

**§ 204.64**

**44 CFR Ch. I (10–1–04 Edition)**

**§ 204.64 Reporting and audit requirements**

(a) *Reporting.* Within 90-days of the Performance Period expiration date, the State will submit a final Financial Status Report (FEMA Form 20–10), which reports all costs incurred within the incident period and all administrative costs incurred within the performance period; and

(b) *Audit.* (1) Audits will be performed, for both the Grantee and the subgrantees, under 44 CFR 13.26.

(2) FEMA may elect to conduct a program-specific Federal audit on the Fire Management Assistance Grant or a subgrant.

**PART 205 [RESERVED]**

**PART 206—FEDERAL DISASTER ASSISTANCE FOR DISASTERS DECLARED ON OR AFTER NOVEMBER 23, 1988**

**Subpart A—General**

- Sec.
- 206.1 Purpose.
- 206.2 Definitions.
- 206.3 Policy.
- 206.4 State emergency plans.
- 206.5 Assistance by other Federal agencies.
- 206.6 Donation or loan of Federal equipment and supplies.
- 206.7 Implementation of assistance from other Federal agencies.
- 206.8 Reimbursement of other Federal agencies.
- 206.9 Nonliability.
- 206.10 Use of local firms and individuals.
- 206.11 Nondiscrimination in disaster assistance.
- 206.12 Use and coordination of relief organizations.
- 206.13 Standards and reviews.
- 206.14 Criminal and civil penalties.
- 206.15 Recovery of assistance.
- 206.16 Audit and investigations.
- 206.17 Effective date.
- 206.18–206.30 [Reserved]

**Subpart B—The Declaration Process**

- 206.31 Purpose.
- 206.32 Definitions.
- 206.33 Preliminary damage assessment.
- 206.34 Request for utilization of Department of Defense (DOD) resources.
- 206.35 Requests for emergency declarations.
- 206.36 Requests for major disaster declarations.

- 206.37 Processing requests for declarations of a major disaster or emergency.
- 206.38 Presidential determination.
- 206.39 Notification.
- 206.40 Designation of affected areas and eligible assistance.
- 206.41 Appointment of disaster officials.
- 206.42 Responsibilities of coordinating officers.
- 206.43 Emergency support teams.
- 206.44 FEMA-State Agreements.
- 206.45 Loans of non-Federal share.
- 206.46 Appeals.
- 206.47 Cost-share adjustments.
- 206.48 Factors considered when evaluating a Governor's request for major disaster declaration.
- 206.49–206.60 [Reserved]

**Subpart C—Emergency Assistance**

- 206.61 Purpose.
- 206.62 Available assistance.
- 206.63 Provision of assistance.
- 206.64 Coordination of assistance.
- 206.65 Cost sharing.
- 206.66 Limitation on expenditures.
- 206.67 Requirement when limitation is exceeded.
- 206.68–206.100 [Reserved]

**Subpart D—Federal Assistance to Individuals and Households**

- 206.101 Temporary housing assistance for emergencies and major disasters declared on or before October 14, 2002.
- 206.102–206.109 [Reserved]
- 206.110 Federal assistance to individuals and households.
- 206.111 Definitions.
- 206.112 Registration period.
- 206.113 Eligibility factors.
- 206.114 Criteria for continued assistance.
- 206.115 Appeals.
- 206.116 Recovery of funds.
- 206.117 Housing assistance.
- 206.118 Disposal of housing units.
- 206.119 Financial assistance to address other needs.
- 206.120 State administration of other needs assistance.
- 206.121–206.130 [Reserved]

**Subpart E—Individual and Family Grant Programs**

- 206.131 Individual and Family Grant Program for major disasters declared on or before October 14, 2002.
- 206.132–206.140 [Reserved]

**Subpart F—Other Individual Assistance**

- 206.141 Disaster unemployment assistance.
- 206.142–206.150 [Reserved]
- 206.151 Food commodities.
- 206.152–206.160 [Reserved]

**Federal Emergency Management Agency, DHS**

**§ 206.1**

- 206.161 Relocation assistance.
- 206.162-206.163 [Reserved]
- 206.164 Disaster legal services.
- 206.165-206.170 [Reserved]
- 206.171 Crisis counseling assistance and training.
- 206.172-206.180 [Reserved]
- 206.181 Use of gifts and bequests for disaster assistance purposes.
- 206.182-206.190 [Reserved]
- 206.191 Duplication of benefits.
- 206.192-206.199 [Reserved]

**Subpart G—Public Assistance Project Administration**

- 206.200 General.
- 206.201 Definitions used in this subpart.
- 206.202 Application procedures.
- 206.203 Federal grant assistance.
- 206.204 Project performance.
- 206.205 Payment of claims.
- 206.206 Appeals.
- 206.207 Administrative and audit requirements.
- 206.208 Direct Federal assistance.
- 206.209-206.219 [Reserved]

**Subpart H—Public Assistance Eligibility**

- 206.220 General.
- 206.221 Definitions.
- 206.222 Applicant eligibility.
- 206.223 General work eligibility.
- 206.224 Debris removal.
- 206.225 Emergency work.
- 206.226 Restoration of damaged facilities.
- 206.227 Snow assistance.
- 206.228 Allowable costs.
- 206.229-206.249 [Reserved]

**Subpart I—Public Assistance Insurance Requirements**

- 206.250 General.
- 206.251 Definitions.
- 206.252 Insurance requirements for facilities damaged by flood.
- 206.253 Insurance requirements for facilities damaged by disasters other than flood.
- 206.254-206.339 [Reserved]

