

## DRCA Call with FEMA Recovery Directorate

August 5<sup>th</sup>, 2020 3-4pm

**Purpose of Call:** This call provided us with the opportunity to present the attached DRCA letter to FEMA requesting clarification on Federal COVID-19 Funding & Reimbursement Issues.

### **FEMA Attendees:**

- Keith Turi, Assistant Administrator of the Recovery Directorate
- Tod Wells, Deputy Division Director of Public Assistance

### **DRCA Attendees:**

- Casey Long at: [clong@thedrca.org](mailto:clong@thedrca.org)
- Mark Misczak at: [mmisczak@tidalbasin.rphc.com](mailto:mmisczak@tidalbasin.rphc.com)
- John Buri at: [john.buri@tetrattech.com](mailto:john.buri@tetrattech.com)
- Jonathan Burgiel at: [Jonathan.Burgiel@tetrattech.com](mailto:Jonathan.Burgiel@tetrattech.com)
- Lisa Miller at: [LisaMiller@LisaMillerAssociates.com](mailto:LisaMiller@LisaMillerAssociates.com)
- Tracy Doyle at: [TDoyle@synergydisasterrecovery.com](mailto:TDoyle@synergydisasterrecovery.com)
- Chris Walker at: [chris.walker@wsp.com](mailto:chris.walker@wsp.com)
- Teresa Carter at: [TCarter@excelusa.com](mailto:TCarter@excelusa.com)
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- Taran Nicholas at [Taran.Nicholas@atkinsglobal.com](mailto:Taran.Nicholas@atkinsglobal.com)
- John Sullivan at: [jsullivan@sullivaninterests.com](mailto:jsullivan@sullivaninterests.com)

### **Agenda:**

3:00-3:05pm Introductions & Opening Remarks by Casey Long, DRCA  
3:05-3:20pm Importance of Clarifying Federal COVID-19 Funding by John Buri, Tetra Tech  
3:20-3:30pm COVID-19 Funding - School Category by Tracy Doyle, Synergy Disaster Recovery  
3:30-3:40pm COVID-19 Funding - Fire/EMS/1<sup>st</sup> Responders by Chris Walker WSP & Teresa Carter Excel  
3:40-3:50pm COVID-19 Funding - Health Departments & Medical Facilities by Taran Nicholas, Atkins Global  
3:50-3:57pm COVID-19 Funding - Cities & Counties Category: Roy Dunn, CDR Maguire  
3:57-4:00pm Closing Remarks: Casey Long, DRCA

### **Call commenced at 3:00pm**

Casey opened the call with an explanation of the many, many calls and emails received from those in the field about COVID 19 reimbursement issues. He introduced the DRCA members on the call.

### **3:05-3:20pm Importance of Clarifying Federal COVID-19 Funding by John Buri, Tetra Tech**

**John Buri:** We see that there is continued lack of visibility and inconsistency in the delivery of the FEMA Public Assistance (PA) program when it comes to COVID 19 reimbursement. Local government and others are dealing with Treasury dollars and their guidance pushed out July 2, then July 31 and the locals are trying to understand how the various federal programs will work and coordinate together. With the folks that Tetra Tech works with (including team members of FEMA and state team members) there is continued lack of guidance regarding the “how” and the “who” is paying for what. A lot of folks are asking, “Is FEMA treating this (COVID) as a unique disaster” with the recognition that these costs are unlike any other costs in the past. When it comes down to what services and supplies these costs are for, we get asked, “how is FEMA going to handle this?” Local governments are asking, “Is FEMA treating this as a unique disaster and does COVID set a precedent?” Local governments are in the financial planning mode and are trying to figure out how to do cost-sharing with the Treasury and then contemplating the CARES Act. The smaller governments, many of whom are not beneficiaries of treasury dollars, are doing all they can to spend CARES dollars by Dec 31<sup>st</sup>. On the last DRCA call with FEMA, we heard something like “choose your own recovery” or something like that when we

**John Buri continued:** discussed FEMA and what they will pay for and what FEMA is not paying for. A lot of local governments, hospitals and schools are asking for the 25% and where will it come from? Disinfection costs and increased operating costs that we allude to in the DRCA letter...these are issues felt at the local level. The issue of whether or not PDMG's will be available is also an issue. We need to understand and comprehend the expectations. And then concurrent disasters and the hurricanes that we anticipate (which may require non-congregate sheltering as an example). In major urban areas like Philadelphia, they are dealing with treasury dollars as well as what to do with the hurricane expenses.

