FEMA Recovery 101 for Private Non-Profits
Navigating FEMA Programs and Resources During Declared Disasters
June 24, 2020
Public Assistance Programs
PA Program Mission

Provide assistance to state, territorial, tribal, and local governments, and certain types of private non-profits (PNP), so that communities can quickly respond to and recover from major disasters or emergencies declared by the President.
PA Program Purpose

Through the PA Program, FEMA provides supplemental federal disaster grant assistance for debris removal, emergency protective measures, and the restoration of disaster-damaged, publicly owned and certain PNP facilities.
Authorities Overview

1. Laws / Statutes
2. Executive Orders
3. Regulations
4. Policies & Guidance
Authorities: “The Stafford Act”

**Purpose:** Authorizes the President to administer federal disaster assistance through the disaster declaration process.

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Authorities: Compliance Requirements

**Purpose:** FEMA cannot award grant funding for restoration projects that violate other Federal laws, such as the following Environmental and Historic Preservation related laws:

- National Environmental Protection Act (NEPA)
- National Historic Preservation Act (NHPA)
The PA Program is governed by rules set forth in parts 206 and 207 of Title 44 of the Code of Federal Regulations (CFR), covering topics such as:

- Definitions and Project Administration
- Project Completion Timeframes
- Eligibility and Appeal Procedures
- Insurance Requirements
- Program and Grant Administration
Authorities: Policy & Guidance

Public Assistance Program & Policy Guide (PAPPG) Version 4, Effective June 1, 2020:

- Interprets governing statutes and regulations
- Implements policy
- Provides guidance for properly administering the program
Categories of Work

**Emergency Work**

- Address an immediate threat:
  - A. Debris removal
  - B. Emergency protective measures

**Permanent Work**

- Restoration of:
  - C. Roads/bridges
  - D. Water control facilities
  - E. Buildings/equipment
  - F. Utilities
  - G. Parks, recreational, and other facilities
Private Non-Profit Eligibility

Must show:

- Ruling letter from the IRS that was in effect as of the declaration date and granted tax exemption under sections 501 (c), (d), or (e)

OR

- Documentation from the State substantiating it is a non-revenue producing, nonprofit entity organized or doing business under State law*
PNP Required Documents

Must provide:

- Articles of Association, Bylaws, or other documents indicating that it is an organized entity
- Certification that is compliant with IRS Code section 501(c)(3) and State law requirements
- Proof of ownership or operation of an eligible facility that provides:
  - Critical service (education, utility, emergency, or medical)
  - Noncritical, but essential social service AND provides services to general public

*Pursuant to 44 C.F.R. § 206.222(b).
93 44 C.F.R. § 206.221(e)(7).
94 FEMA also uses this criteria to determine whether a Community Development District serves the public.
Work Eligibility

- Some PNPs may be eligible for FEMA assistance under COVID-19 declarations if they are legally responsible for performing emergency protective services.
- PNPs that own or operate an eligible facility and perform eligible work, such as providing emergency, medical or custodial care services for which they are legally responsible in response to the COVID-19 incident, may be eligible for reimbursement of costs as a PA Applicant.
- For more information refer to the FACT SHEET: Coronavirus (COVID-19) Pandemic: Private Nonprofit Organizations
Cost Eligibility

For PNPs with facilities that provide noncritical, essential social services, FEMA only provides PA funding for eligible Permanent Work costs that an SBA loan will not cover for those facilities.

Therefore, noncritical PNPs must also apply for a disaster loan from the SBA and receive a determination for Permanent Work on facilities that:

- Provide noncritical services; or Noncritical, essential social services, FEMA only provides PA funding for eligible Permanent Work costs that an SBA loan will not cover for those facilities.
Non-Federal Cost Share

- The assistance FEMA provides through its PA Program is subject to a cost share.
- The Federal share is minimum of 75% of the eligible costs and maximum of 25% Non-Federal cost share.
COVID-19 Pandemic: Eligible Emergency Protective Measures

- Management, control and reduction of immediate threats to public health and safety
- Emergency medical care
- Household pet sheltering and containment actions related to household pets in accordance with CDC guidelines
- Purchase and distribution of food, water, ice, medicine, and other consumable supplies, to include personal protective equipment and hazardous material suits
COVID-19 Pandemic: Eligible Emergency Protective Measures

- Movement of supplies and persons
- Security and law enforcement
- Communications of general health and safety information to the public
- Search and rescue to locate and recover members of the population requiring assistance
COVID-19 Pandemic: Private Non-Profit

- PNP eligibility is largely determined by whether the PNP owns and operates an eligible facility.
- For the COVID-19 declarations, with the exception of medical and custodial care facilities, PNPs are generally not able to apply directly to FEMA for assistance.
COVID-19 Pandemic: Private Non-Profit

- For the most part, they would be working at the direction of, and under a signed agreement with, a state, local, tribal, or territorial government.
- PA funding is provided to the legally responsible government entity, which then pays/reimburses the PNP for the cost of providing those services under the agreement (e.g., sheltering or food distribution).
COVID-19 Pandemic: Private Non-Profit

- For PNPs, operating costs (such as patient care and administrative activities) are generally not eligible even if the services are emergency services, unless the PNP performs an emergency service at the request of and certified by the legally responsible government entity.

