



## MISSION ASSIGNMENT POLICY

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- I. **TITLE: FEMA Mission Assignment (MA) Policy**
- II. **DATE OF ISSUANCE:** November 6, 2015
- III. **PURPOSE:** This policy describes how FEMA implements the Mission Assignment (MA) program as authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act). It describes the categories of MAs and outlines policy related to the fiscal and administrative requirements and business standards associated with the MA program.
- IV. **SCOPE AND AUDIENCE:**
  - A. This policy is supplemented by the FEMA Mission Assignment Guide which outlines the operational processes and procedures associated with the MA program.
  - B. This policy applies to all Federal, State, local, tribal, and territorial government agencies impacted by the MA program.
- V. **AUTHORITIES:**
  - A. Sections 302, 304, 402, 403, 407, 408, and 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5143, 5147, 5170a, 5170b, 5173, and 5192 (Stafford Act).
  - B. 44 C.F.R. Part 206 – Federal Disaster Assistance §§ 206.2, 206.5, 206.7, 206.8, 206.44, 206.201, 206.208 and Subpart H – Public Assistance Eligibility.
  - C. The Homeland Security Act of 2002, Pub. L. No. 107-296, 6 U.S.C. §§ 101 *et seq.*
  - D. Post-Katrina Emergency Management Reform Act (PKEMRA) of 2006, Pub. L. No. 109-295.
- VI. **DEFINITIONS:**
  - A. **Declaration:** A Presidential declaration of a major disaster or emergency under the Stafford Act.
  - B. **Disaster Relief Fund (DRF):** The congressional appropriation and source of funding for Stafford Act response and recovery programs.



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- C. **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 42 U.S.C. § 5122 (1)).
- D. **Emergency Support Function (ESF):** The ESFs provide the structure for coordinating Federal interagency support for a Federal response to an incident. They are mechanisms for grouping functions most frequently used to provide Federal support to States and Federal-to-Federal support, both for declared disasters and emergencies under the Stafford Act and for non-Stafford Act incidents.
- E. **Emergency Work:** Work which must be done immediately to save lives and to protect improved property and public health and safety, or to avert or lessen the threat of a major disaster (44 C.F.R. § 206.201(b)).
- F. **Major Disaster:** Any natural catastrophe (including any hurricane, tornado, storm, high water, wind driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought), or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under the Stafford Act to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby (42 U.S.C. § 5122 (2)).
- G. **Mission Assignment (MA):** A work order issued by FEMA, with or without reimbursement, that directs another Federal agency to utilize its authorities and the resources granted to it under Federal law in support of State, local, tribal, and territorial government assistance (42 U.S.C. §§ 5170a, 5192; 44 C.F.R. § 206.2(a)(18)).
- H. **National Response Coordination Center (NRCC):** FEMA's primary operations management center, and focal point for national resource coordination. The NRCC monitors potential or developing incidents, and supports the efforts of regional and field components.
- I. **Other Federal Agency (OFA):** Another Federal agency or department that FEMA may mission assign to provide emergency and recovery assistance authorized in the Stafford Act.



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- J. **Pre-Declaration Activity:** Actions taken to prepare and pre-position Federal resources necessary for an effective response to a present event where a declaration is reasonably likely and imminent (FEMA Directive 125-2 – Disaster Relief Fund (DRF) – Pre-Declaration (Surge) Funding).
- K. **Pre-scripted Mission Assignment (PSMA):** A preliminary statement of work and cost estimate developed prior to an incident by FEMA and an OFA.
- L. **Recovery Mission Assignment:** A mission assignment tasked to a Recovery Support Function agency to support activities in the disaster recovery phase.
- M. **Recovery Support Function (RSF):** The RSFs are six groupings of core recovery capabilities that provide a structure to facilitate problem solving, improve access to resources, and foster coordination among State and Federal agencies, nongovernmental partners and stakeholders in support of the National Disaster Recovery Framework (NDRF).
- N. **Regional Response Coordination Center (RRCC):** A standing multiagency center that FEMA operates in each of the ten regional offices. Staffed by a Regional Response Coordination Staff (RRCS), the RRCC is the primary situational awareness and coordination center for support to FEMA’s incident management at the Unified Coordination Group (UCG) level. The RRCCs are the focal points for regional resource coordination.
- O. **Surge Account:** A DRF sub-account administratively created by FEMA to source and record costs for preliminary damage assessments and other pre-declaration activities.
- P. **Surge Funding:** Funds from the DRF used for pre-declaration mobilization and readiness activities including the NRCC and RRCC activations, Emergency Support Function activations, deployments, preliminary damage assessment activities and certain pre-declaration staging activities.