There is a "confluence" of disasters and this goes far beyond a simple issue in the traditional sense. Our letter is a call to action so we can help these governments. Revenue shortfalls, reimbursement confusion, past history with other large issues that are hanging out there...all issues being faced daily... It is our hope that through DRCA (and the letter and these calls) help educate FEMA that those on the ground are working with these agencies and we are getting these questions. "Keith, I'd like to hear what is the schedule for (reimbursement expense clarification)? What is the plan? We really need this and there is a vacuum of information with a lot of speculation."

DRCA provides a way for us to have a dialog and understand where FEMA is and really get from you a schedule of FEMA direction. Are these questions only coming from DRCA, or are you hearing from others? National Association of Counties (NACo)? We feel like we are not alone but would like to know who is talking to you about these issues as well.

**Keith Turi:** We use terms like scale, scope and all other issues in our discussions... all of these topics have been added to our plate and that is why this is so hard. DRCA is not the only voice on this issue... there are a number of dynamics here and a reasonable person may say that we should have answered these issues 3 months ago. We are working hard and there is nothing standard about this disaster. Every FEMA Region activated, 56 disasters and 20,000 (and growing) applicants and this is beyond comprehension. And, what we have done in non-congregate sheltering, direct application processes and the fact FEMA is doing our best to coordinate with other funding sources. There is a need for us to be flexible. We understand and we are working on guidance that will provide clarity and we are on the latter end of getting this out, but we need to check some boxes first. The primary goal is clarity. We are doing this with the recognition that no matter what we say, state and locals are operating as best they can. The big question we are trying to answer (considering all the needs and the federal funding) is where does PA fit in this multi-trillion-dollar response and what are the appropriate funding sources? FEMA has very broad authority based on 403. That doesn't mean that FEMA PA should pay for all of this... The coordination and figuring out where to fit this is a challenge but we are close.

**Key Points from Keith Turi:** "Is PA's role to be supporting direct emergency protective measures or are we covering increased costs for operating in a COVID-19 environment?" There are some of these issues in DRCA's letter. How do you retrofit facilities, virtual capability for governments? We need to figure out how PA fits. We are the uncapped funding source and we provide eligibility and that has created lots of questions and we are trying to work through this. We want to provide clear guidance and are making tough choices. We are tracking conversations on the Hill on where additional funding will come from and where we might need to go. This is a high-level overview, and this is complex. Our goal is to provide something that provides clarity and I can tell you we are working hard on that. I had wished it would have been out already... Your letter tracks well with what we are trying to accomplish right now.

**Jonathan Burgiel:** We (DRCA) are a force multiplier for FEMA and the sooner we get clarity on these issues, we are like your apostles. If we have guidance on these issues, we can mitigate some of the reverberation you are getting. A lot of our clients have decimated budgets and tax revenues are down.

**Mark Misczak:** To loosely interpret (generally), I think folks would accept guidance to limit or make clear to use other funding before FEMA PA... and we want the best recovery. Is there any intention to limit items where there is not another funding source? The PPE that is ongoing creates new expenses. It's like a timing window where FEMA could pay for a length of time but not all the time.

**Keith Turi:** We recognize that there are a lot of needs where state and locals require federal support. We are going to acknowledge that if there is a gap, there are other opportunities for support. We are talking to other entities to make sure FEMA's understanding is correct on how these things fit together. Wherever we land, there will be those that disagree and that's the nature of setting policy. We are trying to figure out how to look at how FEMA as uniquely positioned and how do we continue doing what we do. The big things we are doing ...we are going to continue to do those and now we have to decide to what degree we do these things.

