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FEMA POLICY: Mission Assignments

FEMA Policy #104-010-2

BACKGROUND

This policy applies to all Federal, state, tribal, and territorial governments that request, issue, or receive a Mission Assignment (MA) from the Federal Emergency Management Agency (FEMA) to support emergency response efforts under the Stafford Act.¹

This policy is supplemented by the FEMA *Mission Assignment Guide*, which outlines the operational processes for the MA program. This document supersedes FEMA Policy 104-010-2: *Mission Assignment Policy*, dated November 6, 2015.

PURPOSE

This policy establishes FEMA's approach to implement the MA program as authorized by the Stafford Act. The policy establishes the fiscal and administrative requirements and business standards associated with the MA program including the development, approval, issuance, execution, reimbursement, and closeout of an MA.

PRINCIPLES

- A. FEMA has been delegated the authority to issue mission assignments to other Federal agencies that cite funding, managerial controls, and other guidance directing an agency to complete a specific task (44 C.F.R. § 206.2(a)(18)).
- B. The proper execution and management of MAs is essential to supporting the coordination of Federal emergency management.
- C. MAs are distinct in allowing for deployment and assistance from the full range of Federal resources to support incident needs.
- D. MAs enable FEMA to meet mission requirements either in anticipation of, or in response to a Presidential declaration of an emergency or a major disaster under the Stafford Act.

¹ The Robert T. Stafford Disaster Relief and Emergency Assistance Act (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 Federal, state, tribal, and territorial (STT) government response efforts for emergencies (42 U.S.C. § 5192(a)(1)) and major disasters (42 U.S.C. § 5170a(1)). This tasking authority, delegated to the FEMA Administrator through the Secretary of the Department of Homeland Security, is carried out through a Mission Assignment (MA).



REQUIREMENTS

A. SECTION 1: MISSION ASSIGNMENT CATEGORIES

Outcome: The two categories of MAs are identified as Federal Operations Support and Direct Federal Assistance², and are described in terms of the types of work associated with the MA category and the cost share for state, tribal, and territorial (STT) governments.

1. **Federal Operations Support:** Federal Operations Support MAs task Federal agencies to provide Federal-to-Federal support allowing FEMA to coordinate the Federal Government's response and recovery missions (44 C.F.R. §§ 206.5, 206.7, 206.8).
 - a. **Cost Share:** Federal Operations Support assistance is internal to the Federal Government and related costs are not passed on to STT governments. There is no STT cost share, and Federal Operations Support is 100 percent federally funded.
 - b. **Pre-Declaration Federal Operations Support MAs:** FEMA may issue Federal Operations Support MAs prior to a Stafford Act declaration for pre-declaration activities required to prepare for an incident for which a "declaration is likely and imminent." (See FEMA Directive 125-2: Disaster Relief Fund [DRF] Pre-Disaster Declaration [Surge] Funding.)
2. **Direct Federal Assistance:** Direct Federal Assistance MAs allow for the support of the Federal Government during incident operations following a declaration of an emergency or major disaster. Direct Federal Assistance MAs provide goods and services for eligible emergency work when an STT government has exhausted its own capabilities to provide those services. FEMA may not issue Direct Federal Assistance MAs prior to a Presidential declaration of an emergency or major disaster. Direct Federal Assistance MAs are issued following a request from an STT government for Federal assistance (44 C.F.R. § 206.208(a)). Direct Federal Assistance MAs must be signed by the STT Authorizing Representative and are subject to the eligibility criteria of Subpart H – Public Assistance Eligibility (44 C.F.R. §§ 206.220-228).
 - a. **Cost Share:** The Stafford Act requires an STT government to share the costs associated with requests for Federal assistance pursuant to the terms provided in the President's declaration. Pursuant to the Stafford Act, the Federal share of Direct Federal Assistance 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)).

² FEMA eliminated the Technical Assistance MA category in 2013. Technical Assistance activities provided through a Direct Federal Assistance MA are now subject to a STT cost-share as identified in the applicable Stafford Act Declaration.



