



# FEMA

## DISASTER ASSISTANCE POLICY

DAP9525.16

### I. TITLE: **Research-related Equipment and Furnishings**

II. DATE: April 30, 2007

### III. PURPOSE:

Establish the research-related equipment and furnishings associated with disaster-damaged private nonprofit (PNP) or public facilities that are eligible for reimbursement under the Federal Emergency Management Agency's (FEMA) Public Assistance Program.

### IV. SCOPE AND AUDIENCE:

The policy is applicable to all major disasters declared on or after the date of publication of this policy. It is intended for personnel involved in the administration of the Public Assistance Program.

### V. AUTHORITY:

Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), 42 U.S.C. 5121 – 5206, as amended, and Title 44 Code of Federal Regulations (CFR) §206.226.

### VI. BACKGROUND:

A. 44 CFR §206.226(h) states, “[i]f equipment and furnishings are damaged beyond repair, comparable items are eligible as replacement items,” and 44 CFR §206.226(i) states, “[r]eplacement of library books and publications is based on an inventory of the quantities of various categories of books or publications damaged or destroyed. Cataloging and other work incidental to replacement are eligible.”

B. 44 CFR §13.3 defines equipment as “tangible, non-expendable, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit. A grantee may use its own definition of equipment provided that such definition would at least include all equipment defined above.” 44 CFR §13.3 defines supplies as “all tangible personal property other than equipment” as defined in 44 CFR §13.3.

C. In some cases an eligible applicant for Public Assistance may conduct an active research program as part of their institutional mission. The applicant is typically a higher education institution, a medical school, or a hospital—both public and non-profit—often conducting



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biomedical research. Damaged items belonging to the applicant often support ongoing education of undergraduate and graduate students, or serve critical functions related to patient care. Such items often include laboratory animals, reagents, specimen collections, research records, or highly specialized types of laboratory equipment.

### VII. DEFINITIONS:

A. **Furnishing**: For the purposes of this policy, the term “furnishing” means any tangible property other than equipment, as defined in 44 CFR part 13.3.

B. **Laboratory Animals**: Laboratory animals are a common type of medical research furnishing that are often listed under the “supplies” category in applications for grants and cooperative agreements with Federal agencies like the National Institutes of Health (NIH). Laboratory animals may be surgically or chemically altered, or may be genetically manipulated to enhance characteristics that allow investigators to pursue specific research projects within the laboratory.

C. **Laboratory Equipment**: Tools and instruments for which the primary purpose is to conduct scientific or scholarly research. Such equipment is typically operated under the close supervision of technically trained personnel, and may include common items or items specifically designed for use in a particular research program.

D. **Reagents**: A reagent is a substance used in biomedical research to detect a component, to measure a component, to prepare a product, or to develop photographs because of its chemical or biological activity. Some reagents are very common, and hence are commercially available for purchase from several sources. Examples include blood plasma and flesh tissue.

E. **Specimen**: A portion or quantity of material for use in testing, examination, or study.

F. **Specimen Collections**: A repository of specimens related to biomedical, marine, or agricultural research.

G. **Research Records**: Information or data associated with the research process that is collected and preserved through a variety of means, including correspondence files, project files, grant applications, technical reports, research reports, master lists, signed consent forms, and information sheets for research subjects.



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### VIII. POLICY:

A. **General Eligibility.** Eligible Public Assistance applicants conducting active research programs, and that have incurred damages to their facility as a result of a declared major disaster, may be eligible for Public Assistance grant funding for replacement or repair of facilities and the equipment and/or furnishings contained within. The cost of performing research itself is not eligible for Public Assistance grant funding. Because research is not identified as an eligible PNP service under 44 CFR §206.221(e), an active research program must support an educational or medical function in order for the facilities, equipment and/or furnishing to be eligible.