### **3:20-3:30pm COVID-19 Funding - School Category by Tracy Doyle, Synergy Disaster Recovery**

**Tracy Doyle:** I want to start by thanking our FEMA partners for being on this call. I consider us (disaster recovery contractors) as one big family. DRCA's members are border-to-border and coast-to-coast assisting with COVID-19. I have been working closely with schools on disaster recovery. They have received guidance between federal, state and local guidance and COVID has created enormous expenses for sure. What will be paid if they are requirements versus suggestions? Schools don't want to create a greater vulnerability with things that are suggested and not required... As they put together their re-entry plans, the schools are trying to manage "suggested versus required." I can't imagine what FEMA is going through with the various funding sources and how we will reconcile at the end of the day. I want this to be clean, neat and tidy with answers, but I realize this isn't going to be that way. As contractors, we have the same angst as FEMA does and we want to strengthen the application as we go forward. If you want us to pull the policy that strengthens the submission, we are open to what FEMA wants us to do to strengthen the argument. A lot of health and safety measures are only suggested, so schools are interpreting that guidance vastly differently. Some schools take a temperature every morning and others test students two to three times a day. Monitoring temperature with a handheld thermometer will delay school start. To the schools, it's an expense and time delays just aren't practical. The schools don't have PPE budgeted at this level for this school year. Some of them have talked about plexiglass barriers that might eliminate the masks. The plexiglass is more expensive, but the masks are still needed in the hallway. There are expenses related to alternative to brick and mortar schooling...and expenses for virtual schools – computers, supplies, software to hold a virtual class, internet class...are these reimbursable? And if the brick and mortar is limited (pod-style learning with the kids at tables), they are now being reformatted into other configurations which adds additional expense. And when it comes to cleaning, is the rental equipment or purchase cost reasonable? And some schools have had to deliver food and the USDA guidance has caused considerable expenses. Some schools have CARES funding but 95% of the schools went to spring break and never returned to school. The schools want to maintain funding with the resurgence. If they start up and a dozen kids become "hot" then they have to go virtual. I feel like schools are important, but they are not more important than the other categories.

**Keith Turi:** With respect to all the categories, again we need to look at where PA fits here. Question one is where do schools fit in the PA system? Your question about required versus suggested? And reasonableness...these go together. We are looking at state and local governments to see what is appropriate. There are examples of reasonableness and we may have to question some of these costs. "Reasonableness" is inherently subjective and when it comes to schools, for the nation and the Administration, opening schools is an important issue. There is a lot of school funding in the supplemental and that is what we are watching but we have nothing definitive.

**Tod Wells:** Tod echoed Keith's point and stressed one of the areas in PA is the interagency coordination piece and working with applicants as customers and different sources of funding available. "Education funding is a good example of how previous appropriations are applied and that is one of the things that we are working through with interagency partners. For example, nutrition support is one of our discussions with the USDA to see who has funding and when that may be available. That is a significant area and we offer that in context to schools."

**Taran Nicholas:** Taran discussed South Florida schools...how it is important to get some guidance out. There are a lot of questions and even in our team we debate eligibility. Before we provide guidance, we want to be sure that FEMA will concur.

### 3:30-3:40pm COVID-19 Funding - Fire/EMS/1<sup>st</sup> Responders by Chris Walker WSP & Teresa Carter Excel

**Chris Walker:** Is the recent increase in worker compensation going to be reimbursable?

**Keith Turi:** I can't give you definitive answers, but I appreciate having the questions.

**Chris Walker:** We discussed the question arising over medical devices – badge less entry and thermometers as an example.

**Keith Turi:** Keith said he couldn't answer the other questions, but he did offer discussion of non-congregate sheltering... "States are doing different things with the non-congregate sheltering policy which is pretty broad. Todd discussed that medical care policy has been issued... medical care for presumed positive COVID patients, those are areas we can support from PA standpoint."

**Chris Walker:** Locals weren't counting on all the masks and booties and looking for temperature control warehouse space. It's not budgeted and that's what is coming next are the expenses to store all the PPE...

**Keith Turi:** Our non-congregate and medical care guidelines should be helpful.

### 3:40-3:50pm COVID-19 Funding - Health Departments & Medical Facilities by Taran Nicholas, Atkins Global

**Keith Turi:** At a high level, for the most part we feel that some of the health costs may be covered by other funding sources. There will be months and months of delay.. and in addition to the DRCA outline is the length of time for expenses to be reimbursed. Out of the 4 or 5 top line questions, we have to understand "is everything eligible"? There are reasonable cost arguments here. The question is where does PA fit in? Are we the backstop for Emergency medical care? With a view toward clarity (which might be better in some places), we need to specify "what is what" and if a funding source runs out where does FEMA fit in? We are trying our hardest to see where PA fits in. We can't count on PA being a backstop across the board and we will see more of that soon.

