What types of private non-profits (PNPs) are eligible for PA?

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Only certain PNPs are eligible Applicants. To be an eligible PNP Applicant, the PNP must show that it has:

- A ruling letter from the U.S. Internal Revenue Service that was in effect as of the declaration date and granted tax exemption under sections 501(c), (d), or (e) of the Internal Revenue Code; or
- Documentation from the State substantiating it is a non-revenue producing, nonprofit entity organized or doing business under State law.

If the organization is not required to obtain 501(c)(3) status or tax-exempt status under applicable State law, the organization must provide articles of association, bylaws, or other documents indicating that it is an organized entity, and a certification that it is compliant with Internal Revenue Code section 501(c)(3) and State law requirements.

Additionally, prior to determining whether the PNP is eligible, FEMA must first determine whether the PNP owns or operates an eligible facility. For PNPs, an eligible facility is one that provides one of the services listed below (the declared incident must have damaged the facility):

- A facility that provides a critical service, which is defined as education, utility, emergency, or medical or
- A facility that provides a noncritical, but essential social service AND provides those services to the general public. PNP facilities generally meet the requirement of serving the general public if ALL of the following conditions are met.
    - Facility use is not limited to any of the following:
        - A certain number of individuals;
        - A defined group of individuals who have a financial interest in the facility, such as a condominium association;
        - Certain classes of individuals; or

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        - An unreasonably restrictive geographical area, such as a neighborhood within a community;
    - Facility access is not limited to a specific population (such as those with gates or other security systems intended to restrict public access); and
    - Any membership fees meet all of the following criteria:
        - Are nominal;
        - Are waived when an individual can show inability to pay the fee;
        - Are not of such magnitude to preclude use by a significant portion of the community; and
        - Do not exceed what is appropriate based on other facilities used for similar services.
- Certain types of facilities, such as senior centers, that restrict access in a manner clearly related to the nature of the facility, are still considered to provide essential social services to the general public.

In cases where the facility provides multiple services, such as a community center, FEMA reviews additional items to determine the primary service that facility provides. Facilities established or primarily used for political, athletic, recreational, vocational, or academic training, conferences, or similar activities are ineligible.

Source: FEMA PAPPG V4, pages 43 & 44

References

Table 1. PNP Eligible Critical Services, page 45

Table 2. PNP Eligible Noncritical, Essential Social Services, page 46

Table 3. PNP Ineligible Services, page 47

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