Emergency Protective Measures and Donated Resources

Presented by:
Public Assistance Training Section
Learning Objective

Improve understanding of...

- FEMA Categories of Work
- Emergency Protective Measures
- Donated Resources
FEMA Categories of Work
# FEMA Categories of Work

FEMA categorizes disaster-related work as:

<table>
<thead>
<tr>
<th>Emergency Work</th>
<th>Permanent Work</th>
</tr>
</thead>
<tbody>
<tr>
<td>Addresses an immediate threat:</td>
<td>Restoration of:</td>
</tr>
<tr>
<td>A. Debris Removal</td>
<td>C. Roads/bridges</td>
</tr>
<tr>
<td>B. Emergency Protective Measures</td>
<td>D. Water control facilities</td>
</tr>
<tr>
<td></td>
<td>E. Buildings/equipment</td>
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<tr>
<td></td>
<td>F. Utilities</td>
</tr>
<tr>
<td></td>
<td>G. Parks, recreational, and other facilities</td>
</tr>
</tbody>
</table>
FEMA Categories of Work

To be eligible for reimbursement from FEMA, work must be (at minimum):

- **Required** as a result of the declared incident
- **Located** within the designated area (except for sheltering and evacuation activities)
- The **legal responsibility** of an **eligible** Applicant

FEMA’s *Public Assistance Program and Policy Guide* provides more information.
Emergency Protective Measures
# Emergency Protective Measures

FEMA categorizes work as:

**Emergency Work**
- Addresses 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
Emergency Protective Measures

What are they?

Emergency protective measures eliminate or lessen immediate threats...

...to lives, public health, or safety

...of significant additional damage to improved property
Emergency Protective Measures

What are they?

Examples* of such measures *may* include:

- Pre-positioning supplies, equipment, and/or other resources
- Certain operating expenses
- Emergency access
- Supplies and commodities
- Medical care and transport
- Evacuation and sheltering
- Safety inspections
- Search and rescue
- Fire fighting
- Security, law enforcement
- Use or lease of temporary generators for essential facilities
- Information dissemination
- Mass mortuary services

(*not a complete list)
Emergency Protective Measures

What are they?

FOR COVID-19, these* *may* be eligible:

- Emergency and inpatient clinical care for COVID-19 patients
- Specialized medical equipment
- Personal Protective Equipment
- Medical waste disposal related to COVID-19
- Certain labor costs for staff providing COVID-19 treatment

(*not a complete list)

See also:

- FEMA Policy FP 104-010-04
Emergency Protective Measures

What costs are eligible?

**Labor and fringe benefits**
- *Budgeted Employees*: Overtime Only
- *Unbudgeted Employees*: Straight Time and Overtime

**Equipment**
- Applicant-owned
- Leased

**Supplies and materials**
- Purchased
- From stock

**Contract work**
- Must meet Federal procurement requirements
Emergency Protective Measures
What labor and fringe benefit costs are eligible?

Labor and fringe benefits

<table>
<thead>
<tr>
<th>Emergency Work Labor Eligibility</th>
<th>Overtime</th>
<th>Straight-Time</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Budgeted Employee Hours</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Permanent employee</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Part-time or seasonal employee working during normal hours or season of employment</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td><strong>Unbudgeted Employee Hours</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reassigned employee funded from external source</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Essential employee called back from furlough</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Temporary employee hired to perform eligible work</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Part-time or seasonal employee working outside normal hours or season of employment</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>
Emergency Protective Measures

What documentation is needed?

Labor and fringe benefits
- Employee names
- Dates and hours worked in support of incident
- Activities performed in support of incident
- Hourly pay and benefits rates (straight time and overtime)
- Payroll register or equivalent
- Payroll and benefits policies

Relevant FEMA Forms:
- Applicant’s Benefits Calculation Worksheet
- Force Account* Labor Summary Record

*The term “Force Account” refers to an Applicant’s own resources.
Emergency Protective Measures

What documentation is needed?

**Equipment**
- Equipment rates OR actual costs
- Equipment type, size, model, etc.
- Hours used for declared incident
- Lease agreements

**Supplies and materials**
- Invoices or established pricing methods
- Inventory withdrawal and usage records

**Relevant FEMA Forms:**
- Force Account Equipment Summary Record
- Rented Equipment Summary Record
- Materials Summary Sheet
- FEMA Schedule of Equipment Rates
Emergency Protective Measures

What documentation is needed?

**Contract work**
- Contract award records
- Procurement policies

**Deductions**
- Insurance proceeds
- Non-Federal grants /cash
- Third-party liability
- Other Federal awards
- Dispositions (for market values of $5,000 or more)

**Relevant FEMA Forms:**
- Contract Work Summary Record
Donated Resources
Donated Resources
What are they?

Donated resources are equipment, supplies, materials and/or labor ("resources") donated by individuals or organizations to assist with disaster response activities.
Donated Resources

What are they?

