



FEMA

RECOVERY POLICY – RP9523.9

I. TITLE: 100% Funding for Direct Federal Assistance and Grant Assistance

II. DATE: June 9, 2006

III. PURPOSE:

To provide guidance and establish procedures for providing 100% funding for Direct Federal Assistance and Grant Assistance.

IV. SCOPE AND AUDIENCE:

This policy applies to all major disasters declared on or after the publication date of this policy. It is intended for all states eligible to receive assistance under sections 403 and 407 of the Stafford Act, and all Federal agencies that may be directed by FEMA to provide such assistance.

V. AUTHORITY:

Sections 403 and 407 of the Robert T. Stafford Disaster Relief and Assistance Act, 42 U.S.C. 5121-5206, as amended.

VI. BACKGROUND:

FEMA's regulations at 44 CFR §206.208, Direct Federal Assistance, state, "When the State and local government lack the capability to perform or contract for eligible emergency work and/or debris removal under sections 402(4), 403 or 407 of the Act, the Grantee may request that the work be accomplished by a Federal agency." This assistance is subject to the cost share provisions contained in the FEMA/State agreement and the Stafford Act. In addition, 44 CFR §206.47(d) states, "If warranted by the needs of the disaster, we recommend up to one hundred percent (100%) Federal funding for emergency work under section 403 and section 407, including direct Federal assistance, for a limited period in the initial days of the disaster irrespective of the per capita impact." Generally, a "limited period in the initial days of the disaster" means the period of 100% funding will be limited the first 72 hours following the disaster declaration, or an applicant's selected 72-hour period. This period may be extended based on the gravity and scope of the disaster, as determined by the President.



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VII. POLICY:

A. Terms Used in this Policy:

1. **Mission Assignment:** Work order issued by FEMA to a Federal agency directing completion by that agency of a specified task. 44 CFR §206.2(a)(18).

2. **Mission Assignment Task Order:** Specific instruction given to a Federal agency under a mission assignment directing it to perform work of certain quantity or in a certain area under that mission assignment.

3. **Emergency Work:** All activities eligible under section 403 of the Stafford Act, including such activities when performed by a Federal agency as direct Federal assistance.

4. **Debris Clearance and Removal:** Clearance, pick up, hauling, processing and disposal of all manner of debris generated by the declared event on public property. This includes woody debris, sand and gravel, and components of buildings or other structures. This may also include debris on private property, when FEMA has approved such removal.

5. **Consumable Commodities:** Food, ice, water and other items not requiring installation, such as small plastic tarps and small generators.

6. **Emergency Protective Measures:** Actions (other than debris removal) eligible as Category B measures, including installation of plastic sheeting for temporary roofing, generators requiring installation, and shoring or demolition of unsafe structures.

7. **Designated Period:**

- **For Direct Federal Assistance:** The period from 12:01 a.m. of the date of the Presidential declaration to 11:59 p.m. of the third full day after the date of the declaration.

- **For Grant Assistance:** The period selected by an applicant for eligibility for 100% Federal share assistance. The period will be 72 hours within a window from 12:01 a.m. of the date of a Governor's or City or County official's declaration of emergency through 11:59 p.m. of the seventh full day after the date of the Presidential declaration of a major disaster. The period may be different for Category A and Category B work.



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8. **Purchase Order:** Any unconditional agreement, contract or other commitment by a state or local government under state and local law for the acquisition of goods and services.

B. **Direct Federal Assistance.** FEMA will provide direct Federal assistance through a mission assignment to another Federal agency - upon request of the State - when the State and local government certify they lack the capability to perform or contract for the requested work. The duration of mission assignments for debris removal will be limited to 60 days from the disaster declaration date. The Federal Coordinating Officer may approve extensions for up to an additional 60 days, if a State or local government demonstrates a continued lack of capability to assume oversight of the debris removal mission. Additional extensions will require approval by the Recovery Division Director at FEMA Headquarters. If the President has also authorized 100% Federal funding for emergency work and/or debris removal under sections 403 or 407 of the Stafford Act for the disaster, the Federal share of work mission-assigned by FEMA will be as follows:

1. **Debris Clearance and/or Removal:** When FEMA directs another Federal agency to accomplish debris clearance and/or removal, FEMA will provide at 100% Federal share the cost of actual debris clearance and/or removal work accomplished, *not mission assignment task orders initiated*, during the designated period. This work includes whatever clearance, pick up, hauling, processing and disposal activities FEMA authorizes but only during the designated period. After the designated period, if further direct Federal assistance for debris clearance or removal is necessary, it will be provided at the prevailing Federal cost share rate for the particular disaster. The State shall agree in advance to reimburse FEMA for the appropriate non-Federal share of the work including the overhead of the Federal agency assigned the task of debris removal.

