



**Requests
for
Information
Determination
Memos
And
Appeals**





Request for Information - RFI

- Applicants are required to answer Essential Elements of Information (EEI) and upload documents to their projects in Grants Portal.
- If FEMA requires additional information to determine eligibility, and this information is not provided in response to EEI questions, then FEMA will submit an RFI.
- Applicants typically have 15 days to respond to an RFI.
- Failure to respond to an RFI can result in a Determination Memo (DM) being issued.



Determination Memos

- FEMA will issue a determination memo when eligibility issues arise. A copy of the determination memo is also sent to SDOEM.
- Determination memos are issued when:
 - An applicant's Request for Public Assistance is denied.
 - An applicant, their facility, work, or cost is deemed wholly or partially ineligible.
 - An applicant has not complied with the terms of the grant program.
- An explanation for the basis of the determination memo is included with the memo.
- Information regarding an applicants right to appeal is also included with the determination memo.



Right to Appeal

- Applicants have 60 days from receipt of a determination memo to appeal FEMA's decision.
- All appeals must be sent to SDOEM for review.
 - All appeals should be accompanied by documentation that supports the applicant's claims.
- SDOEM will review the appeal and forward it, along with a written recommendation, to the FEMA Region 8 administrator within 60 days of receipt of the appeal.
- FEMA has 90 days to review the appeal and issue a decision or request for additional information.
- Applicants have the right to appeal any decision that FEMA makes regarding their projects and eligibility.



Right to Appeal, cont.

- If the first appeal is denied, applicants have the right to a second appeal.
 - No supporting documentation can be submitted with a second appeal. Documentation can only be submitted with a first appeal.
- Applicants will again have 60 days from receipt of denial of the first appeal to file a second appeal with SDOEM.
- SDOEM will again have 60 days to review the second appeal and forward it to the FEMA HQ Assistant Administrator for Recovery.
- FEMA will then have 90 days to review the second appeal and issue their final decision.



Timelines

- RFI - Request for Information
 - First is an informal RFI, then a formal RFI is issued, and applicants have 15 days to respond.
 - If an applicant does not satisfy an RFI within 45 days, a DM will be issued.
- DM – Determination Memo
 - Applicants have 60 days to appeal a DM
 - SDOEM has 60 days to review an appeal.
 - FEMA has 90 days to respond to an appeal.
 - Applicants may appeal twice, but documentation can only be sent in with the first appeal.
 - The same timeline applies to first and second level appeals.

Have Questions?

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