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B. SECTION 2: CREATION OF MISSION ASSIGNMENTS

Outcome: MAs are properly created with a statement of work that includes a defined period of performance and cost estimate.

1. **Statement of Work (SOW) and Cost Estimate:** The FEMA Project Manager and the other Federal agency (OFA) action officer coordinate to develop the SOW and cost estimate.
 - a. An SOW for an MA must be specific enough to identify the required task, but general enough to allow an assigned agency flexibility to accomplish the task. An SOW should not include specific dates or quantifiable numbers.
 - b. A cost estimate accompanies the SOW based on the scope of the mission and the resources needed to complete the tasks under the SOW and period of performance. Cost estimates may only include reimbursable costs as identified in 44 C.F.R. § 206.8(c).
2. **Period of Performance:** The period of performance for an MA varies depending on its category, purpose, and incident conditions.
 - a. The recommended period of performance for Federal Operations Support MAs funded under the surge account is 7-10 days. Under an emergency or major disaster, the period of performance for Federal Operations Support MAs may be extended as required and coordinated with the Federal Approving Official. MAs in excess of a year must be considered for conversion to an interagency agreement (IAA).
 - b. The period of performance for Direct Federal Assistance MAs will not exceed 60 days from the President's declaration unless approved by the Regional Administrator or Disaster Recovery Manager due to extenuating circumstances or unusual project requirements as described in 44 C.F.R. § 206.208(d).
 - c. The period of performance for an MA tasked to a Recovery Support Function (RSF) agency to support disaster recovery activities may not extend beyond two years and the MA terminates on or before the second anniversary of the declaration. Activities expected to extend beyond two years from the declaration date must be completed under an IAA.
3. **Pre-Scripted Mission Assignment (PSMA):** A PSMA is not an official mission assignment but is a preliminary SOW and cost estimate jointly developed by FEMA and an OFA prior to an incident in order to expedite the processing of an MA once it is required. As general guidance, the development of a PSMA is not required prior to the issuance of every MA. PSMA's are created for capabilities that involve known or frequently used resources for services such as logistics, communications, mass care, health services, and public safety. PSMA's may be used as a starting point in the development of an MA SOW, but are not



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approved MAs and should be adapted to the specific requirements of the incident. A final MA developed from a PSMA must be completed in accordance with all MA process requirements. An inventory of PSMA is maintained and searchable in the WebEOC PSMA Library.

C. SECTION 3: ISSUANCE OF MISSION ASSIGNMENTS

Outcome: MAs are issued, or confirmed, in writing by authorized FEMA officials to an OFA, identifying the specific task to be performed and the requirements or criteria to be followed.

1. **Written and Verbal MAs:** “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 an incident where immediate action is imperative, and verbal requests from an STT government are made and/or verbal taskings are given to an OFA. Only FEMA personnel with Disaster Recovery Manager authority can issue a verbal directive for MAs.
2. **Disaster Recovery Manager:** The person appointed to exercise the authority of a Regional Administrator for a particular declaration of an emergency or major disaster.
 - a. **Delegation of Disaster Recovery Manager Authority:** The FEMA Administrator delegates Disaster Recovery Manager authority, which includes MA tasking authority, to the Associate Administrator in the Office of Response and Recovery and to Regional Administrators. The Associate Administrator may further delegate this authority, as necessary in writing, to others including the Chief of the National Response Coordination Staff (NRCS) and the NRCS Resource Support Section Chief.
 - b. In response to a declaration of an emergency or major disaster, Regional Administrators may further delegate this authority in writing to others including Federal Coordinating Officers (FCOs) and Federal Disaster Recovery Coordinators (FDRCs).

D. SECTION 4: EXECUTION OF MISSION ASSIGNMENTS

Outcome: As dictated by evolving incident requirements, MAs may be adjusted to more clearly define work requirements or to support key modifications such as a change in the period of performance, funding needs, or cost share requirements.

