This presentation introduces the FEMA Public Assistance Grant Program with an emphasis on how the Pets Evacuation and Transportation Standards Act of 2006 amends the Stafford Act and how FEMA Disaster Assistance Policy 9523.19 affects the planning and recordkeeping of emergency response operations.

Acknowledgments

This presentation was originally prepared by FEMA and USDA and has been adapted with FEMA’s permission to meet the requirements of this course.

APHIS AC Personnel in Disasters

- Need a basic understanding of the PA Grant system:
  - Assisting with resource mobilization – help understand potential net costs
  - Advising on documentation (check in, agreements, unit logs, ICS form 213, etc.)
  - More effective support of planning
- Need to know how to direct specific questions to appropriate State or FEMA personnel:
  - FEMA PA Website and policy documents
  - FEMA PA personnel
  - State Emergency Management personnel

APHIS AC Personnel in disasters need to have a basic understanding of the FEMA PA Grant System in order to assist with resource mobilization, advise on documentation associated with personnel and equipment at a response. This knowledge is also helpful when discussing planning for responses and helping to manage operations.

APHIS AC personnel also need basic knowledge of the PA Grant System in order to direct specific questions to appropriate State or FEMA personnel. To do this, they should have a basic understanding of the FEMA PA Website and how to access policy documents, be able to identify the appropriate FEMA PA and State Emergency Management personnel who can respond to questions.
By the end of this course, you should be able to:

- Identify and locate information about the laws, regulations and policies pertaining to PA Grants for household pets and service animals.
- Understand the sequence of events leading up to the issuance of a Presidential Declaration and eligibility for PA Grants.
- Describe how costs incurred for pet sheltering and rescue and be reimbursed through PA Grants.

This presentation is called “Emergency Planning for Pets in Disasters.” It introduces how the Pets Evacuation and Transportation Standards Act of 2006 amends the Stafford Act and how FEMA Disaster Assistance Policy 9523.19 affects the planning and recordkeeping of emergency response operations.
Laws, Regulations, and Policies

- Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended by the Post Katrina Emergency Management Reform Act (PKEMRA) and the Pets Evacuation and Transportation Standards (PETS) Act. ([http://www.fema.gov/about/stafact.shtm](http://www.fema.gov/about/stafact.shtm))

- The PKEMRA requires the development of standards for State and local emergency operations plans that address household pets and service animals.
- The PETS Act was passed to ensure that State and local emergency preparedness operational plans address the needs of individuals with household pets and service animals following a major disaster or emergency. Ensuring the provision of rescue, care, shelter, and essential needs.
  - 42 U.S.C. 5170b, Sec. 403. Essential Assistance: “In general – Federal agencies may on the direction of the President, provide assistance essential to meeting immediate threats to life and property resulting from a major disaster…including the provision of rescue, care, shelter, and essential needs to individuals with household pets and service animals; and to such pets and animals.”
  - 42 U.S.C. 5196, Sec. 611. Detailed Functions or Administrations: “The Director may study and develop emergency preparedness measures designed to afford adequate protection of life and property, including – plans that take into account the needs of individuals with pets and service animals prior to, during, and following a major disaster or emergency.” “The Director may make financial contributions…to the States and local authorities for animal emergency preparedness purposes, including the procurement, construction, leasing, or renovating of emergency shelter facilities and materials that will accommodate people with pets and service animals.”
  - 42 U.S.C. 5196, Sec. 613. Contributions for Personnel and Administrative Expenses: “In approving standards for State and local emergency preparedness operational plans…the Director shall ensure that such plans take into account the needs of individuals with household pets and service animals prior to, during, and following a major disaster or emergency.”
The Americans with Disabilities Act defines the term service animal and regulates the treatment of such animals by businesses that serve the public.
(http://www.ada.gov/pubs/ada.htm)

FEMA Disaster Assistance Policy 9523.19 was developed to “…identify expenses related to State and local governments’ emergency pet evacuation and sheltering activities that may be eligible for reimbursement following a major disaster or emergency declaration.”

Finally, several states have passed state laws that address emergency response for pets, including Louisiana, Connecticut, and Oregon.