### VII. REFERENCES:

- A. FEMA Response Directorate Directive RSD-2015-001, Interim Guidance on Transition of Level 1 Incident Support Responsibilities (09/09/2015)



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- B. FEMA Directive 125-2, Disaster Relief Fund (DRF) – Pre-Declaration (Surge) Funding (05/06/2015)
- C. FEMA Directive 125-3, Review and Certification of Open Obligations (07/31/2014)

### VIII. POLICY:

- A. **Overview:** The Stafford Act authorizes the President to “direct any Federal agency, with or without reimbursement, to utilize its authorities and the resources granted to it under Federal law” in support of State and local response efforts for emergencies (42 U.S.C. § 5192(a)(1)) and State and local response and recovery efforts for major disasters (42 U.S.C. § 5170a(1)). This tasking authority, delegated to the FEMA Administrator, is carried out through a MA. A MA is a work order issued to a Federal agency directing completion by that Agency of a specific task and citing funding, other managerial controls and guidance (44 C.F.R. § 206.2(a)(18)).
- B. **Mission Assignment Categories:** The two categories of MAs are Federal Operational Support (FOS) and Direct Federal Assistance (DFA)<sup>1</sup>.
  - 1. **Federal Operational Support:** MAs categorized as FOS task Federal agencies to provide Federal to Federal support allowing FEMA to execute its response and recovery missions (44 C.F.R. §§ 206.5, 206.7, 206.8). FOS MAs can be issued before or after a declaration.
    - a) **Cost Share:** FOS assistance is internal to the Federal Government and related costs are not appropriately passed on to a State or tribal government, therefore there is no State or tribal cost share. FOS is 100 percent federally funded.
    - b) **FOS MAs Pre-Declaration:** In accordance with FEMA Directive 125-2, “Disaster Relief Fund (DRF) Pre-Disaster Declaration (Surge) Funding,” FEMA may issue FOS MAs prior to a declaration for Federal activities

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<sup>1</sup> Prior to 2013, FEMA issued MAs under a third category known as Technical Assistance (TA). Neither the Stafford Act nor its implementing regulations define the TA category, which FEMA initially established to represent activities wherein Federal agencies provide advice or expertise to State, local, tribal, and territorial governments. Following Hurricane Sandy in 2012, FEMA determined that TA mission assignments should properly be categorized as either FOS or DFA depending on who was the recipient of the assistance. Acknowledging that the type of activities formerly identified as TA could be appropriately provided through a DFA or FOS MA, FEMA eliminated the TA category in 2013. Technical Assistance activities provided through a DFA MA are now subject to a State cost-share as identified in the applicable Stafford Act Declaration.



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required to prepare for an incident for which a declaration is reasonably likely and imminent.

2. **Direct Federal Assistance:** MAs categorized as DFA task Federal agencies to provide eligible emergency work and/or debris removal services to State, local, tribal, and territorial governments following an Emergency or Major Disaster Declaration. FEMA may not issue DFA MAs prior to an Emergency or Major Disaster Declaration. DFA MAs are issued as a result of a request from a State, local, tribal, or territorial government for Federal assistance (44 C.F.R. § 206.208(a)). DFA MAs must be signed by the State, tribal, or territorial Authorizing Representative and is subject to the eligibility criteria contained in Subpart H – Public Assistance Eligibility (44 C.F.R. §§ 206.220-228).
  - a) **Cost Share:** The Stafford Act requires a State or tribal government to share the costs associated with requests for Federal assistance pursuant to the terms provided for in the President’s declaration. Pursuant to the Stafford Act, the Federal share of DFA shall not be less than 75 percent of the cost of eligible work (42 U.S.C. §§ 5170b(b)), 5193(a); 44 C.F.R. § 206.208(a).

