.
15. Payments of more than one month's mortgage, first month's mortgage, or down payment on mortgage. Payment on home equity loan or home equity line of credit.
16. Purchase/lease of real property (land or buildings) of any kind.
17. Property taxes of any kind, escrow accounts, insurance, legal fees, or condo fees.
18. Late fees for rent, mortgage, or utility assistance.
19. Payment of more than one month's rent.
20. Payment of more than one month's portion of a utility bill.
21. Payment of more than \$300 per item of essential equipment.

22. Lease-purchase agreement or equipment leases.
23. Routine maintenance of LRO facilities, routine maintenance or service contracts on equipment.
24. Construction, rehabilitation or remodeling for expansion of service.
25. Repairs of any kind to an individual's home or apartment.
26. Supplies or equipment purchases for an individual's home or private use.
27. Transportation of people **not** related to the direct provision of food or shelter (e.g., to another agency, another city, etc.). Also transportation to a relative's or friend's home.
28. Gas or repairs for client-owned vehicles, maintenance or repairs to LRO-owned vehicles (e.g., oil, tires, etc.). Also, insurance for LRO-owned or client-owned vehicles.
29. Emergency assistance for disaster victims, supplies bought for or in anticipation of a disaster (i.e., fires of any kind, floods, tornadoes, etc.).
30. Prescription medication, medical supplies, or vitamins.
31. Clothing (except underwear/diapers for clients of mass shelters, if necessary).
32. An LRO may not operate as a vendor for itself or other LROs, except for the shared maintenance fee for food banks.
33. LROs may not charge fees for services provided with EFSP funds.
34. Direct expenses associated with new or expanded services or to prevent closing.
35. Encumbrance of funds; that is, no pre-payments for goods or services not received or not rendered which are paid for prior to the end of the jurisdiction's program.
36. No payments on account. Funds cannot be placed on deposit with a vendor and drawn down.
37. Meal costs in excess of the normal daily basic meal cost.
38. Reserving or withholding funds in anticipation of a future need (e.g., holiday events, holiday baskets, special programs, celebratory events).
39. Staff events/functions/meals of any kind.
40. Supplementing foster care costs, where an LRO has already received payment for basic boarding and feeding of a client. Comprehensive foster care costs beyond food and shelter.

## ADMINISTRATIVE ALLOWANCE

By law, there is an administrative allowance limitation of two percent (2%) of total funds received by the Local Board excluding any interest earned. **This allowance is a part of the total award — not in addition to the award.**

The local administrative allowance is intended for use by Local Boards and/or LROs and not for reimbursement of program or administrative costs to an LRO's national organization (its state or regional offices) which might be incurred as a result of this additional funding. LROs wishing to use part of their grant for administration must include this request in their application for funding.

Distribution of the allowance among LROs is decided by the Local Board. No LRO may receive an allowance greater than 2% of that LRO's award amount unless the LRO is providing the administrative support for the Local Board and is approved by the National Board. The administrative allowance may only be allocated in whole dollar amounts.

The Local Board may elect to use, for its own administrative costs, all or any portion of the 2% allowance. The Local Board may apply the administrative allowance toward advertising expenses, if necessary.

Administrative costs incurred in the processing of Final Reports are allowable from the date the Final Reports are made available from the National Board until the due date of the jurisdiction's Final Report. The day the jurisdiction's Final Report is due would be the last day administrative expenditures would be considered eligible. Any administrative costs incurred after the due date would be considered ineligible.

The administrative allowance for the Local Board and the other LROs cannot exceed 2% of the jurisdiction's total allocation, rounded to the nearest whole dollar. Any amount less than fifty cents is rounded down and fifty or more cents is rounded up. The maximum administrative allowance is noted on the Local Board plan. Any of the administrative allowance not spent must be put back into program funds for additional services.

***(Documentation required: Spreadsheets must be submitted along with the final report. LROs receiving funds for administration must retain supportive documentation that the funds were spent on the direct administration of EFSP.)***

**SAMPLE ELIGIBLE AND INELIGIBLE EXPENDITURES; NOT LIMITED TO THESE ITEMS**  
**FOR A MORE COMPREHENSIVE LIST AND FURTHER EXPLANATION OF THESE CATEGORIES, SEE PAGES 58-72**

CATEGORY	SAMPLE ELIGIBLE ITEMS	SAMPLE INELIGIBLE ITEMS
<b>SERVED MEALS</b>	Any food used in served meals (cold or hot); costs of transporting food to site or client; daily per meal schedule (\$2/meal).	Any items not related to actual feeding of a client. Excessive meal costs. Excessive snack food items. Staff events/functions.
<b>OTHER FOOD</b>	Food vouchers, food boxes, grocery orders, restaurant vouchers, etc., food purchased for food banks and/or food pantries, vouchers, gift certificates (limited), transportation costs.	Tobacco, alcohol, paper products. Any non-food item. Excessive meal costs. Excessive snack food items. Staff events/functions.
<b>MASS SHELTER</b>	Direct expenses associated with housing a client (e.g., supplies, linens, etc.); transportation costs; daily per diem schedule (\$7.50 or \$12.50).	Year-round ongoing operational costs (rent, pest-control, garbage pick-up, utilities); salaries of employees.
<b>OTHER SHELTER</b>	Any <u>reasonable</u> hotel/motel or non-profit facility acting as a vendor; SRO; actual charge by vendor, per night; 30 day limit	An LRO receiving funds <u>may not</u> act as a vendor for themselves or another funded LRO. Stay beyond 30 days per phase. Prepayments for hotel/motel.
<b>SUPPLIES/ EQUIPMENT</b>	<u>\$300 per item maximum</u>  <u>Mass feeding:</u> pots, pans, toasters, blenders, microwave, utensils, paper products, any item essential to the preparation of food, shelving. <u>Diapers.</u> <u>Mass shelter:</u> cots, blankets, pillows, toilet paper, soap, toothpaste, toothbrushes, cleaning materials, limited first-aid supplies, underwear/diapers. Emergency repair of essential small equipment (\$300 limit for both mass feeding and mass shelter.)	Decorative curtains, carpet, clothing, TVs, computer systems, office equipment, bedroom furniture other than beds (nightstand, lamps, etc.).
<b>REHABILITATION/ EMERGENCY REPAIRS</b>	Building code violations, handicap ramp, etc. (\$2,500 limit); Emergency repairs are only allowed in support of per meal schedule or per diem schedule for mass feeding sites or mass shelters. All expenditures require <u>prior</u> approval by both the National Board and Local Board.	Rehabilitation for expansion, routine maintenance, or to prepare facility to open as direct costs.
<b>RENT/MORTGAGE</b>	Past due rent or mortgage payment (P&I only); current rent or mortgage due <b>within 10</b> calendar days; first month's rent; lot fee for mobile homes. <b>Limited to one month's cost for an individual/family.</b>	Payment for rent/mortgage exceeding one month's cost; deposits; down-payment for purchase of home; late fees; legal fees; taxes, insurance & escrow accounts.
<b>UTILITIES</b>	Past due bills, or current bills due within <b>10</b> calendar days, for gas, electricity, oil, water; reconnect fees. May pay budgeted or actual amount. <b>Limited to one-month's amount that is part of the arrearage at the time of payment or current one month amount.</b> One-time delivery of firewood, coal, propane.	Payments for utilities exceeding one month's cost; deposits; cable, or satellite TV bills; phone bills; internet service; late fees.
<b>ADMINISTRATIVE ALLOWANCE</b>	Limited to 2% of total funds received by jurisdiction; any expenses associated with administering this program (telephone costs, stamps, etc.).	Administrative expenses <u>not</u> related to the EFSP program.

## REQUIRED DOCUMENTATION

*All EFSP documentation must be obtained and retained as noted in this manual. Documentation may be requested at any time, even if not required initially with the Final Report. Documentation for all program areas, including administration, must be provided when requested.*

*Spreadsheets are required to be submitted along with documentation for all expenditure categories. The spreadsheets may be generated from the agency's financial or case management system. The required elements for the spreadsheets are stated in the Required Forms section, page 78. Sample spreadsheets are available on the website under Forms.*

Documentation refers to those accounting records that support payments for EFSP expenditures. Each payment requires two basic accounting records.

First, a copy of the LRO's proof of payment made not more than 90 days following the invoice/purchase date or date of intake is required. Proof of payment would include as necessary: **LRO's canceled check returned from the bank payable to the vendor; LRO's bank statement showing electronic payment or debit card payment to vendor; or LRO's canceled check payable to the credit card company.** Do not copy either side of a check that has **not** been canceled by the bank unless submitting with bank statement for which cancelled checks are not returned. **Note:** When a check goes through the bank, it is generally encoded on the bottom of the check. These numbers represent the amount for which the check was processed. The front of the check shows the date of payment and the payee. The bank statement verifies that the check was debited from the LRO's account.

For electronic checks and debit purchases, the bank statements must clearly identify the payee by name for each transaction (not a string of codes).

When checks are converted electronically at the time of purchase, it is similar to the use of a debit card. The money is immediately placed on hold in the account by the bank. EFSP requires copies of the bank statement to support expenditures paid with agency's electronically converted check and debit card payments.

If an LRO cannot provide copies of both sides of the canceled check because the LRO's bank does not return checks, the following items are acceptable alternatives:

- Facsimile copies/images of canceled checks (front) from the LRO's checking account statements. **If submitting facsimile copies/images of checks, the copies must be large enough to read and be clearly legible. (Please enlarge prior to photo copying.)**
- Substitute bank generated checks from the LRO's checking account statements. Copies of checks may be available via your bank's website. **Copies of bank generated checks must be large enough to read the check date and to whom the check is written. (Please enlarge prior to photo copying.)** If the bank generated checks do not show a cancellation on the front, then the bank statement must also be submitted.
- LRO's checking account statements along with a copy of the front of the check when it was issued by the LRO.

Second, a copy of the **vendor's itemized invoice. All copies of documentation must be clearly legible.** An acceptable invoice has the following characteristics:

1. It must be vendor-originated and have name of vendor.
2. It must have name of purchaser and have date of purchase.
3. It must be itemized (description of each item, number of each item and cost of each item).
4. It must have total cost of purchase.

Documentation may also include:

- Credit card statement showing purchase and payment along with itemized receipt of purchase.
- Vouchers with detailed description of goods or services provided,
- Daily per diem shelter allowance schedule. (See Annex 9, page 100),
- Daily per meal allowance schedule. (See Annex 10, page 101).
- Per trip mileage logs at the allowed rate of \$0.54. (See Annex 11, page 102).

Client Confidentiality in Documentation Submitted:

- In submitting documentation to the National Board with their Final Report, LROs providing services to clients where confidentiality is protected by statute may use a unique identifier.
- If using a unique identifier when submitting documentation for clients served, the LRO is required to provide documentation of the statute which applies to the clients served and services provided that are protected.

**Note:** The National Board reserves the right to request additional documentation as deemed necessary to support expenditures under the EFSP (e.g., landlord letters, billing and payment histories, sign-in logs).

All documentation submitted for review must be complete, clear and completely legible. Please enlarge prior to copying to ensure readability, if necessary.

**All LROs must:**

1. Have records audited by an independent certified or public accountant if receiving \$100,000 or more in EFSP funds; have an annual accountant's review if receiving from \$50,000 to \$99,999;
2. Keep their documentation records for three years after each end of program year. Documentation includes but is not limited to: LRO Certification form, application for funding, Local Board approval of funding, Second Payment Request/Interim Report, Final Report, all expenditure documentation (vendor invoices/receipts and proof of payment);
3. Be subject to review and/or audit by the National Board, FEMA and/or the DHS Office of Inspector General during those three years — **(Note: Documentation must be retained longer than the three year period if compliance problems are identified. Once compliance problems are resolved, the three year retention period begins.);**
4. Complete and return to the National Board the interim and final LRO reports;
5. Return any unused award funds to the National Board at the end of the spending period (\$5.00 or more). **Checks must be made payable to United Way Worldwide/Emergency Food and Shelter National Board Program, 701 North Fairfax Street, Alexandria, VA 22314 and include Local Board ID and LRO ID numbers on the face of the check in the upper right corner; and,**
6. All award funds must be expended during the current phase begin and end dates.