According to FEMA Disaster Assistance Policy 9523.19:

- **Household Pet** is defined as a domesticated animal, such as a dog, bird, rabbit, rodent, or turtle that is traditionally kept in the home for pleasure rather than for commercial purposes, can travel in commercial carriers and be housed in temporary facilities. **Household pets do not include reptiles (except turtles), amphibians, fish, insects/arachnids, farm animals (including horses), and animals kept for racing purposes.**

- **A Congregate Household Pet Shelter** is defined as any private or public facility that provides refuge to rescued household pets and the household pets of shelterees in response to a declared major disaster or emergency.

Reference: FEMA Disaster Assistance Policy 9523.19

**Service Animal** is defined as any guide dog, signal dog, or other animal individually trained to provide assistance to an individual with a disability including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.

Reference: FEMA Disaster Assistance Policy 9523.19

Note: The Department of Justice (DOJ) is considering rule changes with regard to the definition of a service animal; the definition on this slide is not static. Please check the DOJ’s Americans with Disabilities Act (ADA) Website for updates (http://www.ada.gov/).

In order for FEMA PA Grants to be available, the President must issue a disaster declaration. The Stafford Act provides for two types of Presidential declarations authorizing federal disaster assistance. This slide provides an overview of the sequence of events during a disaster leading to the issuance of a Presidential Declaration. Note that the sequence may vary based on the circumstances of the disaster. (FEMA Public Assistance Policy Digest: FEMA 321 Jan 2008)

Two types of FEMA assistance may be available to people and entities affected by the disaster: Individual and Public Assistance.
Individual Assistance

- Individuals eligible for certain disaster benefits

Individuals may be eligible for certain disaster benefits through FEMA. The links provide information on available programs and how to apply for assistance.

The Public Assistance Program

Provides supplemental Federal disaster grant assistance for the repair, replacement, or restoration of disaster-damaged publicly-owned facilities and the facilities of certain Private Non-Profit (PNP) organizations following a Presidentially-declared disaster or emergency.

The Federal share of assistance is not less than 75% of the eligible cost for emergency measures and permanent restoration. The State determines how the non-Federal share (up to 25%) is split with applicants.

The FEMA Public Assistance Program provides supplemental Federal disaster grant assistance for the repair, replacement, or restoration of publicly owned facilities and facilities of certain Private Non-Profit (PNP) organizations following a Presidentially-declared disaster or emergency.

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Public Assistance Grants cover government agency response and recovery. Some private non-profit agencies may be eligible as subgrantees.

Cost share - FEMA covers at least 75% - each declaration will specify cost-share amounts

The declaration will specify the period of eligibility

The PA Grants cover both response and recovery elements.

The PA application system is highly regimented. Thorough documentation and compliance with PA policies is critical.

There are three types of Eligible Work under the Public Assistance Program. (FEMA Public Assistance Policy Digest: FEMA 321 Jan. 2008) These are:
- Debris removal,
- Emergency Protective Measures and Permanent Restoration.

Emergency Protective Measures are defined on the slide. Some private non-profit (PNP) expenses will be eligible for funding under category B (Emergency Protective Measures) as authorized by the PETS Act components of the Stafford Act.
**Sec. 403. Essential Assistance (42 U.S.C. 5170b)**

**(a) In general** - Federal agencies may on the direction of the President, provide assistance essential to meeting immediate threats to life and property resulting from a major disaster, as follows:

1. **Work and services to save lives and protect property** - Performing on public or private lands or waters any work or services essential to saving lives and protecting and preserving property or public health and safety, including:
   - (J) provision of rescue, care, shelter, and essential needs -
     - (i) to individuals with household pets and service animals;
     - (ii) to such pets and animals.

**(b) Federal share** - The Federal share of assistance under this section shall be not less than 75 percent of the eligible cost of such assistance.

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**Emergency Work: Category A & B**

Sec. 403, Essential Assistance (42 U.S.C. 5170b).*

**(a) In general** - Federal agencies may on the direction of the President, provide assistance essential to meeting immediate threats to life and property resulting from a major disaster, as follows:

1. **Work and services to save lives and protect property** - Performing on public or private lands or waters any work or services essential to saving lives and protecting and preserving property or public health and safety, including:
   - (J) provision of rescue, care, shelter, and essential needs -
     - (i) to individuals with household pets and service animals;
     - (ii) to such pets and animals.

**(b) Federal share** - The Federal share of assistance under this section shall be not less than 75 percent of the eligible cost of such assistance.