### C. FEMA-State Agreements (FSA) and FEMA-Tribal Agreements (FTA)

1. FEMA may not provide funding or Direct Federal Assistance to a State, tribal, or territorial government until there is a signed FSA or FTA, except where it is necessary to provide essential emergency services as described in 42 U.S.C. §§ 5170b or 5192, or direct housing assistance as described in 42 U.S.C. § 5174(c)(1)(B) (44 C.F.R. § 206.44(a)).
2. Following an Emergency Declaration or Major Disaster Declaration, an FSA or FTA must be signed by the FEMA Regional Administrator (RA) or designee, and the Governor or tribal/territorial representative to document the understanding, commitments, and conditions under which FEMA will provide and coordinate disaster assistance. Within an FSA or FTA, the Governor’s Authorized Representative (GAR) or the authorized tribal/territorial representative is identified and empowered to execute on behalf of the State, Tribe, or Territory all necessary documents for disaster assistance (44 C.F.R. § 206.44).
3. In the event that the conditions stipulated in the original FSA or FTA are changed or modified, such changes will be reflected in properly executed amendments to the agreement, which may be signed by the GAR or tribal/territorial



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representative and the RA or his/her designee for the specified major disaster or emergency (44 C.F.R. § 206.44(c)).

### D. Mission Assignment Issuance

1. **Written and Verbal Mission Assignments:** All directives known as MAs to OFAs shall be in writing, or shall be confirmed in writing if made verbally (44 C.F.R. § 206.7). The MA shall identify the specific task to be performed and the requirements or criteria to be followed. There are limited urgent circumstances during the initial response to an incident where immediate action is imperative, and verbal requests are made and verbal direction to act is given. Only FEMA personnel with Disaster Recovery Manager authority can issue a verbal directive for response MAs. Recovery MAs must be in writing and may not be requested or issued verbally.
2. **Disaster Recovery Manager (DRM):** The DRM is the person appointed to exercise the authority of an RA for a particular emergency or major disaster.
  - a) **Delegation of DRM Authority:** The FEMA Administrator delegates DRM authority, which includes MA tasking authority, to the Associate Administrator in the Office of Response and Recovery and to RAs. In response to a Major Disaster or Emergency Declaration, RAs may further delegate this authority to others including Federal Coordinating Officers (FCOs) and Federal Disaster Recovery Coordinators (FDRCs). The Associate Administrator may also further delegate this authority to others including the Chief of the National Response Coordination Staff (NRCS) and the NRCS Resource Support Section Chief. This authority may be further delegated as necessary in writing.

### E. Mission Assignment Preparation

1. **Statement of Work Development:** A Statement of Work (SOW) for a MA must be specific enough to identify the required task, but general enough to allow an assigned agency flexibility to accomplish the task. A cost estimate must be developed based on the scope of the mission and period of performance. Cost estimates may only include reimbursable costs as identified in 44 C.F.R. § 206.8(c).
2. **Pre-Scripted Mission Assignments (PSMAs):** A PSMA is a preliminary SOW prepared and agreed to jointly by FEMA and another Federal agency prior to an



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incident to expedite the processing of a MA once it is required. As general guidance, PSMA's are created for capabilities that involve a known or frequently used resource for which agencies do not have specific emergency authority and/or funding to provide during a Stafford Act event. PSMA's may be used as a starting point in the development of a MA SOW, but are not approved MAs and should be adapted dependent on the incident requirements. A final MA relying on a PSMA must still be completed in accordance with all MA process requirements. The SOW and cost estimate are developed in close coordination with the FEMA Project Manager and OFA Action Officer.

3. **Bundling:** Bundling is the grouping of agency-specific resources tailored to meet specific needs identified in deliberate plans. Bundling expedites the review and approval process of these agency-specific resources. Specific to MAs, PSMA's required to execute deliberate plans will be grouped into agency-specific bundles.
4. **Amendments:**
  - a) Circumstances that will require amending a MA include:
    - i. The obligation of additional funds or de-obligation of excess funds.
    - ii. A change in the period of performance.
    - iii. A modification of the State cost share (only when the cost share change is for the life of the MA).
    - iv. A change in Project Manager (only if change is permanent).
  - b) Circumstances that will require the issuance of a new MA:
    - i. A change in the SOW.
    - ii. A change to program code funds.
    - iii. A change to the type of assistance provided between FOS and DFA.
    - iv. If the State cost share change is limited to a specific time period, a new MA should be written with a performance period to match the dates of the authorized cost share change.
5. **Mission Assignment Task Orders (MATOs):** MATOs direct specific activities within the scope of an approved and obligated MA. A MATO must be within the original statement of work; however, any additional tasking assigned to an OFA must be reviewed for potential changes in funding or extension of the period of performance in order to ensure appropriate amendments are processed in a timely manner. A MATO may be issued for the following:



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- a) To prevent the issuance of multiple MAs for the same SOW (when the work falls under an existing SOW); or
- b) To provide more detailed direction for a broad SOW (e.g. delivery sites for water).