**The ending date for the spending period in each jurisdiction for all award types is selected by the Local Board. The jurisdiction's spending period start and end dates are noted on the Final Report.**

## WHO MUST SUBMIT DOCUMENTATION

**All LROs will be required periodically to submit documentation to the National Board to ensure continued program compliance.**

Any LRO not funded in the previous phase will be considered new for compliance purposes and will be required to submit documentation. LROs having major compliance exceptions or those not clearing in a timely fashion will be required to submit documentation for the next phase. Any LRO having ineligible costs will be required to submit documentation.

**LROs whose audits have reported findings will, at the discretion of the National Board, submit documentation.**

Copies of all documentation (from LROs required to submit) must be submitted to the Local Board when requested after the end of the jurisdiction's spending period. The Local Board is then **required to review and submit all documentation** to the National Board after the end of the jurisdiction's spending period by the specified deadline.

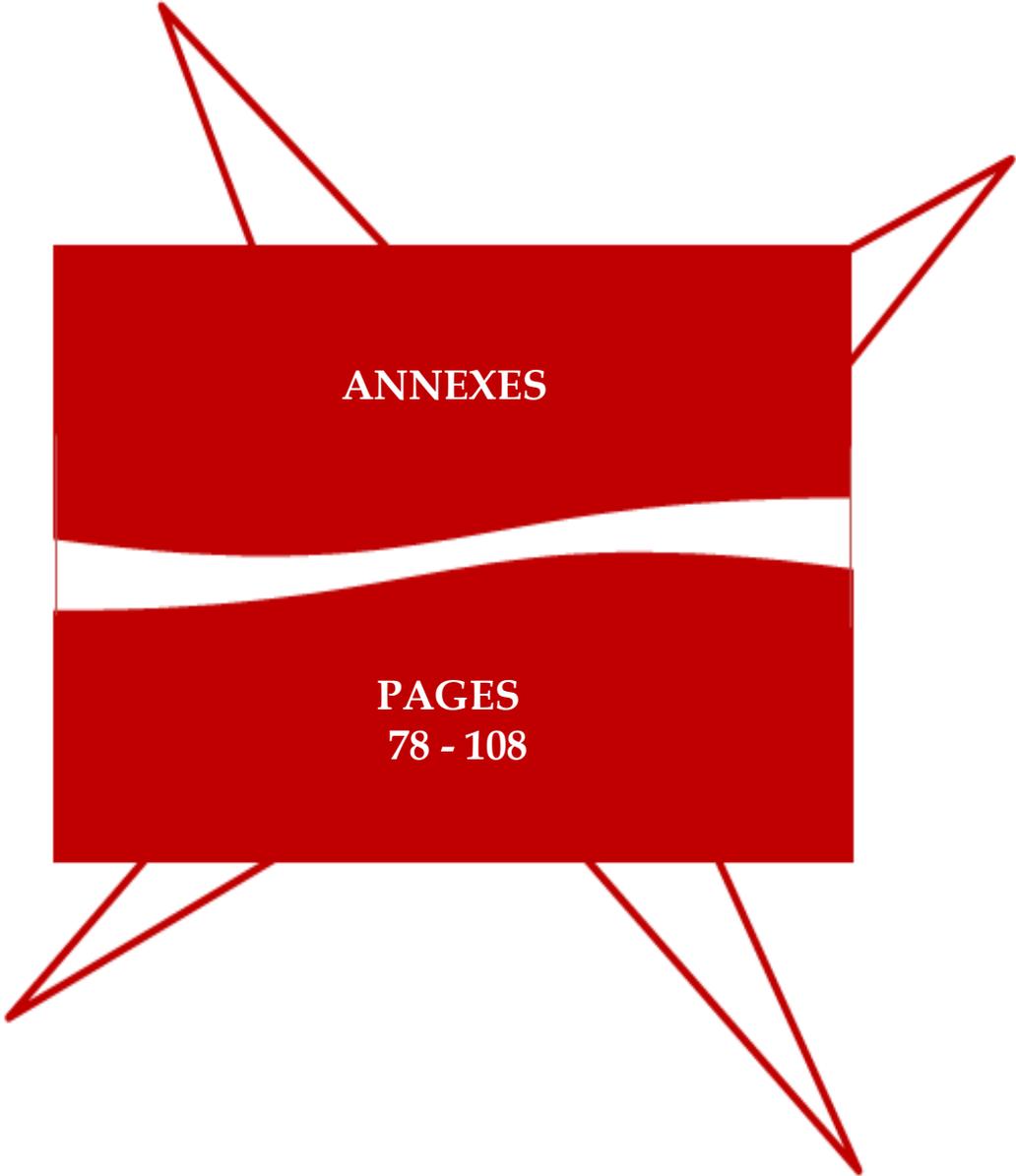
Each LRO is responsible for ensuring that the copies of documentation submitted are **legible** and **organized** as indicated in the Final Report instructions.

Poorly copied or unorganized documentation may be returned to the Local Board for correction, and may result in a delay in receiving additional funding for the LRO and/or the jurisdiction.

**Note:** In certain instances the National Board may request submission of documentation to comply with outside audit requests.

- The audit firm selected to review National Board records will review a statistically valid random sample of agencies which were NOT required to submit documentation under normal procedures.
- National Board staff will conduct periodic site reviews in funded jurisdictions. In each jurisdiction selected, several LROs will be chosen.
- FEMA staff will conduct site reviews in several randomly selected jurisdictions.
- The DHS/OIG will continue its practice of random site audits.
- FEMA's Office of Chief Financial Officer may also conduct reviews including, but not limited, to compliance with the Improper Payments Elimination and Recovery Act (IPERA).

**Reminder:** Local Boards and LROs must submit complete, accurate, legible documentation when requested in a timely manner. Failure to comply promptly with any documentation request may jeopardize a jurisdiction's or LRO's funding.



## REQUIRED FORMS

The following pages include samples of the required forms that must be used by participants of the EFSP. *These forms may not be altered.* All of the forms can be found on the EFSP website. Direct any questions regarding the forms to the National Board staff.

Spreadsheets are required as part of the documentation requirements to support all expenditures made with EFSP funds. Samples of the required spreadsheets and elements for each category are included in this manual and can be found on the EFSP website under **Forms**. The following is a list of the elements required for the spreadsheets.

### Required Elements with Explanation

1. **Billing Period Covered with Payment:** service period paid for client's utility bill; if a non-metered utility bill is paid, indicate not applicable (N/A) on the spreadsheet. If an LRO pays \$100 or less for a client from a past due balance of disconnect/cutoff/shutoff notice from the utility company, the "billing period covered" information is not required on the spreadsheet. Enter "N/A" in the column labeled "billing period covered".
2. **Building Code Citation Date:** date the agency (feeding or shelter site) received the citation from the local city/county government indicating required work needed on building where services are provided
3. **Client First Name:** legal name of the individual seeking assistance (this only applies to other shelter, rent/mortgage and utility categories)
4. **Client Last Name:** legal name of the individual seeking assistance (this only applies to other shelter, rent/mortgage and utility categories)
5. **Client Street Address:** residence of the individual seeking assistance; the individual must be responsible for the service at the address (this only applies to rent/mortgage and utility categories)
6. **Dates of Stay:** for assistance made in the OTHER SHELTER category, indicate the dates the clients stayed in the motel, hotel, etc.
7. **Due Date:** date the client's rent/mortgage and/or utility bills had to be paid (this only applies to rent/mortgage and utility categories)
8. **Delivery Date:** if a non-metered utility bill (propane, firewood, coal, kerosene) is paid, indicate the date of delivery to the client
9. **EFSP Portion of Check Amount:** portion of the purchase paid with EFSP funds; the column must be totaled on each page if multiple pages are required for the category. The total amount must be provided for the category on the last page, if multiple pages are required.
10. **Invoice/Receipt Amount:** total cost of purchase
11. **Invoice/Receipt Date:** date the vendor prints on the invoice or receipt
12. **Invoice/Receipt Number:** preprinted number on the invoice/receipt from vendors; if there is no invoice number, indicate not applicable (N/A) on the spreadsheet
13. **Landlord/Mortgage Company Name:** individual or company that a client is required to pay their rent or mortgage payment to each month
14. **Member Agency Name:** food banks must provide the name of the agency(ies) that received food when using a shared maintenance fee.
15. **Month Covered with Payment:** service period paid for client's rent/mortgage (month paid)

16. **Monthly Rent/Mortgage:** a client's regular/usual rent or mortgage (principal and interest only) (**no deposits, late fees or other fees**)
17. **Page Numbers:** number all pages of the spreadsheets, when multiple pages are required for a category.
18. **Payment/Check Clear Date:** date the payment/check goes through banking system (also known as cancellation date of a check); EFSP generally references the check or the bank statement for this information. If an agency's debit/credit card is used, the date will be the same as the purchase date.
19. **Payment/Check Date:** date the payment/check is issued (date printed on the check, money order, etc.) to pay vendors; if an agency's credit/debit card is used, indicate the date of the purchase (**do not include the card number**).
20. **Payment/Check Number:** preprinted number on check, money order, etc. used to pay vendors for service; if an agency's credit/debit card is used, indicate credit card or debit card in the spreadsheet (**do not include the card number**).
21. **Payroll Registers:** payroll registers from the LRO's system for all employees who worked on the EFSP and the percentage of time charged to EFSP
22. **Phase and LRO Identification (Name and Number):** provide the Phase number and the LRO's name and 9-digit ID number.
23. **Total Check Amount:** cost paid to vendors for services provided for agency or clients
24. **Type of Repair:** for expenditures made in the REHABILITATION category, briefly explain the type of repair.
25. **Type of Service:** for utility payments, indicate if the assistance was for gas, electric, water, propane, kerosene, firewood or coal
26. **Vendor Name:** company or individual that provided services for agency or clients

Below is a sample spreadsheet of the elements that must be included in the spreadsheet provided to the National Board to support ALL expenditures made in the *Served Meals* category (when not using the per meal allowance) with Emergency Food and Shelter Program (EFSP) funds. The spreadsheet must be presented to the National Board in order by payment/check number. The documentation provided to support the expenditures attributable to EFSP should also be in payment/check number order following the schedule, if required to be submitted.

Ensure that your agency's name is included on the page along with your LRO 9-digit ID number and the Phase number.

Phase: 32  
LRO Name: Community Help Center, Everywhere, USA  
LRO ID Number: 1234-00-123

Schedules alone are not sufficient. Documentation must be obtained, maintained, retained and submitted to EFSP (if required) to support all expenditures made with EFSP funds.

**SERVED MEALS EXPENDITURES**

(A spreadsheet is required when not using the per meal allowance. The per meal schedule replaces the spreadsheet.)