Examples* of eligible donated resources may include:

- Removing eligible debris
- Filling and placing sandbags
- Donating equipment, such as to raise or reinforce a levee
- Donating materials, such as rocks or sand
- Search and rescue, when part of an organized search and rescue operation
- Professional safety inspections
- Mass care and sheltering for disaster survivors

(*not a complete list)
Donated Resources

What are they?

Examples* of eligible donated resources for COVID-19 may include:

- Donations of personal protective equipment (PPE), durable medical equipment, or consumable medical supplies
- Donations or use of specialized medical equipment
- Use of space and/or property for temporary or expanded medical facilities
- Volunteer labor performed to help administer or maintain temporary, expanded, or Alternate Care Sites

(*not a complete list)

To be considered, each of the above examples must be necessary to respond to COVID-19.
Donated Resources
What are they?

Examples* of ineligible donated resources may include:

- Debris removal on private property (aside from certain exceptions)
- Feeding volunteers who were doing ineligible work
- Volunteer firefighters working within their own jurisdiction
- Emergency repairs to private property
- Unapproved donation warehouse and point of distribution activities

(*not a complete list)
Donated Resources

Wait. FEMA reimburses for donated resources?!?

No. FEMA does not directly provide Public Assistance funding for donated resources.

HOWEVER...

An Applicant may use the value of donated resources to offset its non-Federal share of other eligible assistance.
Donated Resources
What requirements must be met?

Donated resources must meet all four of the following conditions to be eligible:

- Provided by a third party
- Used in the performance of eligible work
- Tracked and adequately documented by a local public official or designee
- Necessary and reasonable
Donated Resources
What requirements must be met?

A few clarifications:

- A “third party” can be member or employee of the organization, as long as the donated work was unpaid.
- Resources donated by an organization that would normally provide the same resources under its mission are eligible if that organization is not federally funded.
- Mutual aid provided at no cost is eligible.
- Contributions may be cash, third-party in-kind services, materials, or any combination thereof.
Donated Resources

What requirements must be met?

Donated resources are **ineligible** if:

- Donated by a Federal agency
- Funded through a Federal award
- Donated by another federally-funded source
- Used as an offset to any other Federal award
- Used for ineligible work
- Considered a duplication of other benefits
Donated Resources
What offset amounts can be counted?

Volunteer Labor:

– The offset is based on the same straight-time hourly labor rate, plus fringe benefits, as a similarly-qualified person in the Applicant’s organization who normally performs similar work

– FEMA does not offset volunteer labor based on overtime or premium rates

– If the Applicant does not have employees performing similar work, FEMA credits the non-Federal share based on a rate consistent with those ordinarily performing the work in the same labor market
Donated Equipment:

- The offset is based on equipment rates from the FEMA Schedule of Equipment Rates
- Specify equipment details, such as make, model, capacity, horsepower, and/or operators as applicable
- The amounts claimed must not exceed the fair rental value (if loaned) or the fair market value (if donated with a transfer of title) of equipment that is in similar age and condition at the time of donation
Donated Resources

What offset amounts can be counted?

Donated Supplies or Materials
- The offset is based on current commercial rates
- FEMA validates based on invoices from previous purchases or information from vendors in the area
- The amount claimed may not exceed fair market value at time of donation

Donated Buildings or Land
- The offset is based on the fair market value at the time of donation as established by an independent appraisal and certified by the Applicant
Donated Resources

What offset amounts can be counted?

**Donated Space**
- The offset is based on the fair rental value as established by an independent appraisal of comparable space and facilities in a privately-owned building in the same locality.

**Donated Logistical Support**
- Reasonable logistical support for volunteers doing eligible work, such as donations warehousing and management related to eligible Emergency Work, may be eligible as donated resources if provided by a third party.
Donated Resources

What documentation is needed?

Volunteer labor

- Volunteer names
- Name of volunteer organization (if applicable)
- Dates and hours worked
- Work site(s)/location(s)
- Activities performed in support of incident

Note:

- All Donated Resources must be documented by a local public official or designee.
- The FEMA Regional Administrator may establish alternate documentation requirements in extraordinary circumstances.
Donated Resources
What documentation is needed?

Donated equipment
- Name of donating organization
- Detailed equipment description
- Dates and hours used
- Equipment operator(s)
- Work site(s)/location(s) where used
- Activities performed in support of incident
- Schedule of equipment rates

Note:
- All Donated Resources must be documented by a local public official or designee.
- The FEMA Regional Administrator may establish alternate documentation requirements in extraordinary circumstances.
Donated Resources

What documentation is needed?

