



COVID-19 Frequently Asked Questions

FEMA Region VIII Public Assistance

UPDATED: 03/25/2020 at 1500 Hours

Overview

On March 13, 2020, President Trump declared the ongoing Coronavirus Disease 2019 (COVID-19) pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to section 501 (b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the “Stafford Act”). State, territorial, tribal, and local government entities and certain private non-profit organizations are eligible to apply for Public Assistance (PA).

In accordance with section 502 of the Stafford Act, eligible emergency protective measures taken to respond to the COVID-19 emergency at the direction or guidance of public health officials’ may be reimbursed under Category B of the agency’s PA program. FEMA will not duplicate assistance provided by the Department of Health and Human Services (HHS), including the Centers for Disease Control and Prevention (CDC), or other federal agencies. Reimbursable activities typically include emergency protective measures such as the activation of State Emergency Operations Centers, National Guard costs, law enforcement and other measures necessary to protect public health and safety.

The FAQ is currently organized into the following sections:

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Please continue to submit any questions not addressed in this document with the subject line of “COVID-19 FAQ” to fema-r8-policy@fema.dhs.gov. Updated FAQs will be distributed on Wednesdays.



Frequently Asked Questions

General Public Assistance

Q: Do the States, tribal and territorial governments need to request separate declarations to receive FEMA assistance under this nationwide declaration?

A: No, States, tribal and territorial governments do not need to request separate declarations to receive FEMA Public Assistance. FEMA has issued emergency declaration for each of the six states within Region VIII:

- Colorado COVID-19 (EM-3436)
- Montana COVID-19 (EM-3476)
- North Dakota COVID-19 (EM-3477)
- South Dakota COVID-19 (EM-3475)
- Utah COVID-19 (EM-3478)
- Wyoming COVID-19 (EM-3479)

Tribes will elect to be either a direct recipient, “opt-in”, or be a subrecipient through the State. If a Tribe elects to opt-in as a direct recipient, the Tribe must notify Regional Administrator Lee dePalo. FEMA assistance will require execution of a FEMA-State/Tribal Agreement along with the Application for Federal Assistance (SF-424).

Q: What is the cost share for the Public Assistance grant program?

A: FEMA Public Assistance will be provided at a 75 percent Federal cost share.

Q: Has there been any discussions concerning this \$5 million cap for Emergency Declarations?

A: Yes, the \$5 million cap for emergency declarations can be exceeded. It requires congressional notification, which is being handled at FEMA Headquarters. This action will not impact State or local ability to respond.

Q: If a State requests a Major Disaster Declaration to open IA programs, is there any option to subsequently include Category B Emergency Protective Measures within that declaration without completing PDAs?

A: Yes, if a State is issued a Major Disaster Declaration to open IA programs, Category B can be included in the declaration as well. For instance, FEMA recently issued Major Disaster Declarations for New York, Washington and California, activating both IA and PA programs.



In the [California declaration request](#), the Governor's letter states that "Preliminary damage assessments are impossible to perform at this time due to the dynamic nature of this pandemic, but cases continue to increase each day, and ongoing life-saving response activities are overwhelming both State and local resources". Additional information can be found in the Governor's letter link above.

Q: What is the incident period for the Emergency Declarations?

A: The incident period start date is January 20, 2020 and the end date is ongoing.

[Grant Management and Administration](#)

Q: Can the Request for Public Assistance (RPA) timeline be extended?

A: Yes, the deadline to submit the Request for Public Assistance (RPA) for the COVID-19 the RPA deadline is nationally extended and will remain open for the duration of the Public Health Emergency, as declared by the Secretary of Health and Human Services, unless an earlier deadline is deemed appropriate by the FEMA Assistant Administrator, Recovery Directorate.

Q: Will a user guide or reference guides on the new simplified application processes be made available to Applicants?

A: Yes, guides on the new simplified application processes will be made available to Applicants. Region VIII is currently unaware of the timeline for such guidance to be released. It is projected that by the end of next week, the following will be issued:

- COVID-19-specific templated Project Worksheet (PW) and account set up, Request for Public Assistance, and expedited funding guidance to streamline up-front PW development steps.
- Updated COVID-19 specific FEMA Job Aids on expedited project funding and PDMG Assignments
- Updates on Large Project Notifications (OLA) – currently waived
- Grants Manager & Grants Portal release with functionality for direct applicant account set up and RPA submission, Cat B-only events

RPAs will continue to be processed as normal until Grants Portal has the simplified application process functionality. ***Note:** If immediate funding is required, it is not necessary to wait on the new forms and/or reference guides. Processes are in place for immediate obligations, if required.