Payment/Check Number	Payment/Check Date (MM/DD/YY)	Payment/Check Clear Date (MM/DD/YY)	Invoice/Receipt Date (MM/DD/YY)	Invoice/Receipt Number (If no number, enter NA)	Vendor Name	Invoice/Receipt Amount	Total Check Amount	*EFSP Portion of Check Amount
12381	10/28/2011	10/30/2011	10/12/2011	CH54321-20	Wholesale Warehouse	\$250.00	\$250.00	\$150.00
12386	10/28/2011	11/5/2011	10/13/2011	987675	Supplies and More	\$800.00	\$800.00	\$800.00
12387	10/28/2011	11/5/2011	10/15/2011	LK-555-05	Buy More, Inc.	\$800.00	\$800.00	\$700.00
12391	10/30/2011	11/15/2011	10/20/2011	8887-985	Plates and more	\$1,000.00	\$1,000.00	\$1,000.00
12393	10/30/2011	11/14/2011	10/18/2011	8887-988	Plates and more	\$1,500.00	\$1,500.00	\$1,000.00
12393	10/30/2011	11/14/2011	10/18/2011	8888-231	Plates and more	250.00	\$1,500.00	150.00
<b>Total</b>								<b>\$3,800.00</b>

**IMPORTANT:** Schedules along with documentation, even if documentation is not required to be submitted to the National Board, must be maintained and retained per documentation retention guidelines in the Responsibilities and Requirements Manual. [Schedules must be submitted for all program categories.](#)

**\*The total EFSP amount in the schedule must equal the amount reported in the category on the Final Report.**

Please note that a report or spreadsheet from your agency's financial system is acceptable, provided it contains the required elements shown in this sample. The order of the items in the report or spreadsheet should be the same as noted above as much as possible.

# SAMPLE DAILY PER MEAL LOG

**Local Board ID Number: 9876-54**

**LRO ID Number: 9876-54-325**

## FEEDING WITH CARE 340 Tester Drive Food City, USA

Date (month/day/year)	Number of Meals Served	Per Meal Rate (\$2.00)	TOTAL
9/12/20XX	125	\$2.00	\$250.00
9/13/20XX	100	\$2.00	\$200.00
9/20/20XX	150	\$2.00	\$300.00
9/25/20XX	124	\$2.00	\$248.00
10/1/20XX	100	\$2.00	\$200.00
10/3/20XX	155	\$2.00	\$310.00

**GRAND TOTAL: \$1,508.00**

**Per meal schedule must show a daily count.**

**A blank sample of this form can be found in the EFSP Responsibilities and Requirements Manual and on the EFSP website under FORMS.**

Below is a sample spreadsheet of the elements that must be included in the spreadsheet provided to the National Board to support ALL expenditures made in the **Other Food** category with Emergency Food and Shelter Program (EFSP) funds. The spreadsheet must be presented to the National Board in order by payment/check number. The documentation provided to support the expenditures attributable to EFSP should also be in payment/check number order following the schedule, if required to be submitted.

Ensure that your agency's name is included on the page along with your LRO 9-digit ID number and the Phase number.

Phase: 32  
LRO Name: Community Help Center, Everywhere, USA  
LRO ID Number: 1234-00-123

Schedules alone are not sufficient. Documentation must be obtained, maintained, retained and submitted to EFSP (if required) to support all expenditures made with EFSP funds.

**OTHER FOOD EXPENDITURES**

Payment/Check Number	Payment/Check Date (MM/DD/YY)	Payment/Check Clear Date (MM/DD/YY)	Invoice/Receipt Date (MM/DD/YY)	Invoice/Receipt Number (If no number, enter NA)	Vendor Name	Invoice/Receipt Amount	Total Check Amount	*EFSP Portion of Check Amount
12365	8/28/2011	9/5/2011	8/12/2011	CH54321-05	Wholesale Warehouse	\$250.00	\$250.00	\$150.00
12366	8/28/2011	10/1/2011	8/12/2011	987654	Bulk Food Supplier	\$875.00	\$875.00	\$875.00
12375	8/28/2011	9/15/2011	8/10/2011	546-987	Buy More, Inc.	\$800.00	\$800.00	\$700.00
Credit Card	8/30/2011	8/30/2011	8/30/2011	24357	Community Grocer	100.00	100.00	50.00
<b>Total</b>								<b>\$1,775.00</b>

Food Banks using the shared maintenance fee, should use the sample below.

Member Agency Name	Invoice/Receipt Date (MM/DD/YY)	Invoice/Receipt Number (If no number, enter NA)	Invoice/Receipt Amount	*EFSP Portion of Check Amount
County Food Pantry	8/12/2011	CH54321-05	\$250.00	\$150.00
City Feeding Program	8/12/2011	987654	\$875.00	\$875.00
<b>Total</b>				<b>\$1,025.00</b>

**IMPORTANT:** Schedules along with documentation, even if documentation is not required to be submitted to the National Board, must be maintained and retained per documentation retention guidelines in the Responsibilities and Requirements Manual. Schedules must be submitted for all program categories.

\*The total EFSP amount in the schedule must equal the amount reported in the category on the Final Report.

Please note that a report or spreadsheet from your agency's financial system is acceptable, provided it contains the required elements shown in this sample. The order of the items in the report or spreadsheet should be the same as noted above as much as possible.

Below is a sample spreadsheet of the elements that must be included in the spreadsheet provided to the National Board to support ALL expenditures made in the *Mass Shelter* category (when not using a per diem allowance) with Emergency Food and Shelter Program (EFSP) funds. The spreadsheet must be presented to the National Board in order by payment/check number. The documentation provided to support the expenditures attributable to EFSP should also be in payment/check number order following the schedule, if required to be submitted.

Ensure that your agency's name is included on the page along with your LRO 9-digit ID number and the Phase number.

Phase: 32  
LRO Name: Community Help Center, Everywhere, USA  
LRO ID Number: 1234-00-123

Schedules alone are not sufficient. Documentation must be obtained, maintained, retained and submitted to EFSP (if required) to support all expenditures made with EFSP funds.

**MASS SHELTER EXPENDITURES**

(A spreadsheet is required when not using a per diem allowance. The per diem schedule replaces the spreadsheet.)

Payment/Check Number	Payment/Check Date (MM/DD/YY)	Payment/Check Clear Date (MM/DD/YY)	Invoice/Receipt Date (MM/DD/YY)	Invoice/Receipt Number (If no number, enter NA)	Vendor Name	Invoice/Receipt Amount	Total Check Amount	*EFSP Portion of Check Amount
12395	10/28/2011	11/20/2011	10/20/2011	CH54321-22	Wholesale Warehouse	\$250.00	\$250.00	\$150.00
12396	10/28/2011	11/10/2011	10/25/2011	987678	Supplies and More	\$800.00	\$800.00	\$800.00
12397	10/28/2011	11/10/2011	10/11/2011	LK-555-10	Buy More, Inc.	\$800.00	\$800.00	\$700.00
12398	10/30/2011	11/5/2011	10/19/2011	8887-CHC	Beds and Stuff	\$1,000.00	\$1,000.00	\$1,000.00
12399	10/30/2011	11/5/2011	10/19/2011	8887-CHC	Beds and Stuff	\$1,500.00	\$1,500.00	\$1,000.00
<b>Total</b>								<b>\$3,650.00</b>

**IMPORTANT:** Schedules along with documentation, even if documentation is not required to be submitted to the National Board, must be maintained and retained per documentation retention guidelines in the Responsibilities and Requirements Manual. [Schedules must be submitted for all program categories.](#)

\*The total EFSP amount in the schedule must equal the amount reported in the category on the Final Report.

Please note that a report or spreadsheet from your agency's financial system is acceptable, provided it contains the required elements shown in this sample. The order of the items in the report or spreadsheet should be the same as noted above as much as possible.

# SAMPLE DAILY PER DIEM LOG

**Local Board ID Number: 9876-54**

**LRO ID Number: 9876-54-321**

**ABC SHELTER HOME  
333 Tester Drive  
Food City, USA**

<b>Date (month/day/year)</b>	<b>Number of Clients</b>	<b>Per Diem Rate (exactly \$7.50 or \$12.50 as approved by Local Board)</b>	<b>TOTAL</b>
9/12/20XX	25	\$12.50	\$312.50
9/13/20XX	50	\$12.50	\$625.00
9/20/20XX	30	\$12.50	\$375.00
9/25/20XX	25	\$12.50	\$312.50
10/1/20XX	22	\$12.50	\$275.00
10/3/20XX	30	\$12.50	\$375.00

**GRAND TOTAL: \$2,275.00**

**Per diem schedule must show a daily count.**

**A blank sample of this form can be found in the EFSP Responsibilities and Requirements Manual and on the EFSP website under FORMS.**

Below is a sample spreadsheet of the elements that must be included in the spreadsheet provided to the National Board to support ALL expenditures made in the *Other Shelter* category with Emergency Food and Shelter Program (EFSP) funds. *The spreadsheet must be presented to the National Board in alphabetic order by the clients' last names. The documentation provided to support the expenditures attributable to EFSP should also be in order by clients' last names following the schedule, if required to be submitted.*

Ensure that your agency's name is included on the page along with your LRO 9-digit ID number and the Phase number.

Phase: 32  
LRO Name: Community Help Center, Everywhere, USA  
LRO ID Number: 1234-00-123

Schedules alone are not sufficient. Documentation must be obtained, maintained, retained and submitted to EFSP (if required) to support all expenditures made with EFSP funds.

**OTHER SHELTER EXPENDITURES**

Client Last Name	Client First Name	Dates of Stay	Vendor Name	Invoice Date (MM/DD/YY)	Invoice Amount	Invoice Number (If no invoice number, enter NA)	Payment/Check Number	Payment/Check Date (MM/DD/YY)	Payment/Check Clear Date (MM/DD/YY)	Total Check Amount	*EFSP Portion of Check Amount
Adams	Tester L.	7/21/2012-7/30/2012	City Place Motel	8/10/2012	\$250.00	98745	12468	8/28/2012	9/10/2012	\$250.00	\$250.00
Barr	Sample	7/21/2012-7/31/2012	City Place Motel	8/11/2012	\$300.00	98746	12469	8/28/2012	9/15/2012	\$300.00	\$300.00
Hughes	Sampler	7/10/2012-7/12/2012	City Place Motel	7/31/2012	\$125.00	98747	12475	8/28/2012	9/15/2012	\$125.00	\$125.00
Smith	Tester	7/11/2012-7/12/2012	Town Inn	8/1/2012	\$75.00	654	12478	8/30/2012	9/30/2012	\$75.00	\$75.00
Walker	Test	7/28/2012-7/30/2012	Family Inn	8/15/2012	\$165.00	521-01	12480	8/30/2012	9/6/2012	\$165.00	\$100.00
<b>Total</b>										<b>\$850.00</b>	

**IMPORTANT:** Schedules along with documentation, even if documentation is not required to be submitted to the National Board, must be maintained and retained per documentation retention guidelines in the Responsibilities and Requirements Manual. [Schedules must be submitted for all program categories.](#)

**\*The total EFSP amount in the schedule must equal the amount reported in the category on the Final Report.**

Please note that a report or spreadsheet from your agency's financial system is acceptable, provided it contains the required elements shown in this sample. The order of the items in the report or spreadsheet should be the same as noted above as much as possible. *If the client's name cannot be provided because of confidentiality, please provide the supporting statute and provide the unique identifier on the spreadsheet for each client.*

Below is a sample spreadsheet of the elements that must be included in the spreadsheet provided to the National Board to support ALL expenditures made in the **Supplies and Equipment** category with Emergency Food and Shelter Program (EFSP) funds. The spreadsheet must be presented to the National Board in **order by payment/check number**. *The documentation provided to support the expenditures attributable to EFSP should also be in payment/check number order following the schedule, if required to be submitted.*

Ensure that your agency's name is included on the page along with your LRO 9-digit ID number and the Phase number.

Phase: 32  
LRO Name: Community Help Center, Everywhere, USA  
LRO ID Number: 1234-00-123

Schedules alone are not sufficient. Documentation must be obtained, maintained, retained and submitted to EFSP (if required) to support all expenditures made with EFSP funds.