2. **Food, Water, Ice and Other Consumable Commodities:** For a mission assignment task order approved during the designated period, such commodities and the work necessary to distribute them, but not including installation or set-up, shall be provided at 100% Federal share regardless of the work or project completion date. For task orders approved after the designated period, the commodities shall be provided at the prevailing Federal cost share rate for the particular disaster. The State shall agree in advance to reimburse FEMA for the appropriate non-Federal share of the work including the overhead of the Federal agency assigned the task.



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3. **Other Emergency Protective Measures:** For a mission assignment task order approved during the designated period, FEMA will provide at 100% Federal share the cost of the work actually completed during the designated period. Examples of these measures include: installation of generators, installation of large plastic sheet roofing, and shoring or demolition of unsafe structures. After the designated period, the work or supplies shall be provided at the prevailing Federal cost share rate for the particular disaster. The State shall agree in advance to reimburse FEMA for the appropriate non-Federal share of the work including the overhead of the Federal agency assigned the task.

C. **Grant Assistance.** When the President authorizes 100% Federal funding for emergency work under sections 403 and 407 of the Stafford Act for a limited period in the initial days of the disaster, the Federal share for Grant Assistance will be as follows:

1. **Debris Clearance and/or Removal:** FEMA will reimburse applicants 100% of the costs for the debris removal work accomplished during the designated period. This includes all clearance, pick up, hauling, processing and disposal activities, but only during the designated period. For work accomplished after the end of the designated period, assistance will be provided at the prevailing Federal cost share rate for the particular disaster.

2. **Food, Water, Ice, and Other Consumable Commodities:** FEMA will reimburse applicants 100% of the costs of eligible work for reasonable purchase orders approved and finalized pursuant to state and local law during the designated period, regardless of the work or project completion date. This includes expenses to *distribute* commodities, but does not include installation or set-up. For purchase orders approved and placed after the end of the designated period, assistance will be provided at the prevailing Federal cost share rate for the particular disaster.

3. **Other Emergency Protective Measures:** FEMA will reimburse applicants 100% of the costs of eligible work accomplished during the designated period. Examples of these measures include: installation of generators, installation of large plastic sheet roofing, and shoring or demolition of unsafe structures. For work accomplished after the designated period, assistance will be provided at the prevailing Federal cost share rate for the particular disaster.

VIII. ORIGINATING OFFICE: Recovery Division (Public Assistance Branch).

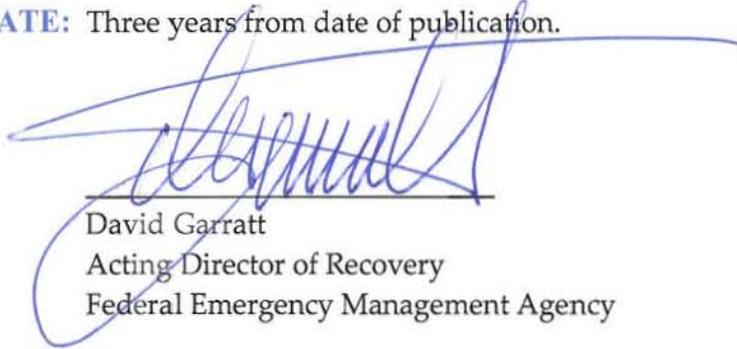


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IX. SUPERSESSION: Response and Recovery Directorate Guidance No. 4150-E, September 26, 1995, *Direct Federal Assistance at 100% Federal Funding*; Unnumbered Guidance, October 6, 2004, *Eligibility for 100% Federal Share Assistance*; Recovery Division Policy 9523.9, March 10, 2006, *100% Funding for Direct Federal Assistance and Grant Assistance*.

X. REVIEW DATE: Three years from date of publication.

A handwritten signature in blue ink, appearing to read "David Garratt", written over a horizontal line.

David Garratt
Acting Director of Recovery
Federal Emergency Management Agency