



## Public Assistance

### Overview

Public Assistance (PA) is FEMA's largest grant program providing funds to assist communities responding to and recovering from major disasters or emergencies declared by the President. The program provides funding for emergency assistance to save lives and protect property, and assists with funding for permanently restoring community infrastructure affected by a federally declared incident.

### Eligible Applicants

Eligible applicants include states, federally recognized tribal governments (including Alaska Native villages and organizations so long as they are not privately owned), U.S. territories, local governments, and certain private non-profit (PNP) organizations.

PNPs must have "an effective ruling letter from the U.S. Internal Revenue Service, granting tax exemption under sections 501(c), (d), or (e) of the Internal Revenue Code of 1954, or satisfactory evidence from the State that the nonrevenue producing organization or entity is a nonprofit one organized or doing business under State law."<sup>1</sup> Additionally, for a PNP operated facility to be eligible, the PNP must demonstrate the facility provides a critical service or provides a non-critical, but essential government service and is open to the general public. A facility that provides a critical service is defined as one used for an educational, utility, emergency, or medical purpose.<sup>2</sup>

### Project Categories

FEMA processes PA grant funding according to the type of work the applicant undertakes. Eligible work must be required as a result of the declared incident, be located in the designated area, be the legal responsibility of the applicant, and be undertaken at a reasonable cost.

Eligible work is classified into the following categories:

#### Emergency Work

Category A: Debris removal

Category B: Emergency protective measures

#### Permanent Work

Category C: Roads and bridges

Category D: Water control facilities

Category E: Public buildings and contents

Category F: Public utilities

Category G: Parks, recreational, and other facilities

Federal funding guidelines for each of these categories are listed in the *Public Assistance Program and Policy Guide*, which is located online [at fema.gov/public-assistance-policy-and-guidance](http://at.fema.gov/public-assistance-policy-and-guidance).

### Application Process

After a federal declaration, the recipient (i.e. state, tribe, or territory) conducts Applicant Briefings to inform potential applicants (i.e. state, local, tribal, territorial, and PNP officials) of the assistance available and how to apply. Applicants must then file a Request for Public Assistance within 30 days of the date their respective area is designated by the federal declaration.

Following the approved request, FEMA and the applicants will conduct additional meetings to discuss disaster damage and project formulation. Applicants must identify and report damages to FEMA within the 60-day regulatory timeframe. FEMA, the recipient, or the applicant will then prepare project worksheets for eligible work and eligible facilities based on actual or estimated project costs.

<sup>1</sup> 44 CFR 206.221(f)

<sup>2</sup> Stafford Act § 406(a)(3)(B), 42 U.S.C. § 5172, and 44 CFR §206.221(e)

## **Grant Administration**

The federal share of assistance will not be less than 75 percent of the eligible cost for emergency measures and permanent restoration. The recipient determines how the non-federal share of 25 percent will be dispersed to its applicants.

Recipients are responsible for managing the funds obligated to them by FEMA, including disbursement to applicants. FEMA will continue to monitor the recovery progress to ensure the timely delivery of eligible assistance, and compliance with federal laws and regulations.

## **Large Projects**

Projects above a certain amount are considered “large.” The threshold corresponds to the annually adjusted small project maximum.

Alternative Procedures (428): For large permanent work projects using Section 428 PA Alternative Procedures, funding is made on the basis of a fixed-cost estimate agreed upon by the applicant, recipient and FEMA. PA funding is based on the estimated amount to restore the damaged facility to its pre-disaster design and function, including applicable and federally required codes and standards, and any identified eligible hazard mitigation measures. Once agreement on the fixed amount is made, the funding will not be adjusted. Applicants have the flexibility to use the funding to meet the post-disaster recovery needs, and not just build back what they had before. The applicant may also retain any excess funds for use on certain eligible activities.

Standard Procedures (406): For large permanent work projects using the standard Section 406 process, funding is provided on the basis of actual costs as determined after the project is completed. The applicant’s flexibility in use of the funding is limited, and they do not have the ability to retain excess funds.

## **Small Projects**

Projects falling below a certain threshold are considered "small." The threshold is adjusted annually for inflation. For Fiscal Year 2021, that threshold is \$132,800. For small projects, final funding is based on the estimate at the time of project approval and certification of project completion is required when the project is done. The minimum amount that can be approved for any Project Worksheet under the PA Program for FY 2021 is \$3,320.

*Revised October 2020*

*“FEMA’s mission is helping people before, during, and after disasters.”*