**SUPPLIES AND EQUIPMENT EXPENDITURES**

Payment/Check Number	Payment/Check Date (MM/DD/YY)	Payment/Check Clear Date (MM/DD/YY)	Invoice/Receipt Date (MM/DD/YY)	Invoice/Receipt Number (If no number, enter NA)	Vendor Name	Invoice/Receipt Amount	Total Check Amount	*EFSP Portion of Check Amount
12383	9/28/2011	10/3/2011	9/13/2011	CH54321-10	Wholesale Warehouse	\$250.00	\$250.00	\$150.00
12385	9/28/2011	10/15/2011	9/5/2011	987658	Bulk Food Supplier	\$800.00	\$800.00	\$800.00
12388	9/28/2011	10/14/2011	9/20/2011	546-658	Buy More, Inc.	\$800.00	\$800.00	\$700.00
12389	9/30/2011	10/3/2011	9/5/2011	6698888	Food and More	\$1,000.00	\$1,000.00	\$1,000.00
12390	9/30/2011	10/3/2011	9/5/2011	6698889	Food and More	\$1,500.00	\$1,500.00	\$1,000.00
<b>Total</b>								<b>\$3,650.00</b>

**IMPORTANT:** Schedules along with documentation, even if documentation is not required to be submitted to the National Board, must be maintained and retained per documentation retention guidelines in the Responsibilities and Requirements Manual. Schedules must be submitted for all program categories.

\*The total EFSP amount in the schedule must equal the amount reported in the category on the Final Report.

Please note that a report or spreadsheet from your agency's financial system is acceptable, provided it contains the required elements shown in this sample. The order of the items in the report or spreadsheet should be the same as noted above as much as possible.

Below is a sample spreadsheet of the elements that must be included in the spreadsheet provided to the National Board to support ALL expenditures made in the Rehabilitation (Emergency Repairs/Building Code) category with Emergency Food and Shelter Program (EFSP) funds. The spreadsheet must be presented to the National Board in order by payment/check number. The documentation provided to support the expenditures attributable to EFSP should also be in payment/check number order following the schedule, if required to be submitted.

Ensure that your agency's name is included on the page along with your LRO 9-digit ID number and the Phase number.

Phase: 32  
LRO Name: Community Help Center, Everywhere, USA  
LRO ID Number: 1234-00-123

Schedules alone are not sufficient. Documentation must be obtained, maintained, retained and submitted to EFSP (if required) to support all expenditures made with EFSP funds.

**REHABILITATION (EMERGENCY REPAIRS/BUILDING CODE) EXPENDITURES**

Payment/Check Number	Payment/Check Date (MM/DD/YY)	Payment/Check Clear Date (MM/DD/YY)	Building Code Citation Date (MM/DD/YY)	Invoice/Receipt Date (MM/DD/YY)	Invoice/Receipt Number (If no number, enter NA)	Type of Repair	Vendor Name	Invoice/Receipt Amount	Total Check Amount	*EFSP Portion of Check Amount
12405	10/28/2012	11/3/2012	9/20/2012	10/15/2012	INV0587	Add Wheelchair Ramp to front entrance	ABC Construction Company	\$1,250.00	\$1,250.00	\$1,250.00
12407	10/28/2012	11/4/2012	9/20/2012	10/11/2012	987678	Make Bathroom Accessible	Handyman & More	\$500.00	\$500.00	\$500.00
									<b>Total</b>	<b>\$1,750.00</b>

Expenditures in this category require both Local Board and National Board written approval. For building code items, a copy of the building code citation is required. All of these items must be obtained and retained per documentation retention requirements in the EFSP Responsibilities and Requirements Manual. If documentation is required to be reviewed by EFSP or other appropriate entities, these documents must be provided in the documentation for review to support the expenditures reported on the Final Report.

**IMPORTANT:** Schedules along with documentation, even if documentation is not required to be submitted to the National Board, must be maintained and retained per documentation retention guidelines in the Responsibilities and Requirements Manual. Schedules must be submitted for all program categories.

\*The total EFSP amount in the schedule must equal the amount reported in the category on the Final Report.

Please note that a report or spreadsheet from your agency's financial system is acceptable, provided it contains the required elements shown in this sample. The order of the items in the report or spreadsheet should be the same as noted above as much as possible.

Below is a sample spreadsheet of the elements that must be included in the spreadsheet provided to the National Board to support ALL expenditures made in the **Rent/Mortgage** category with Emergency Food and Shelter Program (EFSP) funds. **The spreadsheet must be presented to the National Board in alphabetic order by the clients' last names.** The documentation provided to support the expenditures attributable to EFSP should also be in order by clients' last names following the schedule, if required to be submitted.

Ensure that your agency's name is included on the page along with your LRO 9-digit ID number and the Phase number.

Phase: 32  
LRO Name: Community Help Center, Everywhere, USA  
LRO ID Number: 1234-00-123

Schedules alone are not sufficient. Documentation must be obtained, maintained, retained and submitted to EFSP (if required) to support all expenditures made with EFSP funds.

**RENT/MORTGAGE EXPENDITURES**

Client Last Name (In Alpha- betic Or- der)	Client First Name	Client Street Address (No PO Box)	Landlord/ Mortgage Company Name	Monthly Rent/ Mortgage	Due Date (MM/DD/YY)	Month cov- ered w/payment (MM/YYYY)	Payment/ Check Number	Payment/ Check Date (MM/DD/YY)	Payment/ Check Clear Date (MM/DD/YY)	Total Check Amount	*EFSP Portion of Check Amount
Adams	Tester L.	123 A Street Alex, VA	Housing Authority	\$500.00	5/1/2011	5/2011	12354	7/15/2011	9/20/2011	\$250.00	\$250.00
Barr	Sample	456 B Street Alex, VA	Caring Group of Alexandria	\$875.00	6/1/2011	6/2011	12356	8/28/2011	9/21/2011	\$875.00	\$875.00
Hughes	Sampler	231 What Ave Alex, VA	S.R. Rental Com- pany	\$955.00	7/1/2011	7/2011	12357	8/28/2011	9/30/2011	\$955.00	\$905.00
Smith	Tester	124 Play Place Happy, VA	S. R. Rental Com- pany	\$975.00	8/1/2011	8/2011	12359	8/30/2011	9/5/2011	\$975.00	\$975.00
Walker	Test	543 Jump St. Happy, VA	S. K. Helper	\$1,125.00	7/1/2011	7/2011	12360	8/30/2011	9/6/2011	\$1,125.00	\$1,125.00
<b>Total</b>										<b>\$4,130.00</b>	

**IMPORTANT:** Schedules along with documentation, even if documentation is not required to be submitted to the National Board, must be maintained and retained per documentation retention guidelines in the Responsibilities and Requirements Manual. [Schedules must be submitted for all program categories.](#)

\*The total EFSP amount in the schedule must equal the amount reported in the category on the Final Report.

Please note that a report or spreadsheet from your agency's financial system is acceptable, provided it contains the required elements shown in this sample. The order of the items in the report or spreadsheet should be the same as noted above as much as possible.

Below is a sample spreadsheet of the elements that must be included in the spreadsheet provided to the National Board to support ALL expenditures made in the Utilities category with Emergency Food and Shelter Program (EFSP) funds. The spreadsheet must be presented to the National Board in alphabetic order by the clients' last names. The documentation provided to support the expenditures attributable to EFSP should also be in order by clients' last names following the schedule, if required to be submitted.

Ensure that your agency's name is included on the page along with your LRO 9-digit ID number and the Phase number.

Phase: 32  
LRO Name: Community Help Center, Everywhere, USA  
LRO ID Number: 1234-00-123

Schedules alone are not sufficient. Documentation must be obtained, maintained, retained and submitted to EFSP (if required) to support all expenditures made with EFSP funds.

**UTILITY EXPENDITURES**

Client Last Name (In Alphabetic Order)	Client First Name	Client Street Address (No PO Box)	Vendor Name	TYPE of Service	Due Date/Delivery Date* (MM/DD/YY)	Billing period covered w/payment	Payment/Check Number	Payment/Check Date (MM/DD/YY)	Payment/Check Clear Date (MM/DD/YY)	Total Check Amount	*EFSP Portion of Check Amount
Adams	Tester L.	123 A Street Alex, VA	ABC Utility Service	Gas	5/12/2011	3/10/2011-4/11/2011	12346	6/12/2011	6/20/2011	\$150.00	\$150.00
Barr	Sample	456 B Street Alex, VA	ABC Utility Service	Gas	6/12/2011	N/A	12349	07/20/2011	7/30/2011	\$75.00	\$75.00
Hughes	Sampler	231 What Ave Alex, VA	Town Water Company	Water	7/20/2011	6/2/2011-7/3/2011	12350	8/28/2011	9/25/2011	\$55.00	\$35.00
Smith	Tester	124 Play Ct. Happy, VA	Town Utility Coop	Electric	1/15/2012	11/5/2011-12/7/2011	12347	1/22/2012	2/28/2012	\$75.00	\$75.00
Walker	Test	543 Jump St. Happy, VA	Shell Propane Company	Propane	1/15/2012	N/A	12348	1/25/2012	2/22/2012	\$125.00	\$105.00
<b>Total</b>										<b>\$440.00</b>	

\*For NON-METERED UTILITIES (propane, firewood, coal, kerosene), provide the date of delivery to client. If paying from disconnect/shutoff notice, enter the date from the notice.

Reminder - If an LRO pays \$100 or less for a client from a past due balance of disconnect/cutoff/shutoff notice from the utility company, the "billing period covered" information is not required on the spreadsheet. Enter "N/A" in the column labeled "billing period covered".

**IMPORTANT:** Schedules along with documentation, even if documentation is not required to be submitted to the National Board, must be maintained and retained per documentation retention guidelines in the Responsibilities and Requirements Manual. [Schedules must be submitted for all program categories.](#)

\*The total EFSP amount in the schedule must equal the amount reported in the category on the Final Report.

Please note that a report or spreadsheet from your agency's financial system is acceptable, provided it contains the required elements shown in this sample. The order of the items in the report or spreadsheet should be the same as noted above as much as possible.

Below is a sample spreadsheet of the elements that must be included in the spreadsheet provided to the National Board to support ALL expenditures made in the Administration category with Emergency Food and Shelter Program (EFSP) funds. The spreadsheet must be presented to the National Board in order by payment/check number. The documentation provided to support the expenditures attributable to EFSP should also be in payment/check number order following the schedule, if required to be submitted.

Ensure that your agency's name is included on the page along with your LRO 9-digit ID number and the Phase number.

Phase: 32  
LRO Name: Community Help Center, Everywhere, USA  
LRO ID Number: 1234-00-123

Schedules alone are not sufficient. Documentation must be obtained, maintained, retained and submitted to EFSP (if required) to support all expenditures made with EFSP funds.

**ADMINISTRATION EXPENDITURES**

Payment/Check Number	Payment/Check Date (MM/DD/YY)	Payment/Check Clear Date (MM/DD/YY)	Invoice/Receipt Date (MM/DD/YY)	Invoice/Receipt Number (If no number, enter NA)	Vendor Name	Invoice/Receipt Amount	Check Amount	*EFSP Portion of Check Amount
12404	10/28/2012	11/10/2012	10/15/2012	87521479	Office Stuff	\$50.00	\$50.00	\$50.00
12408	10/28/2012	11/12/2012	10/13/2012	CP-9865	Copier Plus	\$175.00	\$175.00	\$50.00
<b>Total</b>								<b>\$100.00</b>

Documentation for administrative costs must be maintained and retained per documentation retention requirements in the EFSP Responsibilities and Requirements Manual. This documentation may be requested at any time. It is reviewed in onsite reviews and is currently required to be submitted for the Improper Payments Elimination and Recovery Improvement Act (IPERIA) assessment.