### F. Execution

1. **Period of Performance:** The period of performance for a MA varies depending on its type and purpose.
  - a) The period of performance for DFA MAs will not exceed 60 days from the President's declaration unless approved by the RA or DRM authority due to extenuating circumstances or unusual project requirements as described in 44 C.F.R. §206.208(d).
  - b) The period of performance for Recovery MAs may not extend beyond two years and that the MA terminates on or before the second anniversary of the declaration. Activities extending beyond two years from the declaration date must be completed under an interagency agreement.
2. **Financial Status Reports:** DHS components shall submit financial status reports to the Project Manager or the Mission Assignment Manager (MAMG)/Mission Assignment Unit Leader (MAUL) on a monthly basis. All other Federal departments and agencies shall submit financial status reports quarterly by the 20th day of the subsequent month following the end of the quarter.

### G. Termination

1. MAs may be terminated when the specified activity outlined in the SOW is no longer required. FEMA has the authority to discontinue a MA at any time by notification to the assigned agency. The notification should explain why FEMA is discontinuing the MA and include the termination date and a request for final billing.
2. Un-liquidated Obligations (ULOs) shall be actively managed until the MA is fiscally closed in accordance with FEMA Directive 125-3, to ensure that funds are being expended in a timely manner. FEMA may request documentation of charges incurred but not paid from OFAs to support ULOs over 90 days old





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without any financial activity. Excess funds shall be de-obligated as identified prior to close-out.

### H. Reimbursement

1. **Discretionary Use of the Disaster Relief Fund:** 42 U.S.C. § 5147 expressly provides that Federal agencies may be reimbursed for expenditures under the Stafford Act. 42 U.S.C. §§ 5170a and 5192 provide that FEMA may direct any Federal agency, with or without reimbursement, to utilize its authorities and resources in support of state, local and tribal disaster relief efforts.
2. **OFA Eligibility for Reimbursement Under a MA:** The Stafford Act authorizes the President to direct a Federal agency to support state, local and tribal recovery operations, with or without reimbursement. Additionally, FEMA may not mission assign another Federal agency to conduct a task that falls within the statutory authority for that Federal agency (44 C.F.R 206.208(c)(2). Memorandums of Understanding (MOUs) and Memorandums of Agreement (MOAs) with OFAs may also be reviewed for guidance as to when work performed by another Federal agency may be reimbursed.
3. **Expenditures Eligible for Reimbursement:** An agency will be reimbursed for eligible costs incurred under a MA as defined in 44 C.F.R. § 206.8(c).
4. **Reimbursement After Closure of a MA**
  - a) An agency must provide justification for FEMA's consideration to reopen a closed MA for additional reimbursement.
  - b) Criteria used to determine the need to reopen a closed MA may include, but are not limited to: (1) justification from the OFA on the cause of any delayed billing; (2) documentation verifying the work was performed during the authorized time period; and (3) certification of the final bill and no additional outstanding costs.
  - c) For DFA MAs, the OFA must indicate the date, time, and location where the work was actually performed. This is necessary for proper billing of the state cost share associated with DFA MAs.
5. **Incremental Funding:** MAs may be subject to incremental funding periods as approved and determined by the DRM authority in conjunction with the OCFO.



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MAs shall be limited to incremental funding based on burn rate analysis to minimize over obligations.

### I. Close-out

1. The Project Manager and/or the MAMG/MAUL identify operationally complete MAs. Financial close-out may be initiated under the following circumstances:
  - a) With the receipt of a bill marked “FINAL” along with confirmation from the OFA that no further reimbursement requests will be made against the MA.
  - b) With correspondence from the OFA that billing is complete and the MA may be closed and all remaining funds de-obligated.
  - c) At the discretion of the MAMG/MAUL, with a period of significant inactivity and the OFA’s failure to provide timely validation of open obligations to FEMA.
2. FEMA Regional Offices and FEMA Headquarters are responsible for ensuring that MAs generated at their respective levels are properly closed out.