1. **Mission Assignment Task Orders (MATOs):** Direct specific activities within the scope of an approved and obligated MA. A MATO must be within the original SOW; however, an additional task 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. Task Order cost



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estimates should be calculated for the specific task generated to support the MA. The sum of all Task Order cost estimates should never exceed the MA cost estimate. A Task Order does not obligate additional funds; it details expenditures against the cost estimate listed on the MA. A MATO is issued for the following:

- a. To prevent the issuance of multiple MAs for the same SOW (when the work falls under an existing SOW),
- b. To provide more detailed direction for a broad SOW (e.g. delivery sites for water), or
- c. To support an amendment when the additional tasking extends the period of performance or increases the funding requirements.

2. Amendments:

- a. Circumstances that require amending an 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 STT cost share (only when the cost share change is for the life of the MA), and
 - iv. A change in project manager (only if the change is permanent).
- b. Circumstances that require the issuance of a new MA include:
 - i. A change of the SOW,
 - ii. A change to the program code funds/Budget Object Class,
 - iii. A change to the type of assistance provided between Federal Operations Support and Direct Federal Assistance, or
 - iv. If the STT cost share change is limited to a specific period, a new MA should be written with a performance period to match the dates of the authorized cost share change.

3. **Mission Assignment Project Management:** The project manager plays a critical role in monitoring the progress of an MA and ensuring that the assigned work is properly completed. Active project manager administrative engagement spans the entire life of the MA, from creation to closeout. The project manager is required to coordinate with the OFA action officer throughout the MA process to manage and oversee the work being performed by the OFA.

E. SECTION 5: FINANCIAL ACCOUNTABILITY OF MISSION ASSIGNMENTS

Outcome: FEMA manages the financial reporting requirements associated with the execution of an MA and will direct OFAs on the requirements to provide financial



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status information.

1. OFAs must provide cost expenditure rates or other financial status reports at the direction of FEMA.
2. MA staff must coordinate with the OFA to closeout as per FEMA Directive 125-3, Review and Certification of Open Obligations.
3. Spend Plans are required on all disaster declarations regardless of the dollar value as described in FEMA Directive 125-7, Financial Management of Disaster Relief Fund (DRF).
4. The Integrated Financial Management Information System (IFMIS) is FEMA's primary general ledger financial management, acquisition, and disbursement system. The "IFMIS" initials, located on financially processed MAs, are not required to initiate immediate OFA resource and capability deployment activities. The "IFMIS" initials are a FEMA only accounting identifier and are not required for an agency to act on an MA.
5. MAs may be subject to incremental funding periods as approved and determined by the Disaster Recovery Manager authority in conjunction with the Office of the Chief Financial Officer.
6. All other Federal departments and agencies tasked through an MA shall submit financial status reports on a quarterly basis until final closeout.
7. MAs may be terminated when the specified activity outlined in the SOW is no longer required. FEMA has the authority to discontinue an 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.

F. SECTION 6: REIMBURSEMENT TO OTHER FEDERAL AGENCIES

Outcome: FEMA reimburses an OFA for tasks performed under an MA, as long as those tasks do not fall within the statutory authority of that Federal agency.

1. **Discretionary Use of the DRF:** 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 STT disaster relief efforts.
2. **OFA Eligibility for Reimbursement under an MA:** The Stafford Act authorizes the President to direct any Federal agency to support State and local response and recovery efforts (42 U.S.C. § 5170a). FEMA may not mission-assign an OFA 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 and



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Memorandums of Agreement with OFAs provide guidance as to when work performed by an OFA may be reimbursed.

3. **Expenditures Eligible for Reimbursement:** Expenses that are eligible for reimbursement under an MA are listed in 44 C.F.R. § 206.8(c). OFAs who self-deploy under their own authority or without FEMA approval will not be reimbursed for work performed. Costs incurred outside of the period of performance or in excess of the MA will not be reimbursed, unless coordinated with the FEMA project manager or the MA Manager / MA Unit Leader, if the project manager has been demobilized or otherwise relieved, and approved by the Federal Approving Official.
4. **Reimbursement After Closure**
 - 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:
 - i. Justification from the OFA on the cause of any delayed billing;
 - ii. Documentation verifying the work was performed during the authorized time period; and
 - iii. Certification of the final bill and no additional outstanding costs.
 - c. For Direct Federal Assistance MAs, the OFA must indicate the date, time, and location where the work was actually performed. This is necessary for the proper billing of the state cost share associated with Direct Federal Assistance MAs.