**IMPORTANT:** Schedules along with documentation, even if documentation is not required to be submitted to the National Board, must be maintained and retained per documentation retention guidelines in the Responsibilities and Requirements Manual. Schedules must be submitted for all program categories with the Final Report.

\*The total EFSP amount in the schedule must equal the amount reported in the category on Final Report.

Please note that a report or spreadsheet from your agency's financial system is acceptable, provided it contains the required elements shown in this sample. The order of the items in the report or spreadsheet should be the same as noted above as much as possible.

Note: Submit the following in a separate schedule if payroll information (from LRO's system) is provided to support EFSP expenditures.

Payroll registers for all employees who worked on the EFSP and the percentage of time charged to EFSP				
Employee Name	Payroll Date	Percentage	Payroll Amount	EFSP Portion of Payroll Amount
Smith, Tester	9/30/2012	25%	\$1,250.50	\$312.63
Smith, Tester	10/15/2012	25%	\$1,250.50	\$312.63
Smith, Tester	10/31/2012	25%	\$1,250.50	\$312.63
<b>Total</b>				<b>\$937.89</b>

# SAMPLE MILEAGE LOG

**Local Board ID Number: 9876-54**

**LRO ID Number: 9876-54-123**

**ABC Food Pantry  
321 Tester Drive  
Food City, USA**

<b>Date (month/day/year)</b>	<b>Departure, destination, purpose of trip (each roundtrip)</b>	<b>Number of Miles</b>	<b>Mileage Rate (per mile)</b>	<b>TOTAL</b>
<b>9/12/20XX</b>	<b>From food pantry to food bank to get food</b>	<b>250</b>	<b>\$.54/mile</b>	<b>\$135.00</b>
<b>9/13/20XX</b>	<b>From food bank to food pantry (return trip)</b>	<b>250</b>	<b>\$.54/mile</b>	<b>\$135.00</b>
<b>9/20/20XX</b>	<b>From food pantry to Farmers Market to get vegetables</b>	<b>50</b>	<b>\$.54/mile</b>	<b>\$27.00</b>
<b>9/25/20XX</b>	<b>From food pantry to grocery store for meats</b>	<b>10</b>	<b>\$.54/mile</b>	<b>\$5.40</b>
<b>10/1/20XX</b>	<b>From food pantry to Farmers Market to get vegetables</b>	<b>50</b>	<b>\$.54/mile</b>	<b>\$27.00</b>
<b>10/3/20XX</b>	<b>From food pantry to grocery store for meats</b>	<b>10</b>	<b>\$.54/mile</b>	<b>\$5.40</b>

**GRAND TOTAL: \$334.80**

**Reference the EFSP Responsibilities and Requirements Manual/Addendum to the Manual for the approved mileage rate.**

**A blank sample of this form can be found in the EFSP Responsibilities and Requirements Manual and on the EFSP website under FORMS.**

**PHASE 33 LOCAL BOARD PLAN CERTIFICATION**

*By signing the Local Board Certification Form, our Local Board certifies we have thoroughly read and understand the Phase 33 Responsibilities and Requirements Manual (Manual) and agree to administer the Emergency Food and Shelter Program (EFSP) as required. Additionally, we certify that the local private non-profit or governmental agencies selected as LROs reflected on the Local Board Plan have read and understand the Phase 33 Responsibilities and Requirements Manual, including the Grant Agreement Articles, Financial Terms and Conditions, and Other Terms and Conditions as well as the Eligible and Ineligible Costs and Documentation sections and agree to comply with all program requirements. The agencies understand that all parties will be held accountable for complying with the provisions of the grant as well as full compliance with applicable requirements of all other Federal laws, Executive Orders, regulations, and policies governing this program including those not specifically stated in the Manual. They have certified this by completing and signing the Phase 33 Local Recipient Organization (LRO) Certification Form and/or the Fiscal Agent/Fiscal Conduit Agency Certification, as necessary. This form has been forwarded by the Local Board with the Local Board Certification Form as part of the Local Board Plan. The Local Board and each LRO have retained a copy for their records.*

The Local Board has selected agencies that meet the EFSP requirements, including but not limited to:

- Has the capability to provide emergency food and/or shelter services.
- Proposes to use funds to supplement or expand existing programs and services.
- Is nonprofit or an agency of government.
- Has an accounting system, and will pay all vendors by an approved method of payment.
- Understands that **cash payments** (including petty cash) are **not eligible** under EFSP.
- Conducts an independent annual review if receiving \$50,000-\$99,999/an independent annual audit if receiving \$100,000 or more in EFSP funds, and follows OMB’s Uniformed Guidance if receiving \$750,000 or more in Federal funding.
- Is not debarred or suspended from receiving Federal funds.
- **Has not received an adverse or no opinion audit.**
- Practices nondiscrimination (those agencies with a religious affiliation must agree not to refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling with Federal funds).
- Does not charge any client a fee for services funded by EFSP.
- Has a private, not-for-profit voluntary board.
- Will provide all required reports and documentation, as requested, to the Local Board in a timely manner.
- Will expend monies only on EFSP eligible costs.
- Will spend all funds and close out the program by the jurisdiction’s selected end-of-program deadline.
- Will not use EFSP funding for any lobbying activities and if receiving \$100,000 or more, will provide the “Certification Regarding Lobbying” and, if applicable, will complete Standard Form LLL, “Disclosure Form to Report Lobbying”, in accordance with its instructions.
- Will not and will ensure its employees, volunteers or other individuals associated with the program will not engage in any trafficking of persons during the period this award is in effect.
- Will not and will ensure its employees, volunteers or other individuals associated with the program will not use EFSP funds to support access to classified national security information.
- Has no known EFSP compliance exceptions in this or any other jurisdiction.

*This also certifies that the Local Board agrees to or has complied with the following roles and responsibilities:*

1. Invited National Board agencies and/or their local affiliates to participate on the Local Board. **Has included a homeless or formerly homeless person as a member of the Local Board.** Has included a Native American to participate on the Local Board where a federally recognized reservation lies in or encompasses the jurisdiction. Has considered adding additional board members to broaden community representation including special emphasis groups (e.g., elderly, families with children, Native Americans, veterans, and mentally and physically disabled).

2. Has elected a chair.
3. Has advertised locally via print media, the availability of funds, including the acknowledgement of the Federal funding source and has waited 5 business days before allocating funds.
4. Has promoted the program to all agencies with the capacity to provide emergency food and/or shelter assistance, including those on Native American reservations, not just those represented on the Local Board.
5. Has held meetings to decide which local private or public agencies should receive grants and determined the amount of grant funds to each, will monitor expenditures of funds and eligible cost compliance at the local level, and will ensure all funds are properly spent before the jurisdiction’s end-of-program date.
6. Has established a written appeals process for participation or funding by funded or non-funded agencies.
7. Has submitted the Local Board Certification with the Local Board Plan, Board Roster, LRO Certification forms and Certification Regarding Lobbying forms (as needed) to the National Board by the specified deadline.
8. Has ensured that each LRO is not debarred or suspended from receiving Federal funds.
9. Will provide technical assistance on EFSP guidelines and requirements to LROs.
10. Will coordinate with state agencies that administer food, utility, and other Federal assistance programs.
11. Will reallocate funds within a jurisdiction or LRO, as necessary, (e.g., from food to shelter). If funds are transferred from one LRO to another, will notify the National Board and affected LROs in writing as promptly as possible or before the specified deadline.
12. **Understands that if deadline dates given by the National Board to Local Boards and LROs for the submission of second payments, EFT forms and reallocations and resolution of compliance problems are not met, that the remaining unpaid funds for the jurisdiction will be forfeited and reclaimed by the National Board.**
13. **Will submit Final Reports to the National Board on expenditures and LROs’ programs after jurisdiction’s selected end-of-program date as required.**
14. Will ensure that any funds unspent (\$5.00 or more) at end-of-program are promptly returned to the National Board.
15. Will obtain and review for accuracy all Final Reports for LROs and documentation for specified LROs and will forward to the National Board. Will require fund reimbursements from LROs in the event of expenditures violating the eligible costs under this award.
16. **Will remain in operation until all program and compliance requirements of the National Board have been satisfied.**
17. Will retain all records related to the program for three years from the end-of-program date; more than three years, if necessary, until compliance issues are resolved.

**Note: If your Local Board has additional requirements beyond the National Board’s, please indicate by checking the box next to this statement and submitting the written mandates to the National Board with this form.**

**Please do not alter this form; any questions regarding the form should be directed to EFSP staff.**

*This form with the required signature page can be found on the EFSP website, [www.efsp.unitedway.org](http://www.efsp.unitedway.org).*

## PHASE 33 LOCAL RECIPIENT ORGANIZATION CERTIFICATION

*By signing this Local Recipient Organization (LRO) Certification Form, our agency certifies we have read and understand the Emergency Food and Shelter Program (EFSP) Phase 33 Responsibilities and Requirements Manual, including the Grant Agreement Articles, Financial Terms and Conditions, and Other Terms and Conditions as well as the Eligible and Ineligible Costs and Documentation sections and agree to comply with all program requirements. All appropriate staff and volunteers have been informed of EFSP requirements. The Local Board has been provided and we have retained a copy of this form for our records.*

- Has the capability to provide emergency food and/or shelter services
- Will use funds to supplement/extend existing resources and not to substitute or reimburse ongoing programs and services,
- Is nonprofit or an agency of government,
- Will not use EFSP funds as a cost-match for other Federal funds or programs,
- Has an accounting system, and will pay all vendors by an approved method of payment,
- Understands that cash payments (including petty cash) are not eligible under EFSP.
- Conducts an independent annual review if receiving \$50,000-\$99,999/an independent annual audit if receiving \$100,000 or more in EFSP funds, and follows OMB's Uniformed Guidance if receiving \$750,000 or more in Federal funding.
- **Has not received an adverse or no opinion audit,**
- Is not debarred or suspended from receiving Federal funds,
- Has provided a Federal Employer Identification Number (FEIN) to EFSP,
- Has provided a Data Universal Number System (DUNS) number issued by Dun & Bradstreet (D&B) and required associated information to EFSP,
- Practices non-discrimination (agencies with a religious affiliation, will not refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling in any program receiving Federal funds),
- Will not charge a fee to clients for EFSP funded services,
- Has a voluntary board if private, not-for-profit,
- Will provide all required reports to the Local Board in a timely manner; (i.e., Second Payment/Interim Request and Final Reports),
- Will expend monies only on eligible costs and keep complete documentation (copies of canceled LRO checks -- front and back, other proof of payment, invoices, receipts, etc.) on all expenditures for a minimum of three years after end-of-program date, and for compliance issues until resolved.
- Will spend all funds and close-out the program by my jurisdiction's selected end-of-program date and return any unused funds (\$5.00 or more) to the National Board,
- Will provide complete, accurate documentation of expenses to the Local Board, if requested, following my jurisdiction's selected end-of-program date,
- Will not use EFSP funding for any lobbying activities and if receiving \$100,000 or more, will provide the "Certification Regarding Lobbying" and, if applicable, will complete Standard Form LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- Will not and will ensure its employees, volunteers or other individuals associated with the program will not engage in any trafficking of persons during the period this award is in effect,
- Will not and will ensure its employees, volunteers or other individuals associated with the program will not use EFSP funds to support access to classified national security information,
- Has no known EFSP compliance exceptions in this or any other jurisdiction.

**Note: If your Local Board has additional requirements beyond the National Board's, please indicate by checking the box next to this statement and submitting the written mandates to the National Board with this form.**

Please do not alter this form; any questions regarding the form should be directed to EFSP staff.

