



# FEMA PUBLIC ASSISTANCE PROGRAM GUIDANCE

## *Private Non-Profit*

### **PNP Organizations**

PNP organizations or institutions that own or operate facilities that provide certain services otherwise performed by a government agency are eligible for assistance. These organizations, their facilities and services must meet additional eligibility criteria beyond that which apply to governmental type applicants.

Only certain PNPs are eligible Applicants. To be an eligible Applicant, the PNP must show that it has:

- A ruling letter from the U.S. Internal Revenue Service that was in effect as of the declaration date and granted tax exemption under sections 501(c), (d), or (e) of the Internal Revenue Code;
- Documentation from the State substantiating it is a non-revenue producing, nonprofit entity organized or doing business under State law.

See 44 C.F.R. § 206.221(f) for additional information.

To be eligible for assistance, the primary purpose of a PNP must be to provide a public service that is not restricted by a specific definition or by prohibitive fees. If access to the use of PNP services is restricted, the PNP is not eligible.

### **Application Requirements for PNPs**

***Emergency Work.*** All PNPs that are eligible for FEMA assistance, as described above and in 44 CFR 206.221(e), may apply directly to FEMA for emergency assistance under 44 CFR 206.225.

***Permanent Work.*** Eligible PNPs seeking reimbursement for permanent repairs and restoration from FEMA may apply for disaster assistance according to the following requirements, depending on whether they are deemed “critical” or “non-critical” PNPs by the Stafford Act:

- **Critical PNPs** are defined in the Stafford Act as those providing power, water, sewer and wastewater, communications, emergency medical, fire protection, emergency services and educational.

**Table 1. PNP Eligible Critical Services**

PNP ELIGIBLE CRITICAL SERVICES	
<p style="text-align: center;"><b>EDUCATION</b></p> <ul style="list-style-type: none"> <li>• Primary or secondary education as determined under State law and provided in a day or residential school, including parochial schools, OR</li> <li>• Higher-education institutions that meet all of the following criteria:               <ul style="list-style-type: none"> <li>○ Admit students or persons having a high school diploma or equivalent;</li> <li>○ Are legally authorized to provide education beyond a secondary level;</li> <li>○ Award a bachelor’s degree or a 2-year degree that is acceptable as full credit toward a bachelor’s degree or provides at least a 1-year training program to prepare students for gainful employment in a recognized occupation; and</li> <li>○ Are accredited by a nationally recognized agency or association (as determined by the Secretary of Education).</li> </ul> </li> <li>• Educational facilities that meet the above criteria are eligible without regard to their religious character or use for religious instruction</li> </ul>	<p style="text-align: center;"><b>MEDICAL</b></p> <ul style="list-style-type: none"> <li>• Emergency medical care (diagnosis or treatment of mental or physical injury or disease) provided in:               <ul style="list-style-type: none"> <li>○ Clinics</li> <li>○ Facilities that provide in-patient care for convalescent or chronic disease patients</li> <li>○ Hospices and nursing homes</li> <li>○ Hospitals and related facilities, including:                   <ul style="list-style-type: none"> <li>➢ Central service facilities operated in connection with hospitals</li> <li>➢ Extended-care facilities</li> <li>➢ Facilities related to programs for home-health services</li> <li>➢ Laboratories</li> <li>➢ Self-care units</li> <li>➢ Storage, administration, and record areas</li> </ul> </li> <li>○ Long-term care facilities</li> <li>○ Outpatient facilities</li> <li>○ Rehabilitation centers that provide medical care</li> </ul> </li> </ul>
<p style="text-align: center;"><b>UTILITY</b></p> <ul style="list-style-type: none"> <li>• Communications transmission and switching, and distribution of telecommunications traffic</li> <li>• Electric power generation, transmission, and distribution.</li> <li>• Irrigation to provide water for drinking water supply, fire suppression, or electricity generation</li> <li>• Sewer and wastewater collection, transmission, and treatment</li> <li>• Water treatment, transmission, and distribution by a water company supplying municipal water</li> </ul>	<p style="text-align: center;"><b>EMERGENCY SERVICES</b></p> <ul style="list-style-type: none"> <li>• Ambulance</li> <li>• Fire protection</li> <li>• Rescue</li> </ul>
<p>Administrative and support buildings essential to the operation of PNP critical services are eligible facilities.</p>	

- **Non-Critical PNPs** are those eligible organizations that do not qualify as critical service facilities.