- In such case, FEMA provides PA funding through that government entity as the eligible Applicant.
Apply for Public Assistance

- Contact State Emergency Management Office to receive a Grants Portal account and submit an Request for Public Assistance (RPA).
- If you already have an account, login and submit a Request for Public Assistance (RPA).

Other Helpful Resources:

- FEMA PA Grants Portal - Grants Manager YouTube Channel: [youtube.com/channel/UCIJp91Ds2IaVIR1t8uXcEKg](https://youtube.com/channel/UCIJp91Ds2IaVIR1t8uXcEKg)
- Technical and training support at FEMA’s PA Grants Portal Hotline: **(866) 337-8448**
- Grants Portal inbox: FEMA-Recovery-PA-Grants@fema.dhs.gov
Individual Assistance Programs
Individuals and Households Program

- Mass Care/Emergency Assistance
- Individuals and Households Program* –
- Housing Assistance
  - Other Needs Assistance
  - Disaster Case Management*
- Crisis Counseling Assistance and Training Program*
- Disaster Legal Services*
- Disaster Unemployment Assistance*
- Emergency Food and Shelter Program

*Stafford Act Statutory Programs
Mass Care and Emergency Assistance

- Coordinate with Emergency Support Function (ESF) #6* Mass Care support agencies and organizations
- Develop and manage Mass Care/Emergency Assistance technology systems
- Develop, provide, and support Mass Care/Emergency Assistance planning, resources, programs, and services

*FEMA co-leads ESF 6 with the American Red Cross
Individuals and Households Program (IHP)

- **Housing Assistance (HA)**
  - Rental
  - Repair
  - Replacement
  - Direct Housing Services and Permanent Construction

- **Other Needs Assistance (ONA)**
  - Personal Property, Transportation
  - Medical, Dental and Funeral expenses
General Conditions of Individuals and Households Program Eligibility

- The applicant must be a U.S. citizen, non-citizen national, or qualified alien.
- FEMA must be able to verify the applicant’s identity.
- The applicant’s disaster-caused needs must be uninsured or underinsured.
- The applicant’s disaster-caused needs were a direct result of the Presidentially-declared disaster.
- The applicant must be in compliance with flood insurance requirements, when applicable.
Housing Assistance

- Applicants may receive financial assistance for disaster-caused housing needs. FEMA may provide direct assistance when applicants are unable to make use of financial assistance due to a lack of available housing resources.
- FEMA provides 100% of the costs associated with Housing Assistance.

Financial

- Lodging Expense Reimbursement
- Rental Assistance
- Repair Assistance
- Replacement Assistance

Direct (approval required)

- Multi-Family Lease and Repair
- Manufactured Housing Units (MHUs) and Recreational Vehicles (RVs)
- Direct Lease
- Permanent or Semi-Permanent Housing Construction (PHC)
Other Needs Assistance

- Applicants may receive financial assistance for certain disaster-caused necessary expenses and serious needs.
- FEMA provides 75% of the costs associated with ONA and the state, territorial, or tribal government provides the remaining 25% of the costs.

Non-SBA-Dependent

- Funeral Assistance
- Medical and Dental Assistance
- Child Care Assistance
- Assistance for Miscellaneous Items
- Critical Needs Assistance
- Clean and Removal Assistance

Direct (approval required)

- Multi-Family Lease and Repair
- Manufactured Housing Units (MHUs) and Recreational Vehicles (RVs)
- Direct Lease
- Permanent or Semi-Permanent Housing Construction (PHC)
Additional IA Programs Funded by FEMA

- Disaster Case Management (DCM)
- Crisis Counseling Assistance and Training Program (CCP)
- Disaster Legal Services (DLS)
- Disaster Unemployment Assistance (DUA)
- Emergency Food and Shelter Program (EFSP) – non-disaster specific
Disaster Case Management

- Supporting survivors in identifying and addressing their disaster-caused unmet needs.
- Case managers support survivors by identifying and assessing disaster related unmet needs, identifying available resources, and assisting survivors in accessing those resources.

Immediate Disaster Case Management provides short-term, limited DCM services for up to 180 days from the IA declaration. IDCM is overseen by FEMA in collaboration with the SLTT.

Disaster Case Management provides funding for SLTT or qualified private organizations to supplement their existing capacity to deliver case management services for up to 24 months from the date of IA declaration.
Disaster Legal Services

Federal disaster assistance program that provides free legal services to low-income individuals.

- Limited to cases that would not normally incur legal fees
- Administered in partnership with the Young Lawyers Division of the American Bar Association (YLD/ABA)
- Coordinates with local attorneys and legal aid organizations to provide free legal assistance to disaster survivors

Common Areas of Legal Support

- Property/Land Ownership Issues
- Financial Matters
- Replacement/Update of Wills, Estate Planning, and Probate Issues
- Insurance Issues
- Landlord/Tenant Issues
- Civil Rights Issues
- FEMA Appeals
Disaster Unemployment Assistance

provides unemployment benefits and reemployment services to eligible survivors whose employment was impacted by the disaster.

