



## **FEMA Public Assistance Program Application for Private Non-Profit Organizations**

This letter serves as general guidance for applying for funding under FEMA's Public Assistance Program, and is not intended to be used as a substitute for legal advice. If President Trump included your county in his Declaration of a Major Disaster, FEMA has emergency funds available for your area. <https://www.fema.gov/disaster/4332>. Specifically, as a Private Non-Profit Organization ("PNP") you are potentially eligible to receive funding to help cover the costs of your organization's recovery following Hurricane Harvey. However, FEMA imposes a deadline from the date of the President's declaration on Requests for Public Assistance, thus, time is of the essence and you must **apply by the November 22, 2017 deadline**.

It is possible that your application will initially be rejected due to the religious nature of your organization. However, do not let that discourage you from applying. There are currently efforts underway to modify FEMA policy such that religious organizations are eligible for Public Assistance funds. If the current FEMA Public Assistance Program Policy Guide is revised to allow religious entities to receive Public Assistance, you should ensure that your application was received **prior to the November 22, 2017 deadline**.

The first step in seeking Public Assistance funding is to submit a Request for Public Assistance ("RPA") to FEMA's designated Recipient. In your case, the designated Recipient is the State of Texas, and all documentation related to your application should be emailed to [Tdemrecovery.rpa@dps.texas.gov](mailto:Tdemrecovery.rpa@dps.texas.gov). The completed RPA will include general information about your organization, including your address and the contact information of an authorized agent/contact person. Additionally, FEMA requires that completed RPA's indicate the Applicant's active Dun and Bradstreet ("DUNS") number. If you do not have an active DUNS number, please visit the following website to request one. Note, it takes a minimum of one full business day to receive your DUNS number.

<http://fedgov.dnb.com/webform/displayHomePage.do;jsessionid=81407B1F03F2BDB123DD47D19158B75F>

When submitting your RPA you will need to provide several forms of documentation. As a PNP, you are required to submit:

1. A PNP Facility Questionnaire;
2. A current ruling letter from the IRS granting tax exemption status to your organization or proof from the State of Texas of your nonprofit status;
3. Proof of ownership of your facilities;
4. Proof of legal responsibility to repair your facilities (if you lease them); and,
5. A list of services provided in the facility that indicates when services were provided and to whom.

Depending on other services your organization offers, you may be required to submit further documentation. For your convenience, an itemized checklist of necessary documentation is included at the conclusion of this letter.

Finally, as a PNP you are also required to apply for a U.S. Small Business Administration ("SBA") disaster loan prior to submitting your RPA. Under the Stafford Act, FEMA requires all non-critical PNPs to

apply for a disaster loan from the SBA. In this context, critical PNPs are restricted to those providing power, water, sewer, wastewater treatment, communications, and emergency medical care. Thus, if you do not fall into one of these limited categories, you must also include proof of application for an SBA disaster loan with your RPA.

SBA disaster loans are intended for facility restoration and permanent work, and if approved, costs for permanent work beyond the approved loan amount are eligible for FEMA funding. However, it is important to note that you are not required to pay for emergency work costs using these loan funds—emergency work costs are immediately eligible for FEMA funding. Regardless of whether you believe you have only emergency costs or whether you will also need funding for permanent work or facility restoration, it is important to apply for an SBA disaster loan **prior to the November 22, 2017 deadline**. This will ensure there are no errors in your Public Assistance application. You can apply for an SBA disaster loan at <https://disasterloan.sba.gov/ela/>.

Following submission of your RPA, and the necessary documentation, both the State of Texas and FEMA will review your application and, if approved for Public Assistance, FEMA will then assign you to a Public Assistance representative who will work with you to determine what costs and reimbursements you are eligible for.

Included in this letter are step-by-step instructions for your application. Additionally, you will find copies of the RPA form and the PNP Facility Questionnaire.

*\*This information provided with the assistance of First Liberty Institute*