**Subpart J—Coastal Barrier Resources Act**

- 206.340 Purpose of subpart.
- 206.341 Policy.
- 206.342 Definitions.
- 206.343 Scope.
- 206.344 Limitations on Federal expenditures.
- 206.345 Exceptions.
- 206.346 Applicability to disaster assistance.
- 206.347 Requirements.
- 206.348 Consultation.
- 206.349 Consistency determinations.
- 206.350-206.359 [Reserved]

**Subpart K—Community Disaster Loans**

- 206.360 Purpose.
- 206.361 Loan program.
- 206.362 Responsibilities.
- 206.363 Eligibility criteria.
- 206.364 Loan application.
- 206.365 Loan administration.
- 206.366 Loan cancellation.
- 206.367 Loan repayment.
- 206.368-206.389 [Reserved]

**Subpart L—Fire Suppression Assistance**

- 206.390 General.
- 206.391 FEMA-State Agreement.
- 206.392 Request for assistance.
- 206.393 Providing assistance.
- 206.394 Cost eligibility.
- 206.395 Grant administration.
- 206.396-206.399 [Reserved]

**Subpart M—Minimum Standards**

- 206.400 General.
- 206.401 Local standards.
- 206.402 Compliance.

**Subpart N—Hazard Mitigation Grant Program**

- 206.430 General.
- 206.431 Definitions.
- 206.432 Federal grant assistance.
- 206.433 State responsibilities.
- 206.434 Eligibility.
- 206.435 Project identification and selection criteria.
- 206.436 Application procedures.
- 206.437 State administrative plan.
- 206.438 Project management.
- 206.439 Allowable costs.
- 206.440 Appeals.

AUTHORITY: Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5206; Reorganization Plan No. 3 of 1978, 43 FR 41943, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376; E.O. 12148, 44 FR 43239, 3 CFR, 1979 Comp., p. 412; and E.O. 12673, 54 FR 12571, 3 CFR, 1989 Comp., p. 214.

SOURCE: 54 FR 11615, Mar. 21, 1989, unless otherwise noted.

**Subpart A—General**

SOURCE: 55 FR 2288, Jan. 23, 1990, unless otherwise noted.

**§ 206.1 Purpose.**

(a) *Purpose.* The purpose of this subpart is to prescribe the policies and procedures to be followed in implementing those sections of Public Law

## § 206.2

## 44 CFR Ch. I (10–1–04 Edition)

93–288, as amended, delegated to the Director, Federal Emergency Management Agency (FEMA). The rules in this subpart apply to major disasters and emergencies declared by the President on or after November 23, 1988, the date of enactment of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.*

(b) *Prior regulations.* Prior regulations relating to major disasters and emergencies declared by the President before November 23, 1988 were published in 44 CFR part 205 (see 44 CFR part 205 as contained in the CFR edition revised as of October 1, 1994).

[59 FR 53363, Oct. 24, 1994]

### § 206.2 Definitions.

(a) *General.* The following definitions have general applicability throughout this part:

(1) *The Stafford Act:* The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93–288, as amended.

(2) *Applicant:* Individuals, families, States and local governments, or private nonprofit organizations who apply for assistance as a result of a declaration of a major disaster or emergency.

(3) *Associate Director or Executive Associate Director:* (i) Unless otherwise specified in subparts A through K of this part, the Associate Director or Assistant Director of the Readiness, Response and Recovery Directorate, or his/her designated representative.

(ii) Unless otherwise specified in subparts M and N of this part, the Associate Director or Executive Associate Director of the Mitigation Directorate, or his/her designated representative.

(4) *Concurrent, multiple major disasters:* In considering a request for an advance, the term concurrent multiple major disasters means major disasters which occur within a 12-month period immediately preceding the major disaster for which an advance of the non-Federal share is requested pursuant to section 319 of the Stafford Act.

(5) *Contractor:* Any individual, partnership, corporation, agency, or other entity (other than an organization engaged in the business of insurance) performing work by contract for the Federal Government or a State or local agency.

(6) *Designated area:* Any emergency or major disaster-affected portion of a State which has been determined eligible for Federal assistance.

(7) *Director:* The Director, FEMA.

(8) *Disaster Recovery Manager (DRM):* The person appointed to exercise the authority of a Regional Director for a particular emergency or major disaster.

(9) *Emergency:* Any occasion or instance for which, in the determination of the President, Federal assistance is needed to supplement State and local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe in any part of the United States.

(10) *Federal agency:* Any department, independent establishment, Government corporation, or other agency of the executive branch of the Federal Government, including the United States Postal Service, but shall not include the American National Red Cross.

(11) *Federal Coordinating Officer (FCO):* The person appointed by the Director, or in his absence, the Deputy Director, or alternatively the Associate Director, to coordinate Federal assistance in an emergency or a major disaster.

(12) *Governor:* The chief executive of any State or the Acting Governor.

(13) *Governor's Authorized Representative (GAR):* The person empowered by the Governor to execute, on behalf of the State, all necessary documents for disaster assistance.

(14) *Hazard mitigation:* Any cost effective measure which will reduce the potential for damage to a facility from a disaster event.

(15) *Individual assistance:* Supplementary Federal assistance provided under the Stafford Act to individuals and families adversely affected by a major disaster or an emergency. Such assistance may be provided directly by the Federal Government or through State or local governments or disaster relief organizations. For further information, see subparts D, E, and F of these regulations.

(16) *Local government:*

(i) A county, municipality, city, town, township, local public authority,