*This form with the required signature block can be found on the website; [www.efsp.unitedway.org](http://www.efsp.unitedway.org), after reading it, please print, sign, retain a copy and forward to your Local Board.*

## PHASE 33 FISCAL AGENT/FISCAL CONDUIT AGENCY RELATIONSHIP CERTIFICATION

*This certification must be signed by each agency receiving funds through a Fiscal Agent/Fiscal Conduit Agency at the beginning of the funding cycle.*

*By signing this Fiscal Agent/Fiscal Conduit Agency Relationship Certification Form, our agency certifies we have read and understand the Emergency Food and Shelter Program (EFSP) Phase 33 Responsibilities and Requirements Manual, including the Grant Agreement Articles, Financial Terms and Conditions, and Other Terms and Conditions as well as the Eligible and Ineligible Costs and Documentation sections and agree to comply with all program requirements. All appropriate staff and volunteers have been informed of EFSP requirements. The Local Board, Fiscal Agent/Fiscal Conduit and the agency(ies) benefitting through the relationship have retained a copy of this form for their records.*

As a **recipient agency** (through the Fiscal Agent/Fiscal Conduit noted below) of Emergency Food and Shelter National Board Program (EFSP) funds made available for Phase 33 and as the duly authorized representative of

\_\_\_\_\_  
(NAME OF AGENCY)

I certify that my public or private agency:

- Has a Fiscal Agent/Fiscal Conduit approved by the Local Board:

\_\_\_\_\_  
(Name of Fiscal Agent/Fiscal Conduit)

- Is not debarred or suspended from receiving Federal funds,
- Has the capability to provide emergency food and/or shelter services,
- Will use funds to supplement and extend existing resources and not to substitute or reimburse ongoing programs and services,
- Is nonprofit or an agency of government,
- Will not use EFSP funds as a cost match for other Federal funds or programs,
- Practices non-discrimination (agencies with a religious affiliation, will not refuse service to an applicant based on religion, nor engage in religious proselytizing or religious counseling in any program receiving Federal funds),
- Has provided a Federal Employer Identification Number (FEIN) to EFSP,
- Has provided a Data Universal Number System (DUNS) number issued by Dun & Bradstreet (D&B) and required associated information to EFSP,
- Will not charge a fee to clients for EFSP funded services,
- Has a voluntary board if private, not-for-profit,
- **Understands that cash payments (including petty cash) are not eligible under EFSP.**
- Will provide all required information to the Fiscal Agent/Fiscal Conduit,
- Will expend monies only on eligible costs and keep complete, accurate documentation (copies of canceled LRO checks -- front and back, other proof of payment, invoices, receipts, etc.) on all expenditures for a minimum of three years after end-of-program date, and for compliance issues until resolved.
- Will provide complete, accurate documentation to the Fiscal Agent/Fiscal Conduit Agency for payment to the vendor.
- Will not use EFSP funding for any lobbying activities and if receiving \$100,000 or more, will provide the "Certification Regarding Lobbying" and, if applicable, will complete Standard Form LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- Has certified that our employees, volunteers, or other individuals associated with the program understand they will not engage in any trafficking of persons during the period this award is in effect.
- Has certified that our employees, volunteers, or other individuals associated with the program understands they will not use EFSP funds to support access to classified national security information during the period this award is in effect.
- Has no known EFSP compliance exceptions in this or any other jurisdiction.
- Will spend all funds and close-out the program by the jurisdiction's selected end-of-program date, and return any unused funds (\$5.00 or more) to the National Board;

**Note: If your Local Board has additional requirements beyond the National Board's, please indicate by checking the box next to this statement and submitting the written mandates to the National Board with this form.**

**Please do not alter this form; any questions regarding the form should be directed to EFSP staff.**

*This form with the required signature block can be found on the website; [www.efsp.unitedway.org](http://www.efsp.unitedway.org), after reading it, please print, sign, retain a copy and forward to your Fiscal Agent/Fiscal Conduit Agency.*

# CERTIFICATION REGARDING LOBBYING

## Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid by or on the behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, contribution, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 U.S.C. §1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**Please do not alter this form; any questions regarding the form should be directed to EFSP staff.**

\_\_\_\_\_  
**LRO Name**

\_\_\_\_\_  
**LRO ID Number (9 digits)**

\_\_\_\_\_  
**Representative Name**

\_\_\_\_\_  
**Representative Signature**

\_\_\_\_\_  
**Date (month/day/year)**

**NOTE:** Standard Form LLL and instructions are available at [www.grants.gov](http://www.grants.gov).

## SAMPLE FORMS, LETTERS AND GUIDANCE

The following sample forms and letters are included for your convenience. The samples are all approved documentation which may be duplicated on your agency's letterhead. The use of these forms is strongly recommended, but not mandated. If these forms are used, each form must be completed in its entirety in order to be acceptable. Whatever documentation is used **must** contain all appropriate elements of EFSP requirements.

As further proof of amount owed, the LRO should obtain from the vendor, the billing and payment history of the client. This will help verify which month's bill has not been paid and is still part of the total amount owed. Any payments made to landlords, mortgage holders or utility companies must guarantee an additional 30 days of service/residence. Direct any questions regarding the forms to the National Board staff.

### METERED UTILITY VERIFICATION FORM

Please complete this form in its entirety, as all information is required, for each utility payment made with Emergency Food and Shelter Program funds. Metered utility assistance includes gas, electric and water for individuals or households. (The individual utility bill which shows the one month past due amount must be attached along with a copy of the proof of payment to this form to verify eligibility of expenditures.) Failure to provide complete, required information will result in a compliance exception.

The attached utility bill or client's billing and payment history from the vendor charged to the Emergency Food and Shelter Program supports the information provided below:

**Client Information (required):**

Name: \_\_\_\_\_

Customer Account Number: \_\_\_\_\_

Complete Address: \_\_\_\_\_

Street/City/State/Zip

Complete Service Address: \_\_\_\_\_

Street/City/State/Zip



**Utility Payment Type (Circle One):**      Electric      Gas      Water

The attached bill covers \_\_\_\_\_ to \_\_\_\_\_ and is a one month billing period.

The attached bill is/was due on \_\_\_\_\_ (month/day/year).

The one month amount charges being paid from this bill are for (check one):

current month's utilities     past due utilities.

The amount being paid of \$ \_\_\_\_\_ is for the month of \_\_\_\_\_ (month/year), which was due on \_\_\_\_\_ (month/day/year) and does not exceed one month's billing.

The payment being made by this agency is still entirely past due and is part of the total amount owed at the time this agency is providing payment.

EFSP guidelines allow for the payment of utility assistance up to 10 calendar days before it is due. No deposits, late fees or other service fees are eligible.



Agency/LRO Use:  
*Because this information was not clearly stated on the attached bill, the information has been verified with the utility company and noted by service dates and one month amounts on the attached bill/history.*  
The following information must be completed:  
Verified on (month/day/year): \_\_\_\_\_  
Verified with (name of utility company) \_\_\_\_\_  
Verified with (name of utility company staff) \_\_\_\_\_  
Name of LRO staff conducting verification: \_\_\_\_\_  
Signature of LRO staff conducting verification: \_\_\_\_\_

**SAMPLE RENT/MORTGAGE DOCUMENTATION**  
(Copy onto agency letterhead or insert LRO name and address here)

This form must be completed in its entirety by the Local Recipient Organization (LRO) providing service, as all information is required, for each rent/mortgage payment made with Emergency Food and Shelter Program funds. Failure to provide complete, required information will result in a compliance exception.

**Client Information:** Date (month/day/year): \_\_\_\_\_

Client Name: \_\_\_\_\_

Client Address: \_\_\_\_\_

(complete street address)

\_\_\_\_\_  
(city/state/zip)

\*\*\*\*\*

**Type of Assistance:** Rent (check one) Mortgage (check one)  
 Past due rent  Past due mortgage  
 Current month's rent  Current month's mortgage  
 First month's rent (effective/move in date \_\_\_\_\_) (month/day/year)

The monthly rent/mortgage payment is \$ \_\_\_\_\_

The total owed (including the amount above) is \$ \_\_\_\_\_

The one month amount being paid by this agency is \$ \_\_\_\_\_

The amount being paid is for the month of (month/year) \_\_\_\_\_

The one month amount being paid is/was due on (month/day/year) \_\_\_\_\_

The one month amount being paid is past due in its entirety at time of payment (check one): Yes No

EFSP guidelines allow for the payment of mortgage principal and interest only. Current rent/mortgage payments may be made up to 10 calendar days before the due date. First month's rent may be paid up to 30 days prior to move-in date. No deposits, escrow fees, late fees, etc. are eligible when providing assistance to individuals/households. First month's mortgages are not allowed.

\*\*\*\*\*

**LRO Verification (To be completed by the LRO staff):**

LRO Staff Name: \_\_\_\_\_

LRO Staff Signature: \_\_\_\_\_

Date (month/day/year): \_\_\_\_\_

**Landlord/Mortgage Holder Verification (To be completed by the landlord/mortgage holder):**

This is to confirm that rent/mortgage for \_\_\_\_\_ for the property  
(name of individual or family)

at \_\_\_\_\_ with  
(complete address, street number and name, city, state, zip code)

a monthly rent amount of \$ \_\_\_\_\_ (rent only: includes no deposits, late fees, or other charges) or with a mortgage with a monthly payment of \$ \_\_\_\_\_ (principal and interest only; no escrow payments or other fees) is/was due on \_\_\_\_\_ (month/day/year). The total amount currently owed is \$ \_\_\_\_\_. The individual/

family now has rent/mortgage due/past due for the month(s) of \_\_\_\_\_ (month/year).

Landlord/Mortgage Holder Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ (street/city/state)  
Landlord /Mortgage Holder Signature: \_\_\_\_\_ Date (mo/day/yr): \_\_\_\_\_

**Important:** Payment will guarantee residency for an additional 30 days!

**SAMPLE FOOD VOUCHER**

**LRO's Name and Address**

\_\_\_\_\_, \_\_\_\_\_, please allow  
(Store Name) (Address)

\_\_\_\_\_ to purchase up to \$\_\_\_\_\_ of food items only.  
(Client's/Purchaser's Name) (Dollar Amount)

The \_\_\_\_\_ will reimburse you upon receipt of a voucher signed by  
(LRO's name)

client/purchaser and store representative with an itemized register tape attached.

**No alcohol. No lottery tickets. No cigarettes.**  
**No non-food items (except diapers and feminine hygiene items, if marked below). No cash back.**

Diapers:	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Feminine Hygiene Items:	YES <input type="checkbox"/>	NO <input type="checkbox"/>

\$\_\_\_\_\_   
(Actual Amount Purchased)

\_\_\_\_\_  
(Signature, Purchaser/Client)

\_\_\_\_\_  
(Date - month/day/year)

\_\_\_\_\_  
(Signature, Store Representative)

\_\_\_\_\_  
(Date - month/day/year)

\_\_\_\_\_  
(Signature, LRO Representative)

\_\_\_\_\_  
(Date - month/day/year)

**Note:** When submitting documentation to the National Board, if the voucher is filled out completely and all 3 signatures are present and dated, an itemized food receipt is not required. If not filled out completely or all 3 signatures are not present, then the itemized food receipts must be included with the voucher.)







**EMERGENCY FOOD AND SHELTER NATIONAL BOARD PROGRAM (EFSP)**  
*Audit/Review and Audit/Documentation Retention Responsibilities***Audit/Review Requirements**

The EFSP annual audit requirement allows for two different levels of review depending on the LRO's level of funding. This change took place in Phase 23 (FY2005) and is noted on [pages 33 and 37](#) of this manual. The EFSP audit requirements are:

For LROs receiving \$100,000 or more in EFSP funding, the National Board requires an independent annual audit in accordance with Government Auditing Standards. For LROs receiving from \$50,000 to \$99,999, the National Board requires an annual accountant's review. For newly funded LROs and LROs funded above the amount requiring an audit or review for the first time, the LRO must arrange for the audit or review of funds to coincide with the next scheduled annual audit or annual review of its financial affairs.

