



July 31, 2020

Mr. Keith Turi
Assistant Administrator of the Recovery Directorate
Federal Emergency Management Agency
500 C Street SW
Washington, DC 20024

Dear Mr. Turi,

On behalf of our members and the clients we represent, a sincere thank you for you and your teams' support and guidance in this extraordinary challenging and complicated incident.

During the last six months, every community in America has been standing up in its response to COVID-19. Our organization has been on a border to border and coast to coast virtual listening tour during these times, tackling the monumental task of gathering and analyzing federal and state guidance on this pandemic, to provide "boots on the ground," active support to applicants in every state as they prepare for, respond to and recover from COVID-19. One of our goals is to provide situational awareness to you and your team and support the development and distribution of key information to support federal assistance.

Our key findings are that most governments, schools, public health departments, hospitals and private not for profits are continuing to struggle with the federal government's reimbursement processes. Common concerns include identifying the primary federal funding for key emergency protective measures and guidelines to additional funding if needed, guidance on certifying no duplication of benefits and interpreting FEMA guidance on eligibility on COVID-19 specific response and recovery efforts. Adding to the challenge is the need for clear sequence of assistance to better understand timing for reimbursement recognizing that different federal entities have provided "suggestions, recommendations and requirements" for certain applicant types which adds to the confusion as to whether a cost is eligible if it is "required," versus "suggested or recommended."

As you know, our membership is composed of disaster recovery expert contractors across the nation, who are doing an extraordinary job; however, they are being asked very difficult questions and we are respectfully passing these questions on to you.

We have developed the following **Top Five Questions by Applicant Type** and requesting clarification on the FEMA guidance/reimbursement policies (please provide the source policy for determining eligibility or ineligibility). Most importantly, please provide acceptable example submissions for reimbursement of the following:

Schools

- 1) Are Health/Safety Measures, monitoring symptoms of COVID, reimbursable? Specifically, is the purchase and installation of the following temperature screening technology and resources reimbursable expenses?
 - i) Hiring of screeners, school nurses, and school bus health monitors;
 - ii) Personal protection masks, gloves, and thermometers; and
 - iii) Purchase and installation of plexiglass barriers.
- 2) Are expenses related to establishing virtual learning necessitated by COVID-19 eligible for reimbursement? Specifically:
 - i) Computers, supplies, and equipment for virtual classrooms;



- ii) Internet service expenses for students; and,
- iii) Teacher training for virtual learning.
- 3) Are expenses related to social distancing eligible for reimbursement? Specifically:
 - i) Purchasing desks to replace table learning areas;
 - ii) Repurposing/medication of school facilities; and,
 - iii) Expenses related to eating in classrooms to avoid gathering/promoting social distancing.
- 4) Are cleaning activities and additional measures associated with the reopening of brick and mortar school locations eligible for reimbursement? Specifically:
 - a) Is the repetitive cleaning of schools, from credentialed disinfection service vendors, as “recommended” by healthcare professionals reimbursable? Or must the guidance be “required” to be eligible for reimbursement?
 - b) If the repetitive cleaning is performed by internal personnel, is the equipment for disinfection, cleaning machines/foggers, and sanitizer resources reimbursable?
- 5) Are the expenses for food delivery to students - transportation of food, gas, and vehicles for transport eligible for reimbursement?

Fire / EMS / First Responders

- 1. Staffing Expenses/Human Resource Cost Increases
 - a) Is the increased cost of workers compensation due to COVID-19 a reimbursable expense?
 - b) Is administrative time or compensation time awarded to employees who had to take leave or be quarantined due to COVID-19 illness and/or exposure on the job reimbursable without a pre-existing human resource policy in place?
- 2. Are specialized medical devices, such as contactless equipment for respiration/ventilation (which promotes safety of first responders) eligible for reimbursement?
- 3. Are modifications of facilities for social distancing, such as extra sleep spaces for fire stations, eligible for reimbursement?
- 4. Is the purchase or rental of disinfectant equipment for vehicle use eligible for reimbursement?
- 5. Are non-congregate sheltering expenses, to reduce COVID exposure of healthcare workers to their families, eligible for reimbursement?

Health Departments / Medical Facilities

- 1. Is contact tracing an eligible expense? While recent July 2020 FEMA guidance indicates it is to be reimbursed by HHS and Treasury, please confirm which agency the expense should be submitted.
- 2. Are negative pressure systems eligible when establishing COVID-19 specific areas in a facility?
- 3. Is the establishment of alternate ICU's in alternate COVID-19 treatment areas in facilities eligible for reimbursement?
- 4. Are the expenses related to the “anticipated surge of patients” such as ramping up testing and lab fees eligible for reimbursement?

Counties and Cities

- 1. Are expenses such as computers and internet enhancements, i.e., technology upgrades, for government agencies to meet stay at home orders and still maintain public meetings access/day to day government business eligible for reimbursement?
- 2. Is the cost of PPE for local government agencies eligible for reimbursement or does CARES act funding need to be exhausted before they apply for FEMA reimbursement?
- 3. Are the government facilities retrofit/modifications, to allow for services (i.e. utility payments) to be contactless, eligible for reimbursement?



4. Is the cost for facilitation of/require social distancing such as installing partitions, re-purposing rooms, adding chairs and tables, etc. eligible for reimbursement?
5. Are the added costs of Human Resources overtime, staffing overtime, leave expenses for positive and/or exposed employees, and COVID-related personnel costs eligible for reimbursement?

Overall, we wanted to reiterate some of the feedback we received in addition to the specific clarity being sought regarding eligible reimbursement costs. For example, recognizing Section 312 of the Stafford Act prohibits all federal agencies from duplicating benefits for disaster relief and acknowledging there are multiple agencies having authority to expend funds for the same purpose is not, by itself, a duplication of benefits. However, many of our members we have met with expressed the concern on how to best certify in the FEMA Public Assistance (PA) application process that assistance is not being duplicated. Please provide additional guidance and acceptable examples of the required certification.


Also, for coordination purposes, please provide the most appropriate method to document reimbursement requests after primary funds have been either exhausted or expired. What are acceptable examples of certifications and guiding scenarios for eligible applicants in this scenario?

Lastly, please provide guidance on the "timing windows" of COVID reimbursement. What is the timeline for emergency protective measures from the inception of the pandemic's declaration as a national disaster? For example, eligible applicants made purchases of materials and equipment for protective measures in technology upgrades, for remote operations and to comply with shelter in place orders while maintaining stay at home orders and still maintain public meetings in compliance with public health guidance, executive orders and in excess of current HHS & Treasury funding. Please provide COVID-19 specific guidance to include acceptable example submissions for reimbursement for this continuity of operations measure and if there is an expiration of the timeline for reimbursement for these citizens access initiatives. Understanding the window of "emergency protective measures" and the other critical timing issues of the pandemic's expenses listed above will provide great guidance to all seeking to comply with federal funding requirements.

In conclusion, your continued support and additional guidance on eligibility for reimbursement under the FEMA Public Assistance program on emergency protective measures taken at the direction or guidance of public health officials in response to COVID-19, and not fully supported by the funding of another federal agency, is needed to guide your applicants and our members supporting them.

Again, on behalf of our members and the clients we represent, a genuine thank you for you and your teams' efforts in this difficult and complex incident. I can also be reached at (202) 441-0493.

Kind Regards,


Casey Long
Managing Director
DRCA
675 North Washington Street, Suite 400
Alexandria, VA 22314

Cc: Mr. Eric Heighberger, FEMA Chief of Staff