**Donated supplies/materials**
- Name of donors
- Description of supplies/materials
- Quantities received/used
- Explanation of how used in support of incident
- Work site(s)/location(s) where used
- Any other documentation to substantiate value

**Note:**
- All Donated Resources must be documented by a local public official or designee.
- The FEMA Regional Administrator may establish alternate documentation requirements in extraordinary circumstances.
Donated Resources

What documentation is needed?

- **Donated space/buildings/land**
  - Location(s)
  - Explanation of how used in support of incident
  - Independent appraisals
  - Any other documentation to substantiate value

**Note:**
- All Donated Resources must be documented by a local public official or designee.
- The FEMA Regional Administrator may establish alternate documentation requirements in extraordinary circumstances.
Donated Resources

How are donated resources applied?

For Emergency Work, Donated Resources...

- Offset the **combined** non-Federal cost share of **ALL** of an Applicant’s Emergency Work projects (Cat. A & B)
- May not exceed an Applicant’s **total out-of-pocket costs**
- Are capped at the **total non-Federal cost share** of an Applicant’s Emergency Work projects
- Are captured as a **separate project** after all Emergency Work is obligated

**Note:**
- **FEMA does not apply the offset or remaining offset toward:**
  - Other state, territorial, or tribal government obligations
  - Projects for another Applicant
  - Permanent Work
Donated Resources

How are donated resources applied?

For Permanent Work, Donated Resources…

- Offset the non-Federal cost share of Permanent Work on a project-by-project basis
- May not exceed an Applicant’s total out-of-pocket costs for that project
- Are capped at the total non-Federal cost share of each project
- Are captured as a line-item offset within each project

Note:

- FEMA does not apply the offset or remaining offset toward:
  - Other state, territorial, or tribal government obligations
  - Projects for another Applicant
  - Emergency Work
### Donated Resources

**How are donated resources applied?**

**Example 1:** Emergency Work with eligible donated resources valued **less than** non-Federal cost share

<table>
<thead>
<tr>
<th>Applicant’s Emergency Work Projects Summary</th>
<th></th>
<th>Shares</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Eligible</td>
<td>Federal</td>
</tr>
<tr>
<td>Cat. A Project: Debris Removal</td>
<td>$32,000</td>
<td>$24,000</td>
</tr>
<tr>
<td>Cat. B Project: Emergency Prot. Measures</td>
<td>$10,000</td>
<td>$7,500</td>
</tr>
<tr>
<td><strong>Applicant non-Federal Share (BEFORE donated resources):</strong></td>
<td></td>
<td>$10,500</td>
</tr>
<tr>
<td>Cat. B Project: Donated Resources <strong>OFFSET</strong></td>
<td>$8,800</td>
<td></td>
</tr>
<tr>
<td><strong>Applicant non-Federal Share (AFTER donated resources):</strong></td>
<td></td>
<td>$1,700</td>
</tr>
</tbody>
</table>
### Donated Resources

**How are donated resources applied?**

**Example 2:** Emergency Work with eligible donated resources valued more than non-Federal cost share

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<td>$10,000</td>
</tr>
<tr>
<td><strong>Applicant non-Federal Share (BEFORE donated resources):</strong></td>
<td><strong>$10,500</strong></td>
</tr>
<tr>
<td>Cat. B Project: Donated Resources OFFSET</td>
<td>$16,000</td>
</tr>
<tr>
<td><strong>Applicant non-Federal Share (AFTER donated resources):</strong></td>
<td><strong>$0</strong></td>
</tr>
</tbody>
</table>
Donated Resources

How are donated resources applied?

**Example 3:** Permanent Work project with eligible donated resources valued **less than** non-Federal cost share

<table>
<thead>
<tr>
<th>Applicant’s Permanent Work Project</th>
<th>Shares</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Eligible</td>
</tr>
<tr>
<td>Work Completed</td>
<td>$24,000</td>
</tr>
<tr>
<td>Work To Be Completed</td>
<td>$10,000</td>
</tr>
<tr>
<td><strong>Project non-Federal Share (BEFORE donated resources):</strong></td>
<td><strong>$8,500</strong></td>
</tr>
<tr>
<td>Donated Resources OFFSET</td>
<td>$5,200</td>
</tr>
<tr>
<td><strong>Project non-Federal Share (AFTER donated resources):</strong></td>
<td><strong>$3,300</strong></td>
</tr>
</tbody>
</table>
Summary

Remember:

- FEMA has seven Categories of Work (A-G)
- Emergency Protective Measures (Cat. B)
  - **Eliminate or lessen threats** to lives, public health, safety, improved property
- Donated Resources
  - Are **NOT directly** eligible for funding, **BUT**
  - Can be used to **OFFSET** an Applicant’s non-Federal cost share
Thank you for attending

For policy and eligibility questions please contact your State, Local, Tribal, or Territorial Office of Emergency Management
Thank you for attending

For technical assistance please contact:

Grants Portal Hotline: 1-866-337-8448
FEMA-Recovery-PA-Grants@fema.dhs.gov