### IX. ROLES AND RESPONSIBILITIES:

- A. **Associate Administrator, Office of Response and Recovery:** The role of the Associate Administrator is to synchronize all FEMA Headquarters response operations and related activities during major disasters or emergency activations. The Associate Administrator ensures information flow and coordination among all FEMA operational levels - national, regional, and incident(s); provides appropriate incident support to the RAs and FCOs; directs deployment of national teams as needed; and advises the FEMA Administrator on program and policy issues related to incident management and support.
- B. **Disaster Recovery Manager (DRM):** The person appointed to exercise the authority of a RA for a particular emergency or major disaster. The DRM possesses not only the independent authority to “coordinate” disaster relief, but also the RA’s authority to expend funds from the DRF, and thus is able to approve Public Assistance, Individual Assistance, and Hazard Mitigation, and issue MAs to OFAs.



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- C. **Federal Approving Official (FAO):** The FAO is the FEMA official with the authority to sign MAs and commit the Federal funds for a mission assignment.
- D. **Federal Coordinating Officer (FCO):** The person appointed by the FEMA Administrator to coordinate Federal assistance, on behalf of the President, in the affected area following the declaration of a major disaster or emergency (42 U.S.C. § 5143; 44 C.F.R. § 206.2(a)(511)). Normally, for an emergency or major disaster, the RA designates the FCO as the DRM. Following the designation as the DRM and delegation of authority, the FCO possesses not only the independent authority to “coordinate” disaster relief, but also the RA’s authority to expend funds from the DRF, and thus is able to approve public assistance, individual assistance, hazard mitigation, and issue MAs to OFAs.
- E. **Federal Disaster Recovery Coordinator (FDRC):** The person responsible for facilitating disaster recovery coordination and collaboration between the Federal, State, local, tribal, and territorial governments, the private sector and voluntary, faith based and community organizations. The RA may delegate DRM authority to the FDRC.
- F. **FEMA Project Manager (PM):** The FEMA PM is responsible for developing the SOW, coordinating the development of MATOs, and determining the cost and period of performance of tasks in coordination with the OFA Action Officer (AO). When a PM is assigned a MA, their primary role is to ensure that the OFA’s performance of duties is within the scope of work. The PM may also be responsible for tracking costs associated with the MA and reviewing bills at MA close-out. Examples of positions that may act in the PM role include any Branch Director or Group Supervisor or the Operations Section Chief.
- G. **FEMA Regional Administrator (RA):** The RA designates a DRM to exercise the Administrator’s authority in a major disaster or emergency, including expenditure authority from the DRF. In delegating DRM authority, the RA has broad discretion in determining which authorities the DRM may perform; he or she may hold back certain authorities, set conditions on the exercise of certain authorities, and communicate management expectations.
- H. **Governor’s Authorized Representative (GAR):** The individual empowered by the Governor to execute, on behalf of the State, all necessary documents for disaster assistance (44 C.F.R. § 206.2(a)(13)).



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- I. **Mission Assignment Manager (MAMG):** The MAMG coordinates MAs from issuance and execution to close-out. The MAMG may provide assistance to the Project Manager and OFAs in the preparation of MA statements of work; may conduct programmatic reviews of billing; and may coordinate with the Project Manager, State Approving Official and Federal Approving Official to maintain MA documentation and obtain necessary signatures.
- J. **Mission Assignment Unit Leader (MAUL):** Supervises the Mission Assignment Specialists. Coordinates information with all involved parties. Tracks the MA activity throughout the entire MA process. Assists in processing Action Request Forms and Mission Assignments.
- K. **Other Federal Agency (OFA) Action Officer (AO):** The OFA AO is an appointed OFA representative responsible for tracking, maintaining, and reporting status of tasks on issued MAs, MATOs and expenditures. The OFA AO should assist in the development of the SOW and estimated costs.
- L. **State/Tribal Approving Official (SAO):** Designated State/tribal representative who has the authority to sign FEMA Resource Request Forms (RRFs) outlining requests for federal assistance and committing the State/tribal government to pay the applicable cost share.
- X. **RESPONSIBLE OFFICE:** Response Directorate, Policy Office.
- XI. **SUPERSESSION:** This policy supersedes all previous guidance on this subject.
- XII. **REVIEW DATE:** This policy will be reviewed 3 years from the date of issuance in accordance with FEMA Directive 112-12.

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