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This slide references how Section 403 of the Stafford Act was amended based on PETS Act and PKEMRA. It is important to note that there are other sections of the Stafford Act that were amended relevant to Household Pets and Service Animals as well, they are:

**Sec. 611. Detailed Functions or Administration (42 U.S.C. 5196)**

In this section there are two significant new authorities, one that authorizes the FEMA Director to take action at the federal level:

- **(e) Emergency preparedness measures** - The Director may study and develop emergency preparedness measures designed to afford adequate protection of life and property, including – … (4) plans that take into account the needs of individuals with pets and service animals prior to, during, and following a major disaster or emergency.”

The second comes under Financial Contributions, language here allows funding State/Local activities in preparedness:

- **(j) Financial Contributions** – (2) The Director may make financial contributions, on the basis of programs or projects approved by the Director, to the States and local authorities for animal emergency preparedness purposes, including the procurement, construction, leasing, or renovating of emergency shelter facilities and materials that will accommodate people with pets and service animals.” This allows for FMEA to fund State/Local preparedness through provision of DHS/FEMA Preparedness Grants.

**Sec. 613. Contributions for Personnel and Administrative Expenses (42 U.S.C. 5196b)**

The languages here addresses the development of Standards related to what State/Local jurisdictions will need to include in their emergency operations plans.

- **(g) Standards for State and Local Emergency Preparedness Operational Plans** – In approving standards for State and local emergency preparedness operational plans pursuant to subsection (b)(3), the Director shall ensure that such plans take into account the needs of individuals with household pets and service animals prior to, during, following a major disaster or emergency.”

CPG 302 the first direct federal guidance on developing plans specific to household pets and service animals is a step toward establishing the standards called for in the Stafford Act.
The FEMA Public Assistance Program lists multiple categories of expenses. Some expenses, such as debris removal (category A) and emergency protective measures (category B) are performed during the incident. All other categories (C through G) are performed as part of the recovery process and typically involve repair or replacement of damaged community infrastructure. An important difference is that category A and B expenses are performed without pre-authorization from FEMA. Category C through G expenses must be pre-authorized as part of the FEMA Public Assistance Grant process.

Some private non-profit (PNP) expenses will be eligible for funding under category B (Emergency Protective Measures) as authorized by the PETS Act components of the Stafford Act. In order for these expenses to be eligible, the following must occur:

- The PNP must have a mutual aid agreement (or memorandum of understanding) with the governmental agency that deploys them. The agreement must meet the standards set for mutual aid agreements in FEMA DAP 9523.6.
- The PNP must be activated under the Household Pet and Service Animal Plan and this activation should be documented in incident records, including the Incident Action Plan.
- Eligible pet-related services must be as described under the descriptions in FEMA DAP 9523.19 or other DAPs. Other services not described under DAP 9523.19 may be necessary and should be performed according to jurisdictional plans (i.e. for horses), but these are not eligible for FEMA PA Grant funding.
- The PNP must be paid according to the MAA by the applicant regardless of the final determination of eligibility by FEMA PA program staff.
- All expenses/efforts must be documented appropriately. Volunteer and in-kind donations should be documented in order to use these contributions for the jurisdictional match. In many incidents state/local/tribal jurisdictions are responsible for 25% and FEMA is responsible for 75% of eligible costs.
Category C Through G Projects

- Recovery and restoration projects
- Must be approved prior to expending funds
- Differs from Category A&B emergency protective measures in which work is performed first, then documentation submitted in PA Grant application.

An example of recovery and restoration projects involving pet or animal issues which may fit in these categories would include things the restoration of uninsured portions of an animal shelter, zoo or biomedical research facility damaged in a disaster that are not covered by insurance. A proposal would be filed with FEMA and approval for the repairs must be received before restoration work is begun.

Work Eligibility

To be eligible, the work must:
- Be performed by or at the direction of a Grantee or Subgrantee (If delegated or otherwise assigned to a third party must be documented, e.g. MOU, IAP, Invitation Letter)
- Be disaster-related
- Be located in the designated disaster area
- Be the applicant’s responsibility
- Not be fundable by another federal agency (under their legal authority)

Cost Eligibility

To be eligible for reimbursement, costs must:
- Be reasonable and necessary to accomplish eligible work
- Comply with federal, state, and local laws and regulations
- Include deductions of insurance proceeds, salvage value, and purchase discounts.
This slide illustrates the flow of planning, performing, and documenting household pet and service animal expenses in order to maximize eligibility under the FEMA PA program.