G. SECTION 7: CLOSEOUT OF MISSION ASSIGNMENTS

Outcome: The closeout of MAs are properly managed after the tasks have been completed and all reimbursements have been received by the OFA.

1. Financial closeout by FEMA (the Federal Approving Official in coordination with the MA Manager, MA Unit Leader, and project manager) with OFAs 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; or
 - c. Billing inactivity for any 180 day period, unless the OFA provides FEMA with a valid justification. The following are considered valid justifications:



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- i. Expenses incurred within the last 180 days but not yet billed;
 - ii. Pending contractor billing for expenses incurred within the last 180 days;
 - iii. Under litigation.
2. FEMA Regional Offices and FEMA Headquarters are responsible for ensuring that MAs generated at their respective levels are properly closed out.
3. Un-liquidated obligations 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 un-liquidated obligations over 90 days old without any financial activity. Excess funds will be de-obligated as identified prior to closeout.



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AUG 17 2018

Date



ADDITIONAL INFORMATION

REVIEW CYCLE

FEMA Policy #104-010-2 will be reviewed, reissued, revised, or rescinded within four years of the date of issuance.

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.
- E. Sandy Recovery Improvement Act of 2013, Pub. L. No. 113-2.

REFERENCES

- A. FEMA Directive 125-2, Disaster Relief Fund (DRF) – Pre-Declaration (Surge) Funding (05/06/2015).
- B. FEMA Directive 125-3, Review and Certification of Open Obligations (06/6/2016).
- C. FEMA Directive 125-7, Financial Management of the Disaster Relief Fund (10/1/2016).
- D. FEMA Mission Assignment Guide (09/23/17).
- E. FEMA Response Directorate Directive RSD-2015-001, Interim Guidance on Transition of Level 1 Incident Support Responsibilities (09/09/2015).
- F. National Disaster Recovery Framework, Second Edition, June 2016.
- G. National Response Framework, Third Edition, June 2016.

DEFINITIONS

- A. **Appropriation:** An appropriation is funding established by an Act of Congress that authorizes a Federal agency to incur obligations and to make payment for the purpose designated by the appropriation.
- B. **Budget Object Class:** Provides a method for recording the financial transactions of the Agency in terms of the nature of the services or purchases for which obligations are incurred, rather than in terms of the program served. Mission Assignment (MA) budget object class codes include 2501 and 2508.
- C. **Declaration:** A Presidential declaration of an emergency or major disaster under the



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Stafford Act.

- D. **Direct Federal Assistance (DFA):** DFA is a type of MA, which consists of goods and services provided to the affected state and local jurisdictions when they lack the capability to perform or contract for eligible emergency work. Eligibility criteria for DFA are set forth in the CFR, Title 44, Subpart H, Public Assistance Eligibility. The Presidential declaration of a major disaster or emergency must take place prior to the provision of DFA. DFA is subject to the applicable state cost share, usually 25 percent, but the President may waive this for a specific period.
- E. **Disaster Relief Fund (DRF):** DRF is the congressional appropriation and source of funding for the *Robert T. Stafford Emergency Relief and Disaster Assistance Act* response and recovery programs. Congress appropriates money to the DRF to ensure that funding for disaster relief is available to help individuals and communities stricken by emergencies and major disasters. Congress appropriates funds to pay for FEMA's disaster operations. The DRF funds the following Stafford Act declarations and activities: pre-disaster declaration (surge), emergency, major disaster, fire management, and disaster readiness and support activities.
- F. **Emergency:** Any occasion or instance for which, in the determination of the President, Federal assistance is needed to supplement state, tribal, and territorial (STT) 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)).
- G. **Emergency Support Function (ESF):** ESFs are groupings of governmental and certain private sector capabilities and functions into an organizational structure to provide support, resources, program implementation, and services that are most likely needed to support disaster response operations.
- H. **Emergency Work:** Emergency work is work which must be performed immediately to save lives, to protect improved property, to protect public health and safety, or to avert or lessen the threat of a major disaster.
- I. **Federal Operations Support (FOS):** FOS is a type of MA that allows for the support of another Federal agency to support Federal operations.
- J. **Interagency Agreement (IAA):** An agreement between Federal agencies whereby one agency needing supplies or services (the "Requesting Agency") obtains them from another agency (the "Servicing Agency").
- K. **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 STT governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby (42 U.S.C. § 5122 (2)).



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- L. **Mission Assignment (MA):** An MA is a work order issued by FEMA, with or without reimbursement, which directs another Federal agency to utilize its authorities and the resources granted to it under Federal law in support of STT government assistance.
- M. **Mission Assignment Task Order (MATO):** A MATO defines specific tasks based on the original statement of work (SOW).
- N. **National Response Coordination Center (NRCC):** The NRCC is 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.
- O. **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.
- P. **Period of performance:** The period of performance is the time during which a mission-assigned agency is to complete specified activities and incur and expend approved funds.
- Q. **Pre-Declaration Activity:** Actions taken to prepare and pre-position Federal resources necessary for an effective response to an incident where a declaration is reasonably likely and imminent (FEMA Directive 125-2 – Disaster Relief Fund [DRF] – Pre-Declaration [Surge] Funding).
- R. **Pre-scripted Mission Assignment (PSMA):** A preliminary SOW and cost estimate developed prior to an incident by FEMA and an OFA.
- S. **Recovery:** The capabilities necessary to assist communities affected by an incident to recover effectively. Recovery includes the restoration and strengthening of key systems and resource assets that are critical to the economic stability, vitality, and long-term sustainability of the communities themselves.
- T. **Recovery Support Function (RSF):** The RSFs comprise the National Disaster Recovery Framework (NDRF) coordinating structure for key functional areas of assistance to local, state, tribal, territorial, and insular area jurisdictions, the private sector, nonprofit agencies, voluntary agencies, and individuals in addressing recovery issues. The six RSFs provide structure to facilitate issues and promote coordination among state and Federal agencies, nongovernmental partners, and stakeholders.
- U. **Regional Response Coordination Center (RRCC):** The RRCC is a standing multiagency center that FEMA operates in each of the 10 regional offices. 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.
- V. **Response:** A response is an activity that addresses the short-term, direct effects of an incident. Responses include immediate actions to save lives, protect property, and meet basic human needs and the execution of emergency operations plans and incident mitigation activities designed to limit the loss of life, personal injury, property damage, and other unfavorable outcomes.



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- W. **Stafford Act:** The Stafford Act is the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended.
- X. **Surge Funding:** Funds from the DRF used for pre-declaration mobilization and readiness activities including National Response Coordination Center (NRCC) and Regional Response Coordination Center (RRCC) activations, ESF activations, deployments, preliminary damage assessment activities, and certain pre-declaration staging activities.
- Y. **Web-based Emergency Operations Center (WebEOC):** FEMA's official Crisis Management System (CMS) which supports emergency management processes such as mission-tasking, event reporting, and resource tracking. WebEOC provides a common operating picture with comprehensive situational awareness for FEMA and its Federal, state, local, and tribal partners. Incident Support (IS) and Incident Management (IM) positions are required to use WebEOC and the status boards within the system that support their duties.

MONITORING AND EVALUATION

Lessons learned, questions, and concerns raised by all stakeholders related to the implementation of this policy will be used to inform future revisions.

QUESTIONS

Direct questions to FEMA Response Directorate, Office of Policy and Performance, at FEMA-ActionOffice-ORR-Response@fema.dhs.gov.