

Emergency Management Performance Grant (EMPG)

**2017-2018
Program Guidance**



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2017-2018 EMPG Program Guidance

Montana Disaster and Emergency Services Emergency Management Performance Grant Fiscal Year 2017-2018

Issued By

Montana Disaster and Emergency Services (MT DES)

EMPG Grant Award Number

EMD-2017-EP-00003

Catalog of Federal Domestic Assistance (CFDA)

CFDA Title: Emergency Management Performance Grants (EMPG)

CFDA Number: 97.042

Authorizing Authority

Section 662 of the *Post-Katrina Emergency Management Reform Act of 2006* (PKEMRA), as amended, (Pub. L. No. 109-295) (6 U.S.C. § 762); the *Robert T. Stafford Disaster Relief and Emergency Assistance Act*, as amended (Pub. L. No. 93-288) (42 U.S.C. §§ 5121 et seq.); the *Earthquake Hazards Reduction Act of 1977*, as amended (Pub. L. No. 95-124) (42 U.S.C. §§ 7701 et seq.); and the *National Flood Insurance Act of 1968*, as amended (Pub. L. No. 90-448) (42 U.S.C. §§ 4001 et seq.).

Period of Performance:

9 Months

Projected Period of Performance Start Date:

October 01, 2017

Projected Period of Performance End Date:

June 30, 2018

Special Project Request:

July 01, 2018 - September 30, 2018

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I. Program Overview & Priorities

Purpose:

The purpose of the Emergency Management Performance Grant (EMPG) Program is to provide federal funds to states to assist state, local, territorial, and tribal governments in preparing for all hazards. Title VI of the *Stafford Act* authorizes DHS/FEMA to make grants for the purpose of providing a system of emergency preparedness for the protection of life and property in the United States from hazards and to vest responsibility for emergency preparedness jointly in the Federal Government, states, and their political subdivisions. The FY 2017 EMPG will provide Federal funds to assist state, local, tribal, and territorial emergency management agencies to obtain the resources required to support the National Preparedness Goal's (the Goal's) associated mission areas and core capabilities.

Priorities:

The Department of Homeland Security (DHS) and MT DES require EMPG sub-recipients to prioritize grant funding to address capability targets and gaps identified through participation in the annual Threat and Hazard Identification and Risk Assessment (THIRA) and State Preparedness Report (SPR) process. Sub-recipients should prioritize the use of grant funds to maintain/sustain current capabilities, to validate capability levels, and to increase capability for high-priority core capabilities with low capability levels.

II. Sub-Recipient Award

Award Letter

The Award Letter provides sub-recipients with information concerning the type of grant being awarded, total award amount including the total federal and match portions of the award. The award letter also addresses the Articles of Agreement and the Obligating Document for Award.

Agreement Articles

The Agreement Articles specify that sub-recipient are expected to comply with all applicable federal, state and local laws, ordinances, rules and regulations and expands upon provisions that govern the sub- grant award. Sub-recipients should carefully read the Grant Award Letter and Award Agreement to ensure they understand the conditions that must be met in managing sub-recipient funds.

Obligating Document for Award

The Obligating Document for Award is a legal document that outlines the standard conditions of the sub-recipient including the total dollar amount, match requirement, sub-recipient grant period of performance dates, and any special conditions. The Obligating Document for Award is considered fully executed when it has been signed by the authorized sub-recipient signatory official, the MT DES signatory and the County/ Tribal Authorized Representative.

Authorized Representative(s)

The Obligating Letter of Award names an individual from the sub-recipient organization as the Authorized Representative for the sub-recipient program. The Authorized Representative is the primary contact for the program and is responsible for adherence to the Articles of Agreement. If the sub-recipient's Authorized Representative changes at any time during the grant period of performance, the sub-recipient must notify MT DES.

Conflict of Interest:

All sub-recipients are required to disclose, in writing, any real or potential conflict of interest to the SAA, MT DES, as required by MT DES' conflict of interest policies and/or applicable federal, state, local, or tribal statutes or regulations including, but not limited to, terms found within the Federal Notice of Funding Opportunity (NOFO) and 2CFR 200.112.

Annual Time Certification:

All personnel wages (salaried or otherwise) associated with an EMPG Federal award must be supported by an annual time certification form reflecting time worked solely on that program for the specified grant performance period. County and Tribal sub-recipients shall submit a signed Annual Time Certification Form as part of their 1st Quarter Status Report to www.fundingmt.org (hereafter referred to as fundingmt) in the first quarter of each grant cycle. Annual Time Certifications forms must also be submitted anytime there are changes affecting the initial Annual Time Certification (modifications in percentage or time per week charged to EMPG).

Oath of Office:

As required by Montana Code Annotated, 10-1-202. Oath of office. Except when a comparable oath is subscribed to under federal law or regulation, