
TO: IOWA EXTENSION COUNCIL ASSOCIATION

FROM: KAY OSKVIK, WHITFIELD & EDDY LAW

RE: FEMA PUBLIC ASSISTANCE GRANT PROGRAM RELATED TO COVID-19 EXPENDITURES

DATE: MAY 2021

BACKGROUND

The Federal Emergency Management Agency (FEMA) recently announced a new Public Assistance Grant Program (“PAGP”) related to COVID-19 expenditures. Before explaining potential Council eligibility for a Public Assistance Grant Program (“PAGP”) related to COVID relief expenditures, it is important to know that FEMA has multiple policies for which the Councils may be eligible, regardless of whether COVID-19 is considered an active incident or not.

ARE COUNCILS ELIGIBLE ENTITIES?

A Council may be an eligible applicant for PAGP funds if the Council fits into one of FEMA’s applicant eligible categories of the [Public Assistance Program and Policy Guide](#) (found on pages 9-10). Under Iowa law, the Councils are considered “quasi-governmental” or “political subdivisions” and we expect would therefore be categorized as “governmental entities” and eligible for funding.

HOW DO COUNCILS APPLY?

The Councils will need to fill out specific forms/paperwork before applying for any PAGP. This paperwork includes 1) FEMA-State/Tribal/Territorial Agreements, [Signed Federal Grant Applications \(SF-424\)](#), and 2) an Updated Recipient Public Assistance Administrative Plan. Iowa is located in FEMA Region 7. It appears Councils can send the completed forms and paperwork via email to FEMARegion7info@fema.dhs.gov. Other contact information can be found [here](#). After filling out these forms/paperwork, the Councils should then submit a request for public assistance via an application online through the [Public Assistance Grants Portal](#), at which point FEMA’s state office would review information submitted online and, if approved, reach out to the Councils to determine the Council’s COVID expenditure needs. This detailed process, along with a flowchart of the process can be found [here](#).

WHAT IS THE APPLICABLE TIME PERIOD?

There are various policies available for COVID relief, all of which are eligible for FEMA’s increased [cost share](#) from 75% to 100%, in response to President Biden’s January 21 [memo](#). This cost sharing has been approved as retroactive and applies to COVID-related activities from the beginning of the pandemic in January 2020 through September 30, 2021. As of today, we are not aware of a deadline for funding, but encourage Councils to apply as soon as possible.

WHAT ACTIVITIES ARE ELIGIBLE FOR PGAP?

If the Councils wish to obtain the most relief possible for COVID expenditures in the past year, it may be best to apply for PAGP relief under the [Safe Opening and Operation Work Policy](#), [Public Assistance COVID-19 Medical Care Policy](#), and the [Eligibility for COVID-19 Policy](#). A complete list of FEMA's eligibility policies is located [here](#). By doing this, the Councils may expand their eligibility and capability of receiving assistance for COVID-related activities. Heather Smith, the Recovery Division Director for FEMA's Region 7 office ("Regional Division Director") noted that once an application for any of these policies is received, the application is evaluated based on the work that has been performed by the entity. Since public assistance grants are reimbursable, they are not evaluated on a first come, first served basis; rather, they are evaluated on a rolling basis after the application is submitted and approved.

To determine what activities may be eligible for assistance, the Regional Division Director indicated that eligibility is typically decided on a case-by-case basis and is geared towards the specific emergency protective measures taken for COVID. Some of the more common examples of eligible activities covered by FEMA and related to COVID include:

- (1) if an entity paid out costs for PPE that were purchased last year and were meant to provide PPE for that eligible entity;
- (2) if an entity set up a vaccination clinic; and
- (3) if an entity had a building that they used to help the public during COVID and for COVID reasons.

Once an applicant is approved and eligible activities are determined, the Regional Division Director indicated that funding and eligibility are provided through each state, not directly through the applicant.

WHAT IS THE DEADLINE TO APPLY FOR ASSISTANCE?

As of now, there is no deadline to file these applications. Most application timeframes, or incident periods, close shortly after a specific disaster has ended; however, since COVID has continued until now with no identifiable end date, there is no set date for the incident period to close at this time.

OTHER RESOURCES

If the Councils wish to read more information regarding applying for a public assistance grant or the cost sharing increase from President Biden's memo, additional information can be found at these links: [Cost Sharing](#) and [Public Assistance](#).