#### B. **Laboratory Animals.**

1. When laboratory animals used in an active research program are destroyed or damaged as a result of a major disaster, eligible costs associated with the replacement of laboratory animals include, but are not limited to the replacement cost of a laboratory animal that is as genetically close as possible to, but does not exceed the genetic progression of the lost animal, and can be reasonably procured commercially. If an identically genetic animal is not available, the eligible cost will be based on a readily procured animal that is as genetically close as possible to the original animal.

2. Ineligible laboratory animal costs include:

a. The cost of reproducing a new animal with all the characteristics of the lost animal to re-establish the research.

b. The cost of using a laboratory to perform a breeding program to advance benchmark stock to the genetic changes lost due to the event.

c. The cost associated with surgery required to replace a surgically altered animal.

d. The cost associated with the replacement of a laboratory animal when an animal of similar genetic characteristics can be obtained at no cost from other researchers or institutions.

3. If an eligible applicant requests flexibility in replacing laboratory animals other than in exact kind and number, FEMA may offer the applicant the option to cap the cost of the inventories of laboratory animals damaged or destroyed. The applicant is required to maintain documentation for funding drawdown purposes and for audits, to show how the funds were expended to restore the research animal function or program affected by the event. Such funds



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may not be used on other programs unaffected by the event, or to initiate a new line of research activity independent of the affected program.

C. **Reagents.** The number of units of each reagent eligible for replacement will be equal to the number actually lost, or to the number necessary to restore the basic research activity, whichever is less. Reimbursement will be based on purchase prices from commercial sources. The replacement of reagents that are so unique that they are considered an outcome of a research program are not eligible for Public Assistance grant funding.

D. **Specimen Collections.** A specimen collection that supports the educational or medical function of an institution may be considered a furnishing. Public Assistance grant funding is available to replace a representative, but not necessarily a whole portion of the collection, for a broad array of specimen types. The specimen types must be available for purchase from commercial sources, and must support an on-going educational or medical research program.

E. **Research Records.** Eligible applicants may undertake efforts to recover medical or research records, including stabilization efforts in the immediate aftermath of the event, followed by long-term restoration and recovery.

1. Eligible activities associated with the recovery of research records include, but are not limited to:

- a. Recovery of damaged hard copies, including labor and materials, such as bags, boxes, and containers.
- b. Stabilizing the damaged hard copies, such as through freeze-drying.
- c. Sanitizing the damaged hard copies.
- d. Photocopying or scanning damaged hard copies in order to re-establish files, including labor and materials, such as new folders and paper.
- e. Recovering data from water damaged computer hard-drives.

2. Ineligible activities include:

- a. Establishing new information databases by performing additional tests.
- b. Manually re-entering into new computers test data that was lost in damaged computers.



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- c. Scanning re-established hardcopy files into computers to create digital files.
- d. Deciphering photocopies of damaged hard copies.

**F. Laboratory Equipment.** Research-related laboratory equipment may be eligible for repair or replacement when damaged as a result of a declared event, if the affected equipment was in active use at the time of the disaster.

1. The lesser cost of repair or replacement will be the eligible cost. In comparing the cost of repair to the cost of replacement, all aspects of accomplishing the repair must be considered, including availability of parts, timeliness of receipt of parts, timeliness in making the repair, performance dependability, available warranties, shipping and handling costs, and overall timeliness of returning the equipment to service.

2. When not repairable, or the repair is more expensive than replacement, FEMA will approve the cost of replacement with used items that are approximately the same age, capacity, and condition. Replacement of an item with a new item may be approved only if a used item is not reasonably available (e.g., within a reasonable cost, time, and distance). The replacement, whether new or used, should be as close to the original equipment capacity and condition as reasonably available. When applicable, salvage value and trade-in discounts should be deducted from the estimated replacement costs.

**G. Relocation and Storage.** Costs associated with the temporary relocation and storage of research-related equipment and furnishings following a disaster may be eligible for Public Assistance grant funding.

**IX. RESPONSIBLE OFFICE:** Disaster Assistance Directorate (Public Assistance Division).

**X. SUPERSESSION:** This policy supersedes all previous guidance on this subject.

**XI. REVIEW DATE:** Three years from date of publication.



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