Q: What is the documentation required for the new simplified application procedures? What documentation is Region VIII requiring?

A: Preliminary discussions indicate that document requirements will be limited to support eligibility based on project's risk of providing ineligible funding and emergency need. However, until the simplified application process guidance is released, FEMA Region VIII will be requesting documentation required of a typical disaster declaration. Additionally, in order to prevent duplication of benefits, FEMA is requiring a written statement from the Applicant for each project funded by FEMA stating that other Federal funds will not be accepted for that particular project.

Q: HHS recently announced CDC would be awarding almost \$35M in grants to Region VIII States (\$605M nationwide). How will overlapping costs be deconflicted? And, how will duplication of benefits (DOB) be identified?

A: This question was submitted to HQ on March 16, 2020. At this time, the [CDC COVID-19 Crisis Response Cooperative Agreement – Components A and B Supplemental Funding Interim Guidance \(March 15, 2020\)](#) states that this funding is intended for state, local, territorial, and tribal health departments to carry out surveillance, epidemiology, laboratory capacity, infection control, mitigation, communications, and other preparedness and response activities (Reference: Section I. Summary). The \$35M for Region VIII is allocated as follows:

[CDC Funding Information \(March 11, 2020\):](#)

- Colorado – \$9,831,323.30
- Montana – \$4,567,500.00
- North Dakota – \$4,567,500.00
- South Dakota – \$4,567,500.00
- Utah – \$6,441,412.50
- Wyoming – \$4,567,500.00

***Note:** FEMA is requiring a written statement from the Applicant for each project funded by FEMA stating that other Federal funds will not be accepted for that particular project. FEMA Region VIII recommends Recipients flag health departments applying for PA funding and work with State Health Departments to ensure the health department has exhausted the CDC funding and there is no duplication of benefits.

Q: Will there be Category Z Project Worksheets (PWs)?

A: Yes, FEMA will obligate Category Z PWs in line with the [Public Assistance Management Costs \(Interim\) FEMA Recovery Policy FP 104-11-2](#) applicable to Emergency Declarations under Stafford Act's Section 502.



Q: How will FEMA reimburse on this grant?

A: FEMA will reimburse Applicants through project versions via normal reimbursement procedures (FEMA > Recipient > Subrecipient).

Q: Is there a way to proactively address small project overruns, knowing that some of these “small projects” being submitted and versioned will turn into large projects over time?

A: Project obligations will be phased to avoid potential small project overruns. Initially, projects can be obligated based on projections up to 90-days. Once the 90-day initial projection expires, the project will be versioned to capture actual costs to-date and continuing costs for an addition 90-day increment. Versions will continue as such for the duration of the Public Health Emergency.

[Applicant Eligibility](#)

Q: Who are eligible HHS applicants?

A: According to the [CDC COVID-19 Funding website](#), CDC funding is intended for state, local, territorial, and tribal health departments. Health departments may then disburse funding to other local jurisdictions.

Q: Who are eligible FEMA applicants?

A: Eligible FEMA applicants are as follows:

- State and Territorial Governments
- Indian Tribal Governments
- Local Governments
- Certain Private Nonprofits (PNPs) **Subject to PNP eligibility requirements*

There is no indication at this time that FEMA HQ plans to change the applicant eligibility requirements listed in the PAPPG on Pages 9-14 (PDF Pages 20-25).

Q: Based on the eligibility pyramid, could counties act as the Applicant on behalf of municipalities, special districts and private non-profits?

A: Typically, State statute does not allow for counties to be legally responsible for other entities such as schools, medical facilities, etc. However, there are instances where counties have been granted legal responsibility over townships. If the State believes statute currently exists to grant legal authority to the counties, the State should submit the applicable statute for FEMA legal review.



Q: Is FEMA planning to modify the eligibility requirements for private nonprofits (PNPs)?

A: There is no indication at this time that FEMA HQ plans to change the PNP policy or eligible PNPs listed in the PAPPG. A PNP Fact Sheet is in development and will be distributed in the upcoming weeks.

Emergency Procurement

Q: What are the criteria and timeline for exigent procurement?

A: The Nationwide Emergency Declaration and declaration of a Public Emergency for COVID-19 establish that exigent and emergency circumstances currently exist. For the duration of the Public Health Emergency, local governments, tribal governments, nonprofits, and other non-state entities may proceed with new and existing noncompetitively procured contracts to respond to or address COVID-19. More information can be found at:

- [Procurement Under EE Circumstances Memo signed](#)
- [Procurement During EE Circumstances fact sheet 3 18 20](#)

Q: The current Simplified Acquisition Threshold (SAT) is \$250,000. Is there a way for 2 CFR §300 procurement regulations to be waived or suspended for any purchase or acquisition that falls under the SAT during this event?

