



Homeland Security
and Emergency Services



FEMA

Coronavirus (COVID-19) Pandemic: Safe Opening and Operation Work Eligible for Public Assistance (Interim) (DR-4480-NY)

FEMA Policy #104-21-0003

<http://www.dhses.ny.gov/recovery/public/active-declarations.cfm>

Safe Opening and Operation Work Eligible for Public Assistance (Interim)

- **April 05, 2021:** Safe Opening and Operation Work Eligible for Public Assistance (Interim) FEMA Policy FP 104-21-0003
 - Policy only applies to disaster declarations issued by the President for the COVID-19 pandemic.
 - Governs work performed on or after its effective date of January 21, 2021 through September 30, 2021.
 - Assistance for eligible costs will be provided at 100% federal funding.
 - Posted on DHSES's website.



Safe Opening and Operations Work Eligible for Public Assistance (Interim)

- **FEMA's prior interpretation of policy will still apply to work completed prior to January 21, 2021, regardless of whether the project is submitted before or after January 21, 2021.**
- **Work that is otherwise eligible under the September 2020 Interim policy remains eligible for assistance.**



COVID-19 Public Assistance Eligible Work – Comparison Table

		Initial Eligibility Jan. 20, 2020 – Sept. 14, 2020	Ongoing Eligibility Sept. 15, 2020 – Jan. 20, 2021	Eligibility Under Updated Policies Jan. 21, 2021 – Sep. 30, 2021
Medical Care	Clinical Care for COVID patients	✓	✓	✓
	Vaccination	⚠	✓	✓
	Alternate Care Sites & Community Testing Sites	✓	✓	✓
	Contact Tracing Disease & Research	⊘	⊘	⊘
Opening & Operating	Personal Protective Equipment	✓	⚠	✓
	Cleaning & Disinfecting	📄	⚠	✓
	Screening incl. Testing & Temp. Checks	📄	⚠	✓
	Temp. Physical Barriers	📄	⚠	✓
	Virtual Operations	⊘	⊘	⊘
Mass Care	Non. Cong. Sheltering	✓	✓	✓
	Emergency Feeding	✓	✓	✓

Legend ✓ Eligible Work 📄 Limited Eligibility with Specific Documentation ⚠ Very Limited Eligibility with Specific Criteria ⊘ Ineligible Work

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- **Due to the fluidity of disaster specific policies if a project contains work performed in multiple periods, we advise applicants to document those costs separately.**
 - January 20, 2020 through September 14, 2020
 - September 15, 2020 through January 20, 2021
 - January 21, 2021 through September 30, 2021



Eligibility Considerations



Safe Opening and Operations Work Eligible for Public Assistance (Interim)

- **Eligible work related to safe opening and operation in COVID-19 declarations:**
 - Item of work must be the legal responsibility of an eligible Applicant.
 - All work must be required as a direct result of the COVID-19 pandemic incident.
 - Equitable Response and Recovery requirement apply.
 - Work performed from January 21, 2021 through September 30, 2021.

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- **Legal responsibility:**

- Measures to protect life, public health, and safety.
- Legally responsible SLTT governments may enter into formal agreements or contracts with private organizations, including PNP organizations, when necessary to carry out eligible emergency protective measures in response to the COVID-19 pandemic. PA funding is provided to the legally responsible government entity, which would then pay the private entity for the provision of services under the formal agreement or contract.
- FEMA is waiving the primary use and primary ownership policies normally applicable to PNP entities that own or operate mixed-use facilities.



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- **Allowability of costs:**

- Cost must be necessary and reasonable to respond to the COVID-19 pandemic.
- Conforms to standard PA program eligibility and other federal requirements.
- Applicant followed its established policies and procedures that apply when federal funding is not available.
- Cost is documented with sufficient detail for FEMA to evaluate compliance with federal laws, rules and other PA program requirements.



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- **Equitable Pandemic Response and Recovery:**

- COVID-19 has a disproportionate impact on communities of color and other underserved populations, including members of the LBGTQI+ community, persons with disabilities, those with limited English proficiency and those living at the margins of our economy.
- As a condition of receiving PA funding Recipients and Subrecipients must focus the use of FEMA funding on the highest-risk communities and underserved populations.
- Recipients and subrecipients must prioritize resources to ensure an equitable pandemic response.

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- **Equitable Pandemic Response and Recovery (cont):**

- Failure to adhere to this policy could result in funding reductions and/or delays.
- FEMA will monitor compliance.



Work Eligibility



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- **FEMA may aid all eligible PA applicants for the following measures implemented to facilitate the safe opening and operation of eligible facilities in response to DR-4480:**
 - Purchase and distribution of cloth face coverings and PPE;
 - Cleaning and disinfection;
 - COVID-19 diagnostic testing;
 - Screening and temperature scanning;
 - Acquisition and installation of portable temporary physical barriers; and
 - Purchase and storage of PPE and other supplies based on projected needs.



Coordination of Funding

Safe Opening and Operations Work Eligible for Public Assistance (Interim)

- **FEMA may provide PA funding to Applicants for eligible work under DR-4480 that may also be eligible for funding under another federal agency's authorities.**
 - Potential PA Applicants may have the flexibility to determine which source of funding to use for their costs.
 - If an eligible Applicant applies for PA funding and then determines it will instead seek funding from another federal agency, the Applicant should notify FEMA as soon as possible and no later than 30 days from the date the decision to seek funding from another federal agency is made.
 - PA funding should not be considered funding of last resort. PA funding should be considered concurrently with other federal agency programs and sources.



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- **For certain types of work that may be eligible for funding under another agency's authorities, FEMA, in coordination with other federal agencies has determined that it will not provide reimbursement for such work through the Public Assistance program.**
 - FEMA has determined that Public Assistance is **not** the appropriate source of funding for COVID-19 *contact tracing* as there are more appropriate sources of funding.
 - FEMA's Fact Sheet on coordinating Public Assistance and Other Sources of Federal Funding:
https://www.fema.gov/sites/default/files/2020-07/FEMA-COVID-19_coordinating-public-assistance-and-other-sources-of-federal-funding_07-01-2020.pdf

Questions For FEMA Region 2