Pre-incident:
- The jurisdiction works with its agencies and nongovernmental partners to create a Household Pets and Service Animal Plan per FEMA Comprehensive Planning Guidance #302.
- The jurisdiction prepares and mutual aid agreements or memoranda of understanding with PNP, contractors, or other jurisdictions as appropriate. Each MAA should define what expenses PNP will be paid for.
- The jurisdiction should periodically exercise and update the HPSA plan.

During the incident:
- The jurisdiction will activate their HPSA plan and mobilize appropriate agencies, PNP, and contractors into the incident.
- These mobilizations and missions should be documented in the Incident Action Plan.
- Missions should be performed.
- All costs and efforts related to the assigned missions should be documented with sufficient detail as to allow the use of these costs in a PA grant application. The speaker must stress that all PNP need to consult PA policy and local/state emergency management to determine the exact content and format for such documentation.
- All voluntary efforts and public donations should be documented. If these fall within the definitions of eligible work, then they should be able to be submitted as part of the PA grant process as part of the state/local/tribal share of the incident costs (often 25%).

After the incident:
- The jurisdiction pays the contractor or PNP for all work described under the MAA. PNP CANNOT BE PAID ON A CONTINGENCY BASIS (i.e. only paid if the jurisdiction receives PA funding for those costs).
- The jurisdiction begins the PA Grant application process via the Applicant's Briefing as described on the following slide.

The flow chart on this slide shows the sequence of events that occur in the Public Assistance Process. Eligible private non-profits would most likely be subgrantees under the public assistance process.
PA Policies of Note:

  - Private non-profit eligibility: 9521.3 – specifically mentions zoos and animal control facilities
  - Mutual aid agreements: 9523.6
  - Pet evacuation and sheltering: 9523.19

This slide lists particular PA policies to note.

Recovery: The Public Assistance Program

Program Review

- The Public Assistance Program assists in the restoration of community infrastructure.
- It is a supplemental/cost reimbursement program with specific eligibility requirements.
- The FEMA share of eligible costs will be awarded to the grantee (State or Tribal Authority) for disbursement to the subgrantees.

Recovery: PA Project Worksheet

A Project Worksheet is the form used to document the scope of work and cost estimate for a project. Copies of this PW and the next two slides are found in your course materials for this Unit. Please use them to follow along.

This form supplies FEMA with the information necessary to approve the scope of work and itemized cost estimate prior to funding. Each project must be documented on a separate Project Worksheet. The approved Project Worksheet will then be the basis for funding under the Public Assistance Program.

A project is a logical method of performing work required as a result of the declared event. You may include more than one damage site in a project. This offers flexibility in organizing and managing the work around your needs.

Once you have consolidated similar work items into projects, you will need to fully document your damage and repair plan by completing a Project Worksheet for each project. Although more than one site can be combined to make a project, only one project may be listed on a Project Worksheet.

Reference: [http://www.fema.gov/government/grant/pa/apphandbk.shtm#2](http://www.fema.gov/government/grant/pa/apphandbk.shtm#2)

On this slide is a sample of the section describing the Damage Dimensions and Description, while this sample is generic the verbiage was taken from an actual PW submission. On the two slides immediately following are the Scope of Work, and Cost Estimate sections. Copies of these slides are in the course materials for Unit 7.
PW sample - Scope of Work:
Note the level of specificity regarding staffing hours and supplies purchased. While not a requirement this level of details will aid grant application reviewers in recognizing the expenditures are aligned to the reimbursement policy.

PW sample - Cost Estimate section:
Note the amounts quoted match to those listed in the SOW, and it identifies what the federal reimbursement amount will be, therefore the remainder represents the State/Local match amount.

For Further Training
• FEMA Emergency Management Institute – Independent Study Course
  • IS 634: Introduction to the FEMA Public Assistance Program
• FEMA Public Assistance Guide and Policy Books
  http://www.fema.gov/government/grant/pa/policy.shtm

Presenter/Instructor should ask if there are any questions regarding the content of the presentation.