A: It has been determined that emergency and exigent circumstances exist based on the President's Nationwide Emergency Declaration and the Secretary of the Health and Human Services' (HHS) declaration of a Public Health Emergency for COVID-19. Therefore, non-state entities are permitted to non-competitively procure contracts pursuant to 2 CFR § 200.320(f)(2) for the duration of the COVID-19 Public Health Emergency as determined by HHS.

General Cost Eligibility

Q: Are the costs associated with placing employees on administrative leave considered to be eligible costs?

A: No, administrative leave is not eligible under the PA program. PAPPG Page 25 (PDF Page 36) states "Administrative leave or similar labor costs incurred for employees sent home or told not to report due to emergency conditions are not eligible."



Q: Is there a cost share related to Direct Federal Assistance (DFA) Mission Assignments? If so, is the cost share eligible under PA?

A: Mission Assignments have the same cost-share provisions applicable to the declaration (25% non-Federal share). The recipient of DRA will “provide reimbursement to FEMA for the non-Federal share of the cost of such work in accordance with the provisions of the FEMA-State Agreement.”

Q: If there are different counties and tribes are trying to form an EOC together, how would the Applicants track their costs under the legal responsibility requirement? Can the costs be split as a percentage to each Applicant?

A: If several entities are pooling resources to form one EOC, the entities should enter into a cooperative agreement (or MOU) designating one “Lead Entity” (County) and outlining how funding will be disbursed to include cost-share considerations. FEMA will reimburse the Lead Entity for the total eligible EOC costs and the Lead Entity will subsequently reimburse the other cooperating entities according to the written agreement. The cooperating entities and associated cost must meet the normal applicant and cost eligibility requirements outlined in the PAPPG.

Per the PAPPG, Page 33 (PDF Page 44), Post-Incident Agreements:

“When the Requesting and Providing Entities do not have a written agreement, OR where such an agreement exists but is silent on reimbursement, the entities may verbally agree on the resources to be provided and on the terms, conditions, and costs of such assistance.

The agreement should be consistent with past practices for mutual aid between the entities. For example, if the Requesting Entity does not normally reimburse a Providing Entity for its costs, it should not agree to do so specifically for the declared incident.

Prior to funding, the Requesting Entity must document the verbal agreement in writing, have it executed by an official of each entity with the authority to request and provide assistance, and submit it to FEMA (preferably within 30 days of the Applicant’s Briefing).”

[Food Distribution](#)

Q: Would the purchase and distribution of food and water and ice, etc. by the local jurisdiction for the community be eligible?

A: No, as the COVID-19 event did not impact essential services such as grocery stores, restaurant pick-up and delivery services, online markets, etc., the purchase and



distribution of food, water, ice, etc. to the whole community are not eligible. However, those same services used at designated shelters may be eligible.

Q: Are purchase and distribution of food, water, ice, medicine, and other consumable supplies, to include personal protective equipment and hazardous material suits eligible for schools, shelters and those areas that have been designated as quarantine locations? Or, does it apply only to PA eligible applicants who distributes food?

A: Per PAPPG Page 68 (PDF Page 79), the purchase and distribution of food, water, ice, medicine and other consumable supplies for sheltering needs are eligible expenses for State, Territorial, Tribal, and local governments.

Per PAPPG Page 60 (PDF Page 71), PNPs are generally not legally responsible for emergency services and FEMA does not provide PA funding to PNPs for the costs associated with providing those services. When a PNP provides emergency services at the request of, and certified by, the legally responsible government entity, FEMA provides PA funding through that government entity as the eligible Applicant.

[Equipment, Supplies and Related Services](#)

Q: What schedule of equipment rates should be used?

A: Please use [FEMA Schedule of Equipment Rates](#) dated August 27, 2019.

Q: Can Applicants purchase their own personal protective equipment (PPE) if the costs are considered reasonable?

A: Yes, the costs to purchase or replace PPE is eligible. Per PAPPG Page 28 (PDF Page 39), the cost of such supplies is eligible if: “purchased and justifiably needed to effectively respond to and/or recover from the incident; or taken from the Applicant’s stock and used for the incident.” FEMA will provide funding for PPE based on either invoices or inventory records. Funding for items used from inventory will be priced according to the Applicant’s established method. If the Applicant does not have an established method, funding will be based on historical data or other prices from comparable vendors.

Q: Are the IT costs associated with essential personnel supporting the EOC and Health Department virtually considered to be eligible expenses?

A: This question was submitted to HQ on March 19, 2020. The FAQ will be updated once a response is received. Typically, FEMA would only consider the extraordinary costs related to IT wrap-around services in the eligibility analysis.