**Table 2. PNP Eligible Non-critical, Essential Social-Type Services**

<b>PNP ELIGIBLE NON CRITICAL, ESSENTIAL SOCIAL TYPE SERVICES</b>	
<p>Community centers established and primarily used for the purpose of offering the following services (or similar) to the community at large:</p> <ul style="list-style-type: none"> <li>• Art services authorized by a State, Territorial, Tribal, or local government, including, but not limited to:               <ul style="list-style-type: none"> <li>• Arts administration</li> <li>• Art classes</li> <li>• Management of public arts festivals</li> <li>• Performing arts classes</li> </ul> </li> <li>• Educational enrichment activities that are not vocational, academic, or professional training; examples include hobby or at-home pursuits, such as:               <ul style="list-style-type: none"> <li>○ Car care</li> <li>○ Ceramics</li> <li>○ Gardening</li> <li>○ Personal financial and tax planning</li> <li>○ Sewing</li> <li>○ Stamp and coin collecting</li> </ul> </li> <li>• Multi-purpose arts programming</li> <li>• Senior citizen projects, rehabilitation programs, community clean-up projects, blood drives, local government meetings, and similar activities</li> <li>• Services and activities intended to serve a specific group of individuals (e.g., women, African Americans, or teenagers) provided the facility is otherwise available to the public on a non-discriminatory basis</li> <li>• Social activities to pursue items of mutual interest or concern, such as:               <ul style="list-style-type: none"> <li>○ Community board meetings</li> <li>○ Neighborhood barbecues</li> <li>○ Various social functions of community groups</li> <li>○ Youth and senior citizen group meetings</li> </ul> </li> <li>• Youth and senior citizen group meetings</li> <li>• Activities of community centers that serve the general public</li> </ul>	<ul style="list-style-type: none"> <li>• Child care</li> <li>• Day care for individuals with disabilities or access and functional needs (for example, those with Alzheimer’s disease, autism, muscular dystrophy)</li> <li>• Food assistance programs</li> <li>• Health and safety services</li> <li>• Homeless shelters</li> <li>• Houses of worship</li> <li>• Libraries</li> <li>• Low-income housing (as defined by Federal, State, Territorial, Tribal, or local law or regulation)</li> <li>• Museums:               <ul style="list-style-type: none"> <li>○ Constructed, manufactured, or converted with a primary purpose of preserving and exhibiting a documented collection of artistic, historic, scientific, or other objects</li> <li>○ Buildings, associated facilities, fixed facilities, and equipment primarily used for the preservation or exhibition of the collection, including:                   <ul style="list-style-type: none"> <li>➢ Permanent infrastructure, such as walkways and driveways of outdoor museum-type exhibition areas</li> <li>➢ Historic buildings, such as barns and other outbuildings, intended for the preservation and exhibition of historical artifacts within a defined area</li> <li>➢ Permanent facilities and equipment that are part of arboretums and botanical gardens</li> <li>➢ Infrastructure, such as utilities, and administrative facilities necessary for support</li> </ul> </li> <li>○ The grounds at museums and historic sites are not eligible.</li> <li>○ Open natural areas/features or entities that promote the preservation/conservation of such areas are not eligible.</li> </ul> </li> <li>• Residential and other services for battered spouses</li> <li>• Residential services for individuals with disabilities</li> <li>• Senior citizen centers</li> <li>• Shelter workshops that create products using the skills of individuals with disabilities</li> <li>• Zoos</li> <li>• Performing arts centers with a primary purpose of producing, facilitating, or presenting live performances, including:               <ul style="list-style-type: none"> <li>○ Construction of production materials</li> <li>○ Creation of artistic works or productions</li> <li>○ Design</li> <li>○ Professional training</li> <li>○ Public education</li> <li>○ Rehearsals</li> </ul> </li> <li>• Public broadcasting that monitors, receives, and distributes communication from the Emergency Alert System</li> </ul>
<p>Facilities that do not provide medical care, but do provide:</p> <ul style="list-style-type: none"> <li>• Alcohol and drug treatment</li> <li>• Assisted living</li> <li>• Custodial care, even if the facility is not open to the general public (including essential administration and support facilities)</li> <li>• Rehabilitation</li> </ul>	
<p>With the exception of custodial care facilities and museums, administrative and support buildings essential to the operation of PNP non-critical services are NOT eligible facilities.</p>	

## PNP INELIGIBLE SERVICES

**Table 3. PNP Ineligible Services**

PNP INELIGIBLE SERVICES	
<p style="text-align: center;"><b>COMMUNITY CENTER SERVICES</b></p> <ul style="list-style-type: none"> <li>• Training individuals to pursue the same activities as full-time paying careers (for example, vocational, academic, or professional training)</li> <li>• Meetings or activities for only a brief period, or at irregular intervals</li> </ul>	<p style="text-align: center;"><b>OTHER COMMUNITY SERVICES</b></p> <ul style="list-style-type: none"> <li>• Advocacy or lobbying groups not directly providing health services</li> <li>• Cemeteries</li> <li>• Conferences</li> <li>• Day care services not included in previous table of eligible services</li> <li>• Irrigation solely for agricultural purposes<sup>64</sup></li> <li>• Job counseling</li> <li>• Property owner associations with facilities such as roads and recreational facilities (except those facilities that could be classified as utilities or emergency facilities)</li> <li>• Public housing, other than low-income housing</li> <li>• Recreation</li> <li>• Parking not in direct support of eligible facility</li> </ul>
<p style="text-align: center;"><b>EDUCATION</b></p> <ul style="list-style-type: none"> <li>• Athletic, vocational, academic training, or similar activities</li> <li>• Political education</li> </ul>	

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