The National Board will accept an LRO's national/regional annual audit if the following conditions are met:

- LRO is truly a subsidiary of the national organization (i.e., shares a single federal tax exemption).
- The LRO is audited by the national/regional office internal auditors or other person designated by the national/regional office AND the national/regional office is audited by an independent certified public accountant or public accountant or accounting firm, which includes the national/regional organization's review of the LRO in a larger audit review.
- A copy of the local audit review along with a copy of the independent audit of the national/regional office will be made available to the National Board upon request.

**Any agency expending \$750,000 or more in Federal funds must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR 200 of the Office of Management and Budget. Note: A copy of this report must be forwarded to the National Board annually along with the regular audit. The \$750,000 threshold is a combination of all Federal funds, not just EFSP funding.**

Audits of units of government shall be made annually unless state or local government had, by January 1, 1987, a constitutional or statutory requirement for less frequent audits.

All audits/reviews must clearly identify EFSP funding by ID number and include EFSP funds in the Schedule of Federal Awards. Note: EFSP funding is a direct Federal grant to the LRO; it is not pass through from some other organization (i.e. local government, United Way).

The changes in these requirements are specific to the EFSP and meeting any other local, state, or federal audit requirements or those required by any other funding source are the responsibility of the LRO.

**Audit/Review Terminology**

**Audit** – A formal examination of financial statements intended to assess the accuracy and thoroughness of financial records. An independent auditor performs this procedure on a set of financial statements in order to render an opinion based on the accounting records provided. An unqualified audit opinion states that the financial statements are in conformity with the General Accepted Accounting Principles (GAAP) in the United States. Audits are performed according to General Accepted Accounting Principles (GAAP) in the United States. An audit is more expensive than a review or compilation because an opinion on the accuracy of financial statements requires significantly more work than that involved in either a review or a compilation. *Under EFSP, an audit is required for any LRO receiving \$100,000 or more in funding.*

**Review** – Accountants perform limited procedures as a basis for expressing limited assurance on financial statements. Although not as comprehensive as an audit, a review provides more assurance than a compilation. A review report states that: 1) the accountants do not express an opinion on the financial statements and, 2) based on their review, they are not aware of any material modifications that should be made to the financial statements. A review is less expensive than an audit but more expensive than a compilation. *Under EFSP, a review is required for any LRO receiving from \$50,000 to \$99,999.*

**DOCUMENTATION RETENTION RESPONSIBILITIES  
AND  
OTHER REVIEWS/AUDITS RESPONSIBILITIES**

EFSP requires all LROs to maintain documentation for three years from the end-of program date as noted on [page 30](#) of this manual. The documentation to be retained includes financial records, supporting documentation, statistical records, and all other records pertinent to the award. The exceptions to the three-year rule are noted on [pages 53-54](#) and include litigation, claim, program compliance issues, or audits started before the three-year period and records for non-expendable property acquired either wholly or partially with EFSP funds.

The documentation must be accessible should there be reason for your agency to produce the documentation for review. This review might include the audit of these expenditures after you have reported to the National Board for the spending period. Please reference [pages 24 and 35](#) guidelines for documentation disaster recovery plans.

**Site Reviews:** The National Board staff frequently conducts site compliance reviews of LROs funded through the EFSP. These site reviews are conducted at the LRO's offices and original documentation supporting expenditures of EFSP funds are required. The original documentation would include all canceled checks or other approved method of payment and vendor invoices for expenditures charged to EFSP. If an LRO is using the per meal allowance or per diem allowance, the documentation would include sign-in sheets, case records, as well as the supportive documentation for actual expenditures (i.e., proof of payment, vendor invoices). Very often, multiple phases are reviewed during the site compliance review of the LRO.

**Independent Audit:** Annually EFSP undergoes an independent annual audit as required by the Federal government. During this audit, EFSP's independent auditors review documentation submitted by LROs that has already been reviewed by EFSP staff. Additionally, they request documentation from a sample of LROs that were not required to submit documentation with their Final Report. LROs must comply with the request from EFSP's independent auditors including the resolution of compliance problems noted by the independent auditors in their review.

**Other Audits:** Staff from the Federal Emergency Management Agency (FEMA) may also conduct site audits of funded LROs. Additionally, as EFSP funding is Federal funding, the U. S. Department of Homeland Security Office of Inspector General or Office of Chief Financial Officer may also conduct site audits. This includes the Improper Payments Elimination and Recovery Improvement Act (IPERIA) assessment.

**How are the site compliance reviews determined:** The National Board has given the staff guidance for conducting site compliance reviews which includes, but is not limited to, reviewing LROs in jurisdictions where there are ongoing compliance problems, reviewing LROs who have failed to submit documentation to the National Board or the Board's independent auditors, findings in the independent audits submitted by LROs, concerns regarding operations from the Local Board or others, reviewing LROs funded in certain categories or areas of the country, alleged or suspected fraud, and at the request of the DHS Inspector General.

Generally, when site compliance reviews are conducted, several LROs in a jurisdiction or in surrounding jurisdictions are reviewed and multiple phases of each LRO's EFSP funding is reviewed.

Please note that since documentation must be retained for three years, all of those years are subject to reviews/audits at any time. Even if an LRO has filed Final Reports and received clearing letters, they are still subject to any of the reviews/audits noted above as well as requests for submission of documentation.

**Audit Confirmation Requests:** LROs requesting confirmations of funds received for external auditors must indicate the LRO ID number for each jurisdiction for which a confirmation is requested.

**SPECIAL NOTE: DOES MY LRO HAVE TO HAVE AN AUDIT OR A REVIEW?**

To determine what type of review is required for an LRO, the LRO must know the total amount of funding it is receiving from EFSP in all jurisdictions in which it is funded. The TOTAL EFSP funding is used to determine the type of review. For example, LRO ABC is funded in only one jurisdiction and receives \$55,000 – a review would be required since LRO ABC is receiving more than \$50,000 but less than \$100,000. LRO XYZ is funded in three jurisdictions, in jurisdiction #1 \$49,000 is received, in jurisdiction #2 \$17,000 is received, and in jurisdiction #3 \$36,000 is received. LRO XYZ would be required to have an audit. They are receiving a total of \$102,000, which is greater than the \$100,000 threshold for requiring an audit even though in each jurisdiction they are receiving less than \$50,000.

## UTILITY DOCUMENTATION GUIDELINES

**These guidelines provide a general overview regarding utility assistance provided to clients. Please refer to pages 67-69 and 73 of this manual for complete guidelines on using EFSP funds for utility assistance.**

When using EFSP funds to provide utility assistance remember that only one month, approximately thirty days of service may be paid of each bill for an individual or household per award cycle. Billing cycles of more than one month must be divided by the number of months in the cycle to get the one month amount that may be paid. *For example, if the cycle consists of two months, divide the total cost of the bill by two to get the amount that may be paid.* If the client is on a budget plan and has the option of paying the actual usage cost or the budgeted amount an agency may select either amount. Only one can be paid, not both. *The minimum amount required by the vendor to keep service on cannot be paid, if it is more than one month's bill.* When a utility payment is made, it must guarantee an additional thirty days of service for the client. If the vendor will not grant the additional thirty days of service for the payment, then EFSP funds cannot be used to assist the client. A reconnect fee to restore service may be paid with EFSP funds. However, late fees, deposits and other service charges are not eligible as part of the utility payment. If these charges are required to maintain service for the client an agency will need to use another funding source to cover the cost of the items.

Documentation of utility payments must always include a copy of the canceled check or an approved method of payment dated no more than 10 calendar days before the bill's due date, made payable to the vendor along with the utility bill from the vendor for metered utility services (gas, electric, water) that clearly verifies the one month amount paid. The utility bill from the vendor must include the client's information (name, address, account number, etc.). A copy of the receipt from the vendor showing the date of delivery and cost of service for the minimum delivery, fill-up or one month's estimated use is required for non-metered utility payments (propane, coal, firewood). The most current utility bill available must be provided. Old bills will not be accepted. The **Metered Utility Verification Form** found in the manual, [Annex 6, page 97](#) may be useful in documenting the one month amount paid, *if completed correctly.* The form must be completed to show the dates of service covered with the payment made. The dates of service covered on the Metered Utility Verification form must correspond to the bill provided. The Metered Utility Verification form cannot be submitted along with the canceled check in lieu of the utility bill. Also, an agency's internal paperwork cannot be submitted in place of the utility bill. A utility bill from the vendor must be submitted to support each payment made.

The following are the most common types of bills that are submitted with documentation for review from agencies. They are current utility bills that may include a budget amount and past due or disconnect notices covering multiple months. Clients may also present similar bills from the utility vendors serving the community. Please read the following carefully for paying and documenting utility expenditures.

- **Current Utility Bill** – This bill is not yet past due. An agency may pay the current one month's bill no more than 10 calendar days before it is due. The one month amount and service dates are verified. If the bill is paid more than 10 calendar days prior to the due date, the payment is considered ineligible under EFSP guidelines.
- **Current Utility Bill with Budget Amount** – This bill should include the amount of the actual usage for the month in addition to the budget amount the client is required to pay. An agency may pay either the actual usage *or* budget amount of the bill no more than 10 calendar days before it is due. The one month amount and service dates are verified. If the bill is paid more than 10 calendar days prior to the due date, the payment is considered ineligible under EFSP guidelines.
- **Past Due Bill or Disconnect Notice** – These bills are overdue and often will include other service fees. An agency has two options in paying these bills. The options are 1) verify and pay one month's portion of the past due balance - the full amount paid must still be due in its entirety at the time of payment or 2) pay up to \$100 of the past due balance, if at least that amount is owed, without the one month verification.

If the past due bill has a balance that is more than \$100 and an agency wishes to pay as much as possible to assist the client, as long as it does not exceed one month's assistance, the utility company must be contacted to get a billing and payment history of the client's utility usage that may be covered in the past due or disconnect notice. Once the detail has been received from the utility company, up to the highest one month bill that is still owed (part of the past due balance on the notice) at the time the agency is making payment may be paid. *For example, if the client's May and June bills are still past due when the July bill is received and May is the highest one month of the three, the agency can pay the services for that month. If a portion of May has been paid, only the balance remaining can be paid or one of the other two months that are due on the bill (June or July).*

## SAMPLE ADVERTISEMENT

The following advertisement elements and sample advertisement are approved and provided for your convenience. Locals Boards are encouraged to use the information in their required advertisement of EFSP funds, but not mandated. Advertisements must acknowledge that EFSP funds are Federal dollars from the Department of Homeland Security (DHS).

### PUBLICIZING/ADVERTISING ELEMENTS

Local Boards **must** publicize/advertise in the local print media the availability of funds to inform and solicit applications from **all** agencies (including those on Native American reservations) providing or capable of providing emergency food and/or shelter assistance. **Advertisement must appear in paper at least 5 business days prior to the Local Board's allocation of EFSP funds. See page 107 for sample advertisement.**

Advertisements must include:

- Area funded/Local EFSP Board  
(**Note:** The National Board selects only jurisdictions for funding and advertisement must not state that a specific agency has been awarded the grant.);
- Source of funding;  
(**Note:** EFSP funds are Federal funds made available through the U.S. Department of Homeland Security's Federal Emergency Management Agency.)
- Award amount;
- Purpose of funding;
- Priorities/needs that Local Board will address;
- Criteria for eligible agencies;
- Contact name, address and/or phone number for application; and
- Deadline for applying (Local Boards **must** allow at least **five business days after publication** for interested agencies to apply and before funding decisions are made.)

**Note:** All Local Boards must publicly advertise in the most broadly distributed local newspaper covering the jurisdiction. **Failure to advertise properly will delay processing of the jurisdiction's board plan and subsequent payment of funds.** (A press release is not sufficient unless publication can be verified.) When a news article cannot be obtained, a legal advertisement is acceptable.

