



## New Hampshire Department of Safety Division of Homeland Security and Emergency Management

### Public Assistance

#### Eligible Applicants

There are **four (4) types** of eligible Applicants for Public Assistance (PA). If an entity meets the requirements **one (1)** of the types, the Applicant may be eligible to receive **federal disaster assistance**.

1. **State Government Agencies.**
2. **Local governments and special districts – For example school districts, utility districts, etc.**
3. **Private nonprofit organizations (PNPs).**
  - a. PNPs must own or operate facilities that are open to the **general public** and that provide certain *essential* and *critical* services otherwise performed by a government agency.
4. **Federally recognized Indian Tribal Governments**
  - a. N/A in New Hampshire

#### Private Non-Profits

To be eligible for PA funding, a PNP must meet the following requirements:

1. **Provide critical or essential governmental-type services.**
2. **Be a tax-exempt nonprofit.**
  - Documentation to support your tax-exempt status must include an Effective Ruling Letter from the Internal Revenue Service (IRS) granting tax-exemption under 501(c), (d) or (e) of the Internal Revenue Code of 1954. [SOURCE: 44 CFR 206.221(f)(1)]
  - OR provide satisfactory evidence from the State that your organization is non-revenue producing or a nonprofit entity organized or doing business under State law. [SOURCE: 44 CFR 206.221(f)(2)]
3. **Non-critical PNPs must be open to the public.** [SOURCE: 44 CFR 206.221(e)(7)]

Eligible PNP participation in the FEMA PA Program is determined, in part, as to whether the PNP is offering **critical** or **essential** services of a “governmental nature” [as defined in 44 CFR 206.221(e)] and the critical nature of services provided.

Eligible service providers generally fall into two (2) categories, PNP organizations that provide:

- **Critical Services**
  - Provide services essential to a community’s viability.
  - Eligible for Emergency and Permanent Work disaster assistance.
- **Non-critical – Essential Services.**
  - Provide other essential governmental-type services to the community.
  - Eligible only for Emergency Work disaster assistance through PA. Non-critical PNP’s requesting reimbursement for permanent work costs must apply for a disaster loan from the SBA. If the PNP is declined for an SBA loan, they may then apply for FEMA assistance.

**Critical Services**

**Education**

- Primary or secondary education as determined under State law and provided in a day or residential school, including parochial schools, OR
- Higher-education institutions that meet all of the following criteria:
  - Admit students or persons having a high school diploma or equivalent;
  - Are legally authorized to provide education beyond a secondary level;
  - 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
  - Are accredited by a nationally recognized agency or association (as determined by the Secretary of Education).
- Educational facilities that meet the above criteria are eligible without regard to their religious character or use for religious instruction

**Utility**

- Communications transmission and switching, and distribution of telecommunications traffic
- Electric power generation, transmission, and distribution.
- Irrigation to provide water for drinking water supply, fire suppression, or electricity generation
- Sewer and wastewater collection, transmission, and treatment
- Water treatment, transmission, and distribution by a water company supplying municipal water

**Medical**

- Emergency medical care (diagnosis or treatment of mental or physical injury or disease) provided in:
  - Clinics
  - Dialysis Facilities
  - Facilities that provide in-patient care for convalescent or chronic disease patients
  - Hospices and nursing homes
  - Hospitals and related facilities, including:
    - Central service facilities operated in connection with hospitals
    - Extended-care facilities
    - Facilities related to programs for home-health services
    - Laboratories
    - Self-care units
    - Storage, administration, and record areas
  - Long-term care facilities
  - Outpatient facilities
  - Rehabilitation centers

**Emergency Services**

- Ambulance
- Fire Protection
- Rescue
- Public broadcasting that monitor, receive, and distribute communication from the Emergency Alert System to the public.

**Administrative and support facilities essential to the provision of the PNP critical service are eligible facilities.**

**Non-Critical, Essential Social Services**

**Community centers established and primarily used for the purpose of offering the following services (or similar) to the general public:**

- Art services authorized by a State, Territorial, Tribal, or local government, including, but not limited to:
  - Arts administration
  - Art classes
  - Management of public arts festivals
  - Performing arts classes
- Community center activities that serve the public
- Educational enrichment activities that are not vocational, academic, or professional training; examples include hobby or at-home pursuits, such as:
  - Car care
  - Ceramics
  - Gardening
  - Personal financial and tax planning
  - Sewing
  - Stamp and coin collecting
- Multi-purpose arts programming
- Senior citizen projects, rehabilitation programs, community clean-up projects, blood drives, local government meetings, and similar activities
- 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
- Social activities to pursue items of mutual interest or concern, such as:
  - Community board meetings
  - Neighborhood barbecues
  - Various social functions of community groups
  - Youth and senior citizen group meetings
- Performing arts centers with a primary purpose of producing, facilitating, or presenting live performances, including:
  - Construction of product materials
  - Creation of artistic works or productions
  - Design
  - Professional training
  - Public education
  - Rehearsals

**Facilities that do not provide medical care, but do provide:**

- Alcohol and drug treatment and other rehabilitation services
- Assisted living
- Custodial care, even if the service is not open to the general public (including essential administration and support facilities)
- Child care
- Center-based childcare, even if not provided to the public

- Day care for individuals with disabilities or access and functional needs (for example, those with Alzheimer’s disease, autism, muscular dystrophy)
- Food assistance programs, including Food Banks and storage of food for Food Banks
- Health and safety services, including animal control services
- Homeless shelters
- Houses of worship
- Libraries
- Low-income housing (as defined by Federal, State, Territorial, Tribal, or local law or regulation)
- Museums:
  - Constructed, manufactured, or converted with a primary purpose of preserving and exhibiting a documented collection of artistic, historic, scientific, or other objects
  - Buildings, associated facilities, fixed facilities, and equipment primarily used for the preservation or exhibition of the collection, including:
    - Permanent infrastructure, such as walkways and driveways of outdoor museum-type exhibition areas
    - Historic buildings, such as barns and other outbuildings, intended for the preservation and exhibition of historical artifacts within a defined area
    - Permanent facilities and equipment that are part of arboretums and botanical gardens
    - Infrastructure, such as utilities, and administrative facilities necessary for support
  - The grounds at museums and historic sites are ineligible.
  - Open natural areas/features or entities that promote the preservation/conservation of such areas are ineligible.
- Residential and other services for families of domestic abuse
- Residential services for individuals with disabilities
- Senior citizen centers
- Shelter workshops that create products using the skills of individuals with disabilities
- Zoos

**With exception of custodial care facilities and museums, administrative and support facilities essential to the provision of PNP noncritical service are ineligible facilities.**