**Keith Turi:** Alternate ICUs and alternate care sites are spelled out in our guidance. HHS funding (ELC) is the primary place to look. As far as contact tracing, we have said that is HHS. We are anticipating a surge of patients and we have a fact sheet to support that. In the medical realm, there is more guidance here and that is an area where we can support.

### 3:50-4:00pm COVID-19 Funding - Cities & Counties Category: Roy Dunn, CDR Maguire

**Roy Dunn:** We are not only the applicant's client support, we are FEMA's support as well. All the county and cities need technology enhancements. We are helping the counties understand that continuity of operations are being driven by technology. We are putting more clarity on it. We have talked about PPE and what we are talking about is exhausting the CARES Act because of the lack of clarity. There has been discussion of "can we hold back the needed reimbursement in case?" Is it 100% exhaustion or how do we manage the CARES Act in conjunction with FEMA?"

Retrofitting and modifications for social distancing and contactless sinks, etc.... what parts of these retrofits are eligible? Also, on the Human Resources element... if there was no policy in place pre-COVID and then HR puts a policy in place, how is that treated for the cost to implement the new COVID policy?

The vast majority of cities and counties have never been through this, so if you can put out REAL examples, we can all see what success looks like and what is considered to be a successful submission. This will help across the board.

**Keith Turi:** “We talked about where other funding is being exhausted. That is not a framework we are using. FEMA has a cost share and FEMA will look at other resources for cost share and the federal assistance fact sheet. We wanted to say if its eligible for PA, its eligible. But whether its *available* is the question. We are not going to say with PPE that you must use CARES act first. At the end of the day, there is no requirement to use CARES money first. At some point, we will say ‘this isn’t covered.’ HUD, for example, has homelessness related costs. Those portion of non-congregate sheltering goes to HUD. Wanted to clarify about exhausting one fund before going to another.”

**Roy Dunn:** If we focus on what’s eligible, then we can focus on what’s *available*. We put the really specific questions in the DRCA letter that are being discussed and we know FEMA will be making the hard calls. I am an interagency guy! Depending on which agency the funding comes from, we would love to see the sequence of reimbursement once we know where FEMA PA fits in.

#### **4:00pm** Closing Remarks, DRCA

**Casey Long:** We tried to be as specific as possible with the questions in this letter but please let us know if you feel any of our questions are vague and we can provide more specifics. We’re concerned that state and local are sitting on a significant amount of federal funding because they are concerned about eligibility, funding and compliance. We work with quite a few other national associations (NEMA, NACo, IAEM, etc.) and partners, but we don’t want to play the rumor game. If a FEMA Region takes a position on COVID funding in a single meeting, it rattles throughout the industry pretty quickly. We would rather work directly with FEMA to put out accurate, timely guidance. We are in touch with what is happening across the country because our members work with state and local clients every single day so we hope we can be a resource for you and your team to address some of these complex issues.

**Keith Turi:** The detailed questions are great to have. Our goal is to provide guidance that is as clear as possible on where we’re headed. Many of your questions will be answered. When we release the new guidance, it will spawn other questions and thanks for giving us the intel you are providing across the board. We are working on the interagency coordination point so we can show how things work together. And we want to give a definitive PA policy position. A lot of this info would have been great 4 months ago! Our team has been in a sprint since the beginning... and we will work as hard as we can. If we can communicate better, we will all benefit. I really appreciate the engagement.

**Casey Long:** We would welcome the opportunity to participate with FEMA on any interagency calls with other federal COVID funding departments or agencies (FEMA, Treasury, etc.). We’re interested in communicating shared issues with the other agencies so we would welcome the opportunity to provide interagency input on COVID-19 funding challenges. We will continue “issue spotting” and follow up relevant information on what we’re seeing in the field in an effort to address issues before they become obstacles. We want to thank you for your time today. We will continue our working partnership with FEMA going forward.

**Jonathan Burgiel:** Jonathan asked Keith if FEMA had any ETA on the guidance document.

**Keith Turi:** Keith answered by saying, “We should be getting it done relatively soon. We have to navigate some things. And if knew I would tell you.”

**Call concluded at 4pm.**