



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 (Version 2)

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

# Revised Interim Policy for Safe Opening and Operations Eligible Work for Public Assistance

- **September 9, 2021:** Safe Opening and Operation Work Eligible for Public Assistance (Interim) FEMA Policy FP 104-21-0003, Version 2
  - Applies to presidential disaster declarations for COVID-19.
  - Establishes 100% federal cost share for eligible Category B work performed from January 20, 2020 through December 31, 2021.
  - Eligible work performed after December 31, 2021 will be reimbursed subject to the federal cost share established at that time.
  - Period of Performance extended indefinitely until further notice.
  - Posted on DHSES's website for DR 4480.

# Revised Interim Policy for Safe Opening and Operations Eligible Work for Public Assistance

- Eligible Work is now governed by a combination of policies.
- Work that is otherwise eligible under the September 2020 Interim policy, including other COVID-19 specific policies it refers to, remains eligible for assistance.
- Some work that was restricted by the September 2020 Interim policy may be eligible under the revised interim policy for Safe Opening & Operations.

# Revised Interim Policy for Safe Opening and Operations Eligible Work for Public Assistance

- The following work to facilitate safe opening and operations is now eligible from the beginning of the incident period (1/20/2020):
  - PPE and face masks
  - Increased cleaning/disinfection costs
  - COVID-19 diagnostic testing
  - Screening/temperature scanning
  - Temporary physical barriers and signage



# Eligibility Considerations

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# Revised Interim Policy for Safe Opening and Operations Eligible Work for Public Assistance

- **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 20, 2020 and ongoing.

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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.

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- **Equitable Pandemic Response and Recovery (cont):**
  - Recipients and subrecipients must prioritize resources to ensure an equitable pandemic response.
  - Failure to adhere to this policy could result in funding reductions and/or delays.
  - FEMA will monitor compliance.

# Coordination of Funding

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# Revised Interim Policy for Safe Opening and Operations Eligible Work for Public Assistance

- **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](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

