

December 10, 2020

Peter T. Gaynor, Administrator
Federal Emergency Management Agency
500 C Street, SW
Washington, D.C. 20472

Dear Administrator Gaynor,

The nation's colleges and universities have been on the front lines of the COVID-19 response, working hard to continue to provide educational opportunities to students; deliver needed healthcare services, research treatments and vaccines; and protect the safety of their students, workforce, and communities. Institutions of higher education have undertaken this essential work, even in the face of mounting costs and significant revenue losses. We are writing to enlist FEMA's support in this important endeavor. We request that FEMA issue new guidance on the eligibility of Category B Emergency Protective Measures, clarifying that FEMA Public Assistance funding can be used by public and non-profit higher education institutions to support their critical public health and safety work.

While institutions of higher education are eligible for these important funds, the current temporary guidance¹ includes restrictions on the supplies that can be reimbursed. For example, under C. "Work Eligibility" #4, schools can only be reimbursed for the "purchase and distribution of Personal Protective Equipment (PPE) that is directly related to the performance of otherwise eligible emergency work, or is provided to healthcare workers, patients with confirmed or suspected COVID-19 infection, and first responders." In addition, funding is limited to what is necessary for a projected 60-day PPE supply. Furthermore, the temporary guidance allows for the use of funds in "direct response" to an outbreak, as opposed to the use for preventative care and actions. We request that new guidance specifically make eligible for reimbursement costs incurred for PPE, cleaning supplies, testing expenses, and technology and labor costs associated with distance learning and remote work for institutions of higher education.

Today, every state, city, and county across the nation is working to contain the spread of COVID-19. Colleges and universities are critical partners in this work, creating safe environments for students, faculty, and researchers and acting in accordance with Executive Orders from Governors, as well as guidance and directives from the Centers for Disease Control and Prevention (CDC), the U.S. Department of Education, and state and local public health officials. The measures required to conform to these orders, although a financial burden on higher education institutions, are necessary to continue to protect the health and safety of students, faculty, and campus communities.

Education is a critical service, and FEMA has an essential role in helping institutions of

¹ https://www.fema.gov/sites/default/files/2020-09/fema_policy_104-009-19_PA-eligibility-policy-covid.pdf

higher education continue to provide this service safely. Further, the scale of the pandemic requires a clear and coordinated response. Unfortunately, temporary guidance released this fall by FEMA has created confusion regarding FEMA's support for combatting this public health crisis. Specifically, this guidance indicates FEMA will not provide reimbursements for many eligible Category B, Emergency Protective Measures, determining that they are not the legal responsibility of the agency and/or that they are "increased operating costs" if incurred outside of health care and emergency operation centers. If such a strict interpretation stands, the vast majority of claimed costs by colleges and universities, as well as other public entities, will likely be made ineligible.

We appreciate FEMA's continued partnership with higher education, as well as the tremendous and ongoing work of FEMA staff in responding to this current public health crisis. We welcome FEMA's continued support and collaboration to provide essential services during these challenging economic times as our resilient nation responds and works toward COVID-19 recovery. We look forward to continuing to work with FEMA and the other government agencies as we work to address the pandemic and the recovery.

Sincerely,



Ted Mitchell, President

Cc: Keith Turi Assistant Administrator, Recovery Directorate

On behalf of:

American Association of State Colleges and Universities
American Council on Education
American Dental Education Association
Association of American Universities
Association of Catholic Colleges and Universities
Association of Governing Boards of Universities and Colleges
Association of Jesuit Colleges and Universities
Association of Public and Land-grant Universities
College and University Professional Association for Human Resources
Council for Christian Colleges & Universities
EDUCAUSE
Hispanic Association of Colleges and Universities
NASPA - Student Affairs Administrators in Higher Education
National Association of College and University Business Officers
National Association of Independent Colleges and Universities