An appeal can be made at any time while participating in the Federal Emergency Management Agency (FEMA) Public Assistance (PA) Program.

Any eligible Applicant may appeal any determination previously made related to an application for, or the provision of Federal assistance.

[SOURCE: 44 CFR 206.206]

**3 STEPS TO YOUR APPEAL**

1. **REVIEW FEMA’S WRITTEN DETERMINATION**
   - When you receive a written determination made by FEMA — and that determination is one with which you disagree — you have 60 DAYS from receipt of a FEMA determination to appeal.
   - The clock starts ticking when you receive a written determination made by FEMA.

2. **EXPLAIN IN WRITING**
   - Explain in writing why you think FEMA’s decision is incorrect.
   - Include the following:
     - Description of historical facts.
     - Monetary figure in dispute.
     - Narrative citing provisions in Federal law, regulation or policy with which you believe FEMA’s determination was inconsistent.
     - Analysis supporting Applicant position.
     - Documentation supporting your appeal.
   - Include your FEMA Federal Information Processing Standards (FIPS) ID or PA ID and disaster number (shown at the top of your decision letter) in your letter of appeal.

3. **SUBMIT YOUR APPEAL**
   - Submit your appeal letter within 60 DAYS of receipt of a FEMA determination through FDEM to:
     - Florida Division of Emergency Management (FDEM)
       - Attention: Public Assistance - Appeals Section
       - 2555 Shumard Oak Boulevard
       - Tallahassee, FL 32399
     - OR
     - Email: fdem-pa-appeals@em.myflorida.com

**APPEALS ROLES + RESPONSIBILITIES**

<table>
<thead>
<tr>
<th>ACTION</th>
<th>FROM</th>
<th>TO</th>
<th>TIMEFRAME</th>
</tr>
</thead>
<tbody>
<tr>
<td>Written Appeal</td>
<td>Applicant</td>
<td>FDEM</td>
<td>To be received by FDEM within 60 DAYS from your receipt of a FEMA determination.</td>
</tr>
<tr>
<td>Review</td>
<td>FDEM</td>
<td>FEMA</td>
<td>FDEM has 60 DAYS to review your appeal and submit its evaluation and recommendation to FEMA.</td>
</tr>
<tr>
<td>Decision</td>
<td>FEMA</td>
<td>Applicant</td>
<td>FEMA has 90 DAYS to render a decision or request additional information.</td>
</tr>
</tbody>
</table>

**REFERENCES**

- FEMA Public Assistance Appeals Database (Searchable database)
  - [https://www.fema.gov/appeals](https://www.fema.gov/appeals)
- FEMA Public Assistance Second Appeals Tracker (Check status of second appeals at HQ)
- Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288) as amended
  - [https://www.fema.gov/media-library/assets/documents/15271](https://www.fema.gov/media-library/assets/documents/15271)
- Title 44 Code of Federal Regulations
  - [http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title44/44cfr206_main_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title44/44cfr206_main_02.tpl)

For more information relating to an appeal or arbitration, please contact the FDEM Appeals Team at fdem-pa-appeals@em.myflorida.com.
Arbitration is an alternative dispute resolution to the administrative appeals process. It is designed to resolve higher-value claims (for disputed amounts greater than $500,000/or more than $100,000 for Applicants in rural areas with populations less than 200,000 outside an urbanized area). The Civilian Board of Contract Appeals (CBCA) conducts arbitrations and the decision of such board shall be binding.

For disasters that occurred after January 1, 2016, Applicants participating in the FEMA PA Program now have the option of using the arbitration process established under the authority granted under section 601 of Public Law 111-5. You may participate in Arbitration, provided that:

- Your claim must relate to a project with a value greater than $500,000/$100,000 (for rural areas).
- FEMA has issued a first appeal determination but has not yet issued a decision on second appeal.
- Your request for arbitration must include your entire argument, including documentation from the administrative record for the first appeal. It may also contain additional documentation or other such evidence supporting your position.
- Your request must be simultaneously submitted to FEMA, FDEM and the CBCA. The CBCA is the sponsor who provides the arbitration services through a panel of three (3) judges. The CBCA hears all requests for arbitration.

### ARBITRATION ROLES + RESPONSIBILITIES

<table>
<thead>
<tr>
<th>ACTION</th>
<th>FROM</th>
<th>TO</th>
<th>TIMEFRAME</th>
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</thead>
<tbody>
<tr>
<td>Request for Arbitration</td>
<td>Applicant</td>
<td>Arbitration Panel (CBCA)</td>
<td>Request for arbitration must be filed with the CBCA (simultaneously including copies to FDEM + FEMA) after FEMA issues a first appeal determination (but prior to FEMA’s decision on second appeal).</td>
</tr>
<tr>
<td>Comments</td>
<td>FDEM</td>
<td>FEMA</td>
<td>FDEM has 15 DAYS from receipt of the Applicant’s request for arbitration to forward its support or opposition simultaneously to FEMA + CBCA + Applicant.</td>
</tr>
<tr>
<td>Response</td>
<td>FEMA</td>
<td>Applicant</td>
<td>FEMA has 30 DAYS from receipt of the Applicant’s request for arbitration to submit a response in support of its position simultaneously to FEMA + CBCA + Applicant.</td>
</tr>
<tr>
<td>Preliminary Conference</td>
<td>Arbitration Panel (CBCA)</td>
<td>FEMA + FDEM + Applicant</td>
<td>The Arbitration Panel will conduct a preliminary conference within 10 DAYS from receipt of FEMA’s response, which establishes a hearing date and the rules relating to the hearing.</td>
</tr>
</tbody>
</table>

For more information relating to an appeal or arbitration, please contact the FDEM Appeals Team at fdem-pa-appeals@em.myflorida.com.