- (iv) Lobbying of the Executive branch in connection with decisions to sign or veto enrolled legislation; and,
- (v) Efforts to utilize State or local officials to lobby the Congressional or State Legislatures.
- (2) Any LRO that will receive more than \$100,000 in EFSP funds is required to submit the following prior to grant payment:

(i) a certification form that EFSP funds will not be used for lobbying

activities; and,

(ii) a disclosure of lobbying activities (if applicable).

Section 2.2 Organization, Roles, and Responsibilities

(a) Federal Emergency Management Agency (FEMA).

FEMA will perform the following EFSP activities:

- (1) Constitute a National Board consisting of individuals affiliated with United Way of America; the Salvation Army; the National Council of Churches of Christ in the USA; Catholic Charities, USA; the Council of Jewish Federations, Inc.; the American Red Cross; and FEMA.
- (2) Chair the National Board, using parliamentary procedures and consensus by the National Board as the mode of operation.

(3) Provide policy guidance, management oversight, Federal coordination, and staff assistance to the National Board.

- (4) Award the grant to the National Board.
- (5) Assist the Secretariat in implementing the National Board Program.
- (6) Report to Congress on the year's program activities through the Interagency Council on the Homeless Annual Report.
 - (7) Conduct audits of the program.
- (8) Initiate Federal collection procedures to collect funds due when the efforts of the National Board have not been successful.
 - (b) National Board.

The National Board will:

- (1) Select jurisdictions of highest need for food and shelter assistance and determine amount to be distributed to each
- (2) Notify national organizations interested in emergency food and shelter to publicize the availability of funds.

(3) Develop the operational manual for distributing funds and establish criteria for expenditure of funds.

(4) In jurisdictions that received previous awards, notify the former Local Board chair that new funds are available. In areas newly selected for

funding, notify the local United Way, American Red Cross, Salvation Army, or local government official. The National Board will notify qualifying jurisdictions of award eligibility within 60 days following allocation by FEMA.

(5) Provide copies of award notification materials to National Board member affiliates and other interested parties.

- (6) Secure board plan, certification forms and board rosters from Local Boards that funds will be used in accordance with established criteria.
 - (7) Distribute funds to selected LROs.
 - (8) Hear appeals and grant waivers.
- (9) Establish an equitable system to accomplish the reallocation of unclaimed or unused funds.
- (10) Ensure that funds are properly accounted for, and that funds due are collected.
- (11) Provide consultation and technical assistance to local jurisdictions as necessary to monitor program compliance.

(12) Submit end-of-program report on jurisdictions' use of funds to FEMA.

- (13) Conduct a compliance review of food and shelter expenditures made under this program for specified LROs. The National Board, FEMA, the independent accounting firm selected by the National Board, or the Inspector General's office may also conduct an audit of these funds.
- (14) Monitor LRO compliance with OMB Circular A–133.
 - (c) State Set-Aside (SSA).
- (1) The SSA process has been adopted to allow greater flexibility in selection of jurisdictions and is intended to target pockets of homelessness or poverty in non-qualifying jurisdictions (refer to Supplementary Information, above, on qualifying criteria), areas experiencing drastic economic changes such as plant closings, areas with high levels of unemployment or poverty which do not meet the minimum 400 unemployed, or jurisdictions that have documented measures of need which are not adequately reflected in unemployment and poverty data.

(2) The distribution of funds to SSA Committees will be based on a ratio calculated as follows: the State's average number of unemployed in non-funded jurisdictions divided by the average number of unemployed in non-funded jurisdictions nationwide equals the State's percentage of the total amount available for SSA awards.

(3) A SSA Committee in each State will recommend high need jurisdictions and award amounts to the National Board. Priority consideration is to be given to jurisdictions otherwise not meeting criteria for funding, although

funded jurisdictions are not exempt from receiving additional funding. SSA Committees should also consider the special circumstances of jurisdictions that qualified in previous funding phases but are not eligible in the current phase. The State Committees may wish to provide these jurisdictions with an allocation so that the abrupt change in funding status is not disruptive to local providers. SSA Committees are encouraged to consider current and significant State or local data in their deliberations. Although the National Board staff provides national data to the SSA Committees, it does not mandate any particular formula. These committees are free to act independently in choosing eligible jurisdictions.

(4) In each State, the State United Way (or United Way in the capital city) will be notified of the award amount available to the SSA Committee. In a State where there are affiliates of the voluntary organizations represented on the National Board, they must be invited to serve on the State Committee. If no single State affiliate exists, an appropriate representative should be invited. The Governor or his/her representative will replace the FEMA member. State Committees are encouraged to expand participation by inviting or notifying other private nonprofit organizations on the State level. The National Board encourages the inclusion of Native American representation on the State Committee.

(5) Members of the SSA Committee shall elect a person to chair the committee.

(6) The SSA Committees are

responsible for the following:
(i) recommending high-need
jurisdictions and award amounts within
the State. When selecting jurisdictions
with demonstrated need, the National
Board encourages the consideration of
counties incorporating or adjoining
Indian reservations. The SSA
Committee has 25 working days to
notify the National Board in writing of
its selections and the appropriate
contact person for each area. Note: The
minimum award amount for a single
jurisdiction is \$1,000 and only wholedollar amounts can be allocated.

(ii) Notifying the National Board of selection criteria that were used to determine which jurisdictions within the State was selected to receive funds. The National Board will then notify these jurisdictions directly.

(iii) recommending that other jurisdictions receive the reallocated funds, in the event that funds are not claimed by SSA jurisdictions.

(d) Local Board.