Q: As the State focuses more on teleworking and shutting down facilities, would the costs associated with equipment purchases (printers, monitors, laptops, etc.) as well as the costs related to wrap-around services such as VPN services to increase cyber security be eligible under this current EM declaration?

A: This question was submitted to HQ on March 19, 2020. The FAQ will be updated once a response is received. Typically, FEMA would review the eligibility of these type of expenses on a case-by-case basis and in accordance with PAPPG: Temporary Relocation of Essential Services guidance on Page 76 (PDF Page 87).

Q: As schools move to online for the considerable future, are the purchase of computers, laptops, internet service and other related expenses associated with online teaching and learning eligible under Category B Public Assistance?

A: This question was submitted to HQ on March 19, 2020. The FAQ will be updated once a response is received. Typically, FEMA would review the eligibility of these type of expenses on a case-by-case basis and in accordance with the PAPPG: Temporary Relocation of Essential Services guidance on Page 76 (PDF Page 87).

Q: Is the increased cost associated with the delivery of school meals to kids who are now out of school as a part of the COVID-19 response a reimbursable item under Cat B? For instance, expenses associated with increased costs of delivery of the lunches such as trucks, drives, fuel, etc.

A: This question was submitted to HQ on March 16, 2020. The FAQ will be updated once a response is received. To better analyze the eligibility of costs, FEMA would need help understanding the increased operating costs associated with the deliveries.

Q: Are cleaning supplies (disinfecting agents, sanitizer supplies, PPE) and additional increased costs (staff overtime, contract cleaning, etc.) for schools who have a positive or presumptive positive eligible under CAT B? Are the same above expenses for schools who take precautionary measures, where no positive or presumptive positive COVID-19 has occurred eligible under CAT B?

A: Yes, for eligible public and PNP facilities, costs associated with disinfecting the facility to eliminate or lessen an immediate threat to lives, public health, and safety are eligible regardless of whether there are any positive or presumptive cases. The work should be consistent with current public health guidance as it relates to disinfection recommendations:

- [CDC: Community Facilities Cleaning-Disinfection](#)
- [CDC: Healthcare Facilities Cleaning-Disinfection](#).



In cases where disinfection may appear to be an increased operating cost (e.g., cleaning and disinfection are normal operating costs), funding may be eligible if:

- The facility provides services that are specifically related to eligible emergency actions to save lives or protect public health and safety or improved property;
- The costs are for a limited time based on the exigency of the circumstances; and
- The Applicant tracks and documents the additional costs.

Examples may include increased cleaning and disinfection costs in emergency, medical, and custodial care facilities treating patients infected with COVID-19.

Policies on labor costs, purchase of supplies and equipment, and contracted services apply as with any other incident (e.g., costs must be reasonable and procurement requirements must be followed).

Q: Would the installation of equipment making it possible for judges to see inmates in the jail via webcam to limit possible exposures be eligible under PA?

A: No, the installation of webcams does not qualify as an eligible emergency protective measure. Unless there is a legal requirement for the inmates to meet with judges in a visual manner, the installation of webcams is not eliminating an immediate threat. And should there be a legal requirement, the first reimbursement funding request should be submitted to the Department of Justice. Consider other available social distancing methods such as positioning inmates and judges six feet apart or hosting teleconferences with the inmates and judges.

[Facility Lease or Purchase](#)

Q: Is the lease or purchase of a vacant hotel or medical facility (ex. for-profit medical center for elective surgeries but vacant due to COVID-19) for the purpose of opening a temporary medical facility considered to be an eligible Cat B expense? If the answer is yes and the temporary medical facility is never utilized during the COVID-19 response, would those expenses remain eligible?

A: This question was submitted to HQ on March 25, 2020. The FAQ will be updated once a response is received.

Q: Can an Applicant lease, lease with an option to purchase, or purchase a hotel as a means of medical housing for isolating people? Would any option be better than the other?

A: This question was submitted to HQ on March 25, 2020. The FAQ will be updated once a response is received.



Sheltering

Q: Does non-congregate sheltering delegation to Regional Administrator's require pre-approval?

A: The requirement for pre-approval still applies. The [non-congregate sheltering delegation of authority](#) delegated the approval authority to the Region, but did not alter the requirement that FEMA has to pre-approve non-congregate sheltering before the work actually takes place. If work has already started, the authority to approve a waiver is delegated to the Region.

Special Considerations

Q: Will there be an EHP green sheet created for the emergency declarations?

A: Steve Hardegen will be attending the Thursday, March 26th State-FEMA call to address any EHP concerns.