- FEMA administers the program in partnership with the U.S. Department of Labor (DOL)
- Benefits are paid for up to 26 weeks following the disaster declaration and are retroactive to the week following the start of the incident period

Conditions of Eligibility

- Unemployed for more than 1 week after the date of disaster
- Cannot reach place of employment
- Scheduled to work, but job no longer exists
- Became a major supporter due to the death of the head of household as a result of the disaster
- Sustained a disaster related injury, preventing ability to work
- Place of employment was damaged, destroyed, or closed
Emergency Food and Shelter Program

Non-disaster program authorized by the McKinney-Vento Homeless Assistance Act to assist those experiencing or at risk of hunger and homelessness through the work of local social service organizations.

- FEMA awards total appropriated funding to a national board. The National Board governs the program and is comprised of representatives from six national nonprofit organizations and FEMA serving as chair.
- Decision-making bodies, or local boards, at the county and city level determine which service organizations receive funding.
- $200 million under the CARES Act to address economic impacts of the COVID-19 pandemic.

Eligible Services

- Food - mass feeding, groceries
- Lodging - mass shelter, motel/hotel, off-site facility
- Rent/mortgage assistance
- Utility assistance
- Transportation costs associated with food and shelter

For more information:
Local Board contacts found at: www.efsp.unitedway.org
Contact National Board staff:
Email – efsp@uww.unitedway.org
Phone – 703-706-9660
Voluntary Agency Coordination

- Liaise with Voluntary and Faith Based Organizations
- Support development of integrated policies and guidance to support the delivery of disaster assistance
- Share the perspectives of organizations beyond the Federal government on response, recovery, mitigation, and preparedness
Disaster Assistance Sequence of Delivery

Voluntary Agencies and Mass Care
Emergency Food, Shelter, Clothing, Medical Needs

Insurance
Homeowner, Renter, Flood, etc.

Federal assistance may be available for uninsured or underinsured needs, or when insurance benefits are significantly delayed.∗

FEMA Housing Assistance
Financial: LCR, Rental, Repair, and Replacement Assistance
Direct: M48, MH48, Direct Lease, PHC

FEMA/State/Territory/Tribal Government ONA
Non-SBA-Dependent Items
(Funeral, Medical, Dental, Child Care, Critical Needs Assistance, Clean and Removal, Other)

SBA Income Evaluation (Repayment Capability)
To determine if the applicant can qualify for a low-interest SBA loan.
The applicant must complete the SBA loan application and be denied for a loan to be eligible for further FEMA assistance.

SBA Referral
For SBA-Dependent Items and those applicants who qualify for a low-interest loan.
Real Property (owners) loans up to $500,000.
Personal Property (owners & renters) loans up to $10,000.

FEMA/State ONA
SBA-Dependent Items
For those applicants who do not qualify for an SBA loan.
Personal Property Transportation
Moving and Storage Group Flood Insurance Policy

Unmet Needs – Voluntary Agencies
FEMA will coordinate with whole community partners to address remaining unmet needs once an applicant has received all federal assistance for which they are eligible.
Federal Agency Partners

- Bureau of Indian Affairs
- Department of Agriculture (USDA)
- Department of Veterans Affairs (VA)
- Farm Service Agency (USDA)
- Housing and Urban Development (HUD)
- Department of Labor (DOL)
- Health and Human Services (HHS)
- Internal Revenue Service (IRS)
- Small Business Administration (SBA)
- Social Security Administration (SSA)
IA Program and Policy Guide

- Released on March 5, 2019
- Consolidates policy statements for all Individual Assistance programs, including the Individuals and Households Program, the Mass Care and Emergency Assistance programs, and the Community Services programs
- Visit fema.gov/individual-assistance-program-and-policy-guide
Disaster Recovery Reform Act of 2018

- Grants states, territories, and federally recognized tribes (STT) to administer **Direct Temporary Housing Assistance** and **Permanent Housing Construction** (PHC) (Section 1211)
  - Authorizes FEMA to provide grants to state or tribal governments to directly administer temporary and permanent housing construction.
  - Allows state or local governments who implement cost-effective housing solutions be reimbursed under certain conditions

- **Expansion of Individuals and Households Program Assistance** (Section 1212)
  - Increases the amount of assistance available to individuals and households impacted by disasters, retroactively applied for all declared disasters on or after August 1, 2017.
  - Separates the Housing Assistance and Other Needs Assistance provision from the IHP financial assistance cap so that they have equal, independent caps.

- **Flexibility for Multi-Family Lease and Repair** (Section 1213)
  - Extends eligibility consideration to properties in all counties within the major disaster declaration, when Direct Housing is authorized
  - Allows the cost of repairs to participating properties to exceed the value of the lease agreement when cost-effective