

December 15, 2023

The Honorable Alejandro Mayorkas
Secretary
Department of Homeland Security
Washington, D.C. 20528

The Honorable Deanne Criswell
Administrator
Federal Emergency Management Agency
Washington, D.C. 20024

Dear Secretary Mayorkas and Administrator Criswell,

As Congress considers further rounds of funding to replenish the Federal Emergency Management Agency's Shelter and Services Program, I write to urge you to make common-sense fixes to the program and ensure border communities, including in my state of Arizona, receive sufficient support and assistance.

The SSP was designed to reimburse non-federal entities, including local governments and nonprofit organizations, that provide shelter, transportation, and other essential services to migrants when the federal government cannot. But, disappointingly, this new program has thus far failed to meet the needs of Arizona's border communities who are experiencing unprecedented numbers of migrants released by the Department of Homeland of Security.

In conversations with local leaders, they've raised concerns with the SSP's overly burdensome process to apply for and receive reimbursements—a process that has too often shortchanged border communities through no fault of their own. This has left local governments and non-governmental organizations facing an impossible choice: either divert funding from their already over-stretched budgets to cover costs the federal government is meant to incur or risk the health and safety of vulnerable migrants.

I urge you to ensure that future SSP funds are administered in the most effective and equitable manner, and take into consideration the unique, pressing needs of border communities, including the current disbursement model, impractical and inflexible spending restrictions, and the insufficient rate of reimbursement.

The current model for federal disbursement of SSP funds prioritizes interior communities to the detriment of our border communities that provide the most immediate care to migrants released by U.S. Customs and Border Protection. This summer, the Southern Arizona Coalition—a group of cities, counties, and NGOs—was only eligible to apply for \$12 million in assistance through the SSP, while New York received nearly nine times that. This coalition's monthly burn rate is \$4 million, and they are on track to spend the entirety of their \$12 million SSP award funds in just three months. The coalition served 33,955 migrants in November 2023 alone, a 143% increase over June 2023 numbers served, and a 578% increase over January 2023. Arizona is on the front lines of border crossings, and it needs more support from the federal government.

Impractical and inflexible spending restrictions limit the reach of services. One glaring example of unnecessary and inflexible restrictions in the SSP program is the cap on hoteling. For border communities that experience the ebbs and flows of migrants arriving and leaving, the ability to quickly scale up hotel contracts is critical. The SSP currently caps hoteling at 10% of total funding requested—but these costs were not capped previously under the FEMA Emergency Food and Shelter Program. For the Southern Arizona Coalition, the 10% hoteling cap means the coalition can only count on SSP coverage for two hotels, when it needs cost coverage for five hotels to prevent street releases and to quarantine individuals with COVID-19 or other infectious diseases.

The rates of reimbursement for local governments and NGOs are woefully insufficient, and do not reflect the ongoing needs on the ground. Currently, the SSP requires partners participating in the program to submit alien-numbers (or “A-numbers”) to be reimbursed. Because CBP does not share their manifests, local governments and nonprofits must rely on migrants to present their paperwork and utilize staff time to input A-numbers into databases during surges. In Pima County, fiscal agents for the Southern Arizona Coalition report that there is typically an error rate of 3-5% in A-numbers collected directly from migrants. When Pima County bills SSP for reimbursement, it must submit the A-numbers for all migrants served during the billing period. FEMA has informed Pima County that it will crosscheck submitted A-numbers with CBP data, and that A-numbers that cannot be validated will result in non-reimbursement. FEMA has not yet specified what methodology they will use to calculate non-reimbursement amounts per non-validated A-number.

This has wide ranging impacts: when Pima County submits coalition costs to SSP for November 2023, with the estimated A-number error rate of up to 5%, Pima County anticipates having to cover costs incurred for up to 5,093 individuals. Potential solutions could include FEMA and CBP administrators offering reimbursement flexibility to prevent compounding the cost burdens of border communities, or CBP sharing their A-number manifests on the front end when migrants are released.

I urge you to incorporate these common-sense changes to the SSP to ensure future resources are distributed in a more fair and equitable manner to Arizona and other border communities. Thank you for your prompt attention to this matter.

Sincerely,



Greg Stanton
Member of Congress