In addition to the news article or legal advertisement, Local Boards may also directly notify agencies. Cable access television and radio may only be used to supplement the printed advertisement.

### SAMPLE ADVERTISEMENT

(Name of jurisdiction) HAS BEEN AWARDED FEDERAL FUNDS MADE AVAILABLE THROUGH THE DEPARTMENT OF HOMELAND SECURITY (DHS)/FEDERAL EMERGENCY MANAGEMENT AGENCY UNDER THE EMERGENCY FOOD AND SHELTER NATIONAL BOARD PROGRAM.

(Name of jurisdiction) has been chosen to receive \$(award amount) to supplement emergency food and shelter programs in the county.

The selection was made by a National Board that is chaired by the U. S. Department of Homeland Security's Federal Emergency Management Agency and consists of representatives from American Red Cross; Catholic Charities, USA; National Council of the Churches of Christ in the USA; The Jewish Federations of North America, The Salvation Army; and, United Way Worldwide. The Local Board was charged to distribute funds appropriated by Congress to help expand the capacity of food and shelter programs in high-need areas around the country.

A Local Board made up of (the Mayor, United Way, et al.) will determine how the funds awarded to (name of jurisdiction) are to be distributed among the emergency food and shelter programs run by local service agencies in the area. The Local Board is responsible for recommending agencies to receive these funds and any additional funds made available under this phase of the program.

Under the terms of the grant from the National Board, local agencies chosen to receive funds must: 1) be private voluntary non-profits or units of government, 2) be eligible to receive Federal funds, 3) have an accounting system, 4) practice nondiscrimination, 5) have demonstrated the capability to deliver emergency food and/or shelter programs, and 6) if they are a private voluntary organization, have a voluntary board. Qualifying agencies are urged to apply.

(Name of jurisdiction) has distributed Emergency Food and Shelter funds previously with (Names of LROs) participating. These agencies were responsible for providing (number) meals and (number) nights of lodging.

Public or private voluntary agencies interested in applying for Emergency Food and Shelter Program funds must contact (Local Board chair or staff name, address and/or phone number) **for an application**. The deadline for applications to be received is (application deadline date).

## SAMPLE APPLICATION ELEMENTS

Below are recommended application elements for your convenience. Locals Boards are encouraged to use the information in their application process. All written material used by Local Boards must acknowledge EFSP funds are Federal funds made available through the U.S. Department of Homeland Security's Federal Emergency Management Agency.

### Application Elements

Local Boards must have a written application process but EFSP does not mandate a standard application to be used by all Local Boards. However, the National Board advises there is key information that Local Boards should obtain from all applicant agencies. The information gleaned from agency applications should provide the Local Board with the information necessary to make the best funding decisions possible.

Noted below are sample questions that Local Boards might ask of applicant agencies to aid them in their funding decisions. Each Local Board will create their own application form to include information the Local Board deems necessary to evaluate the agency's services and ability to administer the EFSP as a supplemental program.

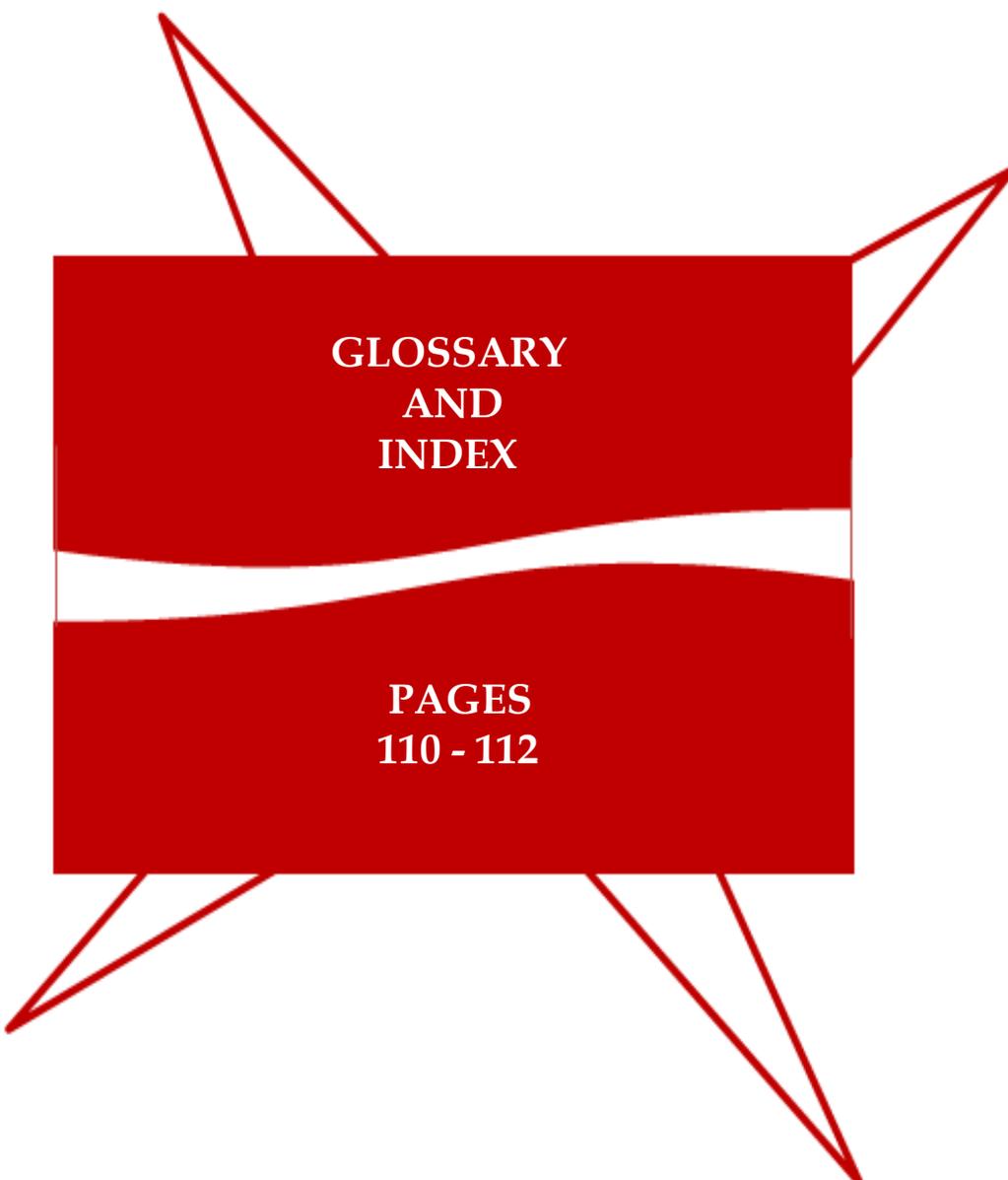
Local Boards must ensure that their application provides every agency that meets the requirements on the LRO Certification Form the opportunity to apply for funding. See [pages 23-24](#).

#### Sample Questions:

- \*\*Agency's Legal Name
- \*\*Agency Principal
- \*\*Agency Contact for Application Questions
- \*\*Agency Contact for EFSP, if funded
- \*\*Agency physical address
- \*\*Congressional district where agency is physically located
- \*\*Agency mailing address
- \*\*Agency address for Place of Performance (where the EFSP funded services are provided)
- \*\*Congressional district where agency's EFSP funded services are provided (Place of Performance)
- \*\*Agency phone/fax/email (for individuals above)
- Agency website
- \*\*Agency Federal Employer Identification Number (FEIN)
- \*\* Agency's DUNS number
- \*\*Amount of EFSP funding requested by program area (food, rent, utilities, etc.)
- Agency operating budget (total)
- \*\*Agency budget for the program area requested (food, rent, utilities, etc.)
- \*\*Copy of agency's most recent annual audit
- \*\*Deadline (date and time) for applications to be received (including contact, mailing address, location for delivery)
- \*\*Is agency non-profit or unit of government?
- \*\*If non-profit, a roster of the agency's volunteer board should be requested
- \*\*Is agency debarred or suspended from receiving funds or doing business with the Federal government?

\*\*Denotes required questions. Most of the required questions provide information that is necessary for the Local Board to submit to the National Board on their Local Board Plan or that comes directly from the LRO Certification Form. All addresses must be complete - street number and name, city, state and Zip Code plus 4.

**Note:** Local Boards should discuss their application and funding process. They should ensure the process is open and that all agencies are provided the same opportunity in the application process. Local Board member agencies must follow the same process as other applicant agencies.



**GLOSSARY  
AND  
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## GLOSSARY OF EFSP TERMS

**Award:** the dollar amount granted to either a jurisdiction as a whole or an individual LRO.

**Begin Date:** the date the LRO can start charging expenses to the program; one day after the prior Phase ended.

**Closeout:** the process by which the National Board determines that all applicable administrative actions and all required work of the award have been completed.

**Documentation:** proof of payment, invoices, per diem schedules, vouchers, letters, mileage logs or schedules, etc. to support expenditures.

**Eligible Costs:** charges made against EFSP funds that the National Board determines to be allowable in accordance with the legislation.

**End Date:** the date by which all funds must be expended; this date is selected annually by the Local Board.

**Final Report:** annual report filed by each Local Board and LRO of expenditures of program funds.

**Fiscal Agent:** an LRO that maintains all EFSP financial records for another agency.

**Fiscal Conduit:** an LRO that maintains all EFSP financial records for more than one agency under a single award.

**Ineligible costs:** charges made against EFSP funds that the National Board determines to be disallowed in accordance with the legislation.

**Jurisdiction:** city, county or combination receiving funds through EFSP.

**Local Board:** decision-making body for each jurisdiction.

**Local Board ID Number:** the unique 6 digit number which identifies each Local Board.

**Local Board Chair:** elected head of the Local Board authorized to sign documents on behalf of the jurisdiction.

**Local Board Contact:** person in a jurisdiction serving as the primary point of contact.

**Local Recipient Organization (LRO):** refers to the local private or public agency that will receive any award of funds from the National Board.

**LRO ID Number:** the unique 9 digit number which identifies each LRO within a jurisdiction.

**Manual (Responsibilities and Requirements):** the written rules and regulations for the Emergency Food and Shelter National Board Program.

**Mass Feeding:** A facility that prepares and serves congregate meals for clients in a program operated by an LRO.

**Mass Shelter:** A facility that has the capacity to provide accommodations for at least 5 clients per night at a single site operated by the LRO.

**National Board:** the governing body responsible for the administration of the EFSP.

**Phase:** the grant cycle.

**Phase Spending Period:** the period of time in which a jurisdiction has to spend its entire EFSP award. The spending period may vary for each jurisdiction. (See Begin Date, End Date.)

**Second Payment/Interim Report:** the form necessary for the LRO to submit to the Local Board and National Board for release of their second half of an award which reflects their program spending of the first payment.

**State Set-Aside (SSA) Committee:** the decision-making body for each state receiving funds to award to jurisdictions with a need not reflected or greater than reflected in the statistics used by the National Board in the funding formula

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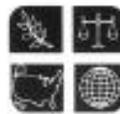
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# EMERGENCY FOOD AND SHELTER NATIONAL BOARD PROGRAM



Public Law 98-8

APRIL 1983

With the passage of Public Law 98-8 on March 8, 1983, the Emergency Food and Shelter National Board Program was created. The agencies, whose logos from the first program manual in 1983 are shown here, have participated as committed members of this public-private partnership for the last 33 years. Giving of their agencies' time and talents, they have taken the intent of Congress in funding the program and interpreted that into a model of local decision-making by bringing together around the community table agencies, like themselves, who work tirelessly on a daily basis to help make life better for others.