



FEMA

1. **Date Published:** MAR 10 2006
2. **Recovery Division Policy Number:** 9523.9
3. **Title:** 100% funding for Direct Federal Assistance and Grant Assistance
4. **Purpose:** To provide guidance and establish procedures for providing 100% funding for Direct Federal Assistance and Grant Assistance under sections 403 and 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. §§ 5121-5206).
5. **Scope and Audience:** This policy applies to all major disasters declared on or after the publication date of this policy. It is intended for all states eligible to receive assistance under sections 403 and 407 of the Stafford Act and all Federal agencies that may be directed by FEMA to provide such assistance.
6. **Background:** FEMA's regulations at 44 CFR §206.208, Direct Federal Assistance, state, "When the State and local government lack the capability to perform or contract for eligible emergency work and/or debris removal under sections 402(4), 403 or 407 of the Act, the Grantee may request that the work be accomplished by a Federal agency." This assistance is subject to the cost share provisions contained in the FEMA/State agreement and the Stafford Act. In addition, 44 CFR §206.47(d) states, "If warranted by the needs of the disaster, we recommend up to one hundred percent (100%) Federal funding for emergency work under section 403 and section 407, including direct Federal assistance, for a limited period in the initial days of the disaster irrespective of the per capita impact." In the past, when a period of 100% Federal assistance was warranted, we have interpreted "limited period in the initial days of the disaster" to mean the first 72 hours following the disaster declaration or an applicant's selected 72-hour period.
7. **Policy:**
 - A. **Definitions as used in this policy:**
 - **Mission Assignment:** Work order issued by FEMA to a Federal agency directing completion by that agency of a specified task. 44 CFR §206.2(a)(18).
 - **Mission Assignment Task Order:** Specific instruction given to a Federal agency under a mission assignment directing it to perform work of certain quantity or in a certain area under that mission assignment.

- **Emergency Work:** All activities eligible under section 403 of the Stafford Act, including such activities when performed by a Federal agency as direct Federal assistance.
- **Debris Clearance and Removal:** Clearance, pick up, hauling, processing and disposal of all manner of debris generated by the declared event on public property. This includes woody debris, sand and gravel, and components of buildings or other structures. In limited circumstances this may also include debris on private property if FEMA has approved such removal.
- **Consumable Commodities:** Food, ice, water and other items not requiring installation, such as small plastic tarps and small generators.
- **Emergency Protective Measures:** Actions (other than debris removal) eligible as Category B measures including installation of plastic sheeting for temporary roofing, generators requiring installation, and shoring or demolition of unsafe structures.
- **Designated Period: For Direct Federal Assistance:** The period from 12:01 AM of the date of the Presidential declaration to 11:59 PM of the third full day after the date of the declaration.
For Grant Assistance: The period selected by an applicant for eligibility for 100% Federal share assistance. The period will be 72 hours within a window from 12:01 AM of the date of a Governor's or City or County official's declaration of emergency through 11:59 PM of the seventh full day after the date of the Presidential declaration of a major disaster. The period may be different for Category A and Category B work.
- **Purchase Order:** Any unconditional agreement, contract or other commitment by a state or local government under state and local law for the acquisition of goods and services.

B. Direct Federal Assistance

FEMA will provide direct Federal assistance through a mission assignment to another Federal agency upon request of the State when it has been demonstrated that the State and local government lack the capability to perform or contract for the requested work. If the President has also authorized 100% Federal funding for emergency work under sections 403 or 407 of the Stafford Act for the disaster, the Federal share of work mission-assigned by FEMA will be as follows:

- **Debris Clearance and/or Removal:** When FEMA directs another Federal agency to accomplish debris clearance and/or removal, FEMA will provide at 100% Federal share the cost of actual debris clearance and/or removal work accomplished, *not mission assignment task orders initiated*, during the designated period. This work includes whatever clearance, pick up, hauling, processing and disposal activities FEMA authorizes but only during the designated period.

After the designated period, if further direct Federal assistance for debris clearance or removal is necessary, it will be provided at the prevailing Federal cost share rate for the particular disaster. The State shall agree in advance to reimburse FEMA for the appropriate non-Federal share of the

work including the overhead of the Federal agency assigned the task of debris removal.

- **Food, Water, Ice and Other Consumable Commodities:** For a mission assignment task order approved during the designated period, such commodities and the work necessary to distribute them, but not including installation or set-up, shall be provided at 100% Federal share regardless of the work or project completion date.

For task orders approved after the designated period, the commodities shall be provided at the prevailing Federal cost share rate for the particular disaster. The State shall agree in advance to reimburse FEMA for the appropriate non-Federal share of the work including the overhead of the Federal agency assigned the task.

- **Other Emergency Protective Measures:** For a mission assignment task order approved during the designated period, FEMA will provide at 100% Federal share the cost of the work actually completed during the designated period. Examples of these measures would be installation of generators, installation of large plastic sheet roofing and shoring or demolition of unsafe structures.

After the designated period, the work or supplies shall be provided at the prevailing Federal cost share rate for the particular disaster. The State shall agree in advance to reimburse FEMA for the appropriate non-Federal share of the work including the overhead of the Federal agency assigned the task.

C. Grant Assistance

When the President authorizes 100% Federal funding for emergency work under sections 403 and 407 of the Stafford Act for a limited period in the initial days of the disaster, the Federal share for Grant Assistance will be as follows:

- **Debris Clearance and/or Removal:** FEMA will reimburse applicants 100% of cost for the debris removal work accomplished during the selected designated period. This includes all clearance, pick up, hauling, processing and disposal activities but only during the designated period.

For work accomplished after the end of the selected designated period, assistance will be provided at the prevailing Federal cost share rate for the particular disaster.

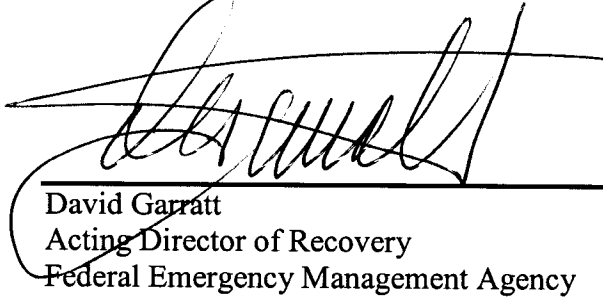
- **Food, Water, Ice, and Other Consumable Commodities:** FEMA will reimburse applicants 100% of cost of eligible work for reasonable purchase orders approved and finalized pursuant to state and local law during the selected designated period regardless of the work or project

completion date. This includes expenses to distribute the commodities but not including installation or set-up.

For purchase orders approved and placed after the end of the selected designated period, assistance will be provided at the prevailing Federal cost share rate for the particular disaster.

- **Other Emergency Protective Measures:** FEMA will reimburse applicants 100% of cost of eligible work accomplished during the selected designated period. Examples of these measures would be installation of generators, installation of large plastic sheet roofing and shoring or demolition of unsafe structures.

For work accomplished after the selected designated period, assistance will be provided at the prevailing Federal cost share rate for the particular disaster.

8. **Supersession:** Response and Recovery Directorate Guidance No. 4150-E, September 26, 1995, *Direct Federal Assistance at 100% Federal Funding*; Unnumbered Guidance, October 6, 2004, *Eligibility for 100% Federal Share Assistance*
9. **Authorities:** Robert T. Stafford Disaster Relief and Emergency Assistance Act, Sections 403 and 407; 44 CFR §§206.47(d) and 206.208.
10. **Originating Office:** Recovery Division
11. **Review Date:** Five years from date of publication
12. **Signature:**

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Federal Emergency Management Agency
13. **Distribution:** Regional Directors, Regional and Headquarters Division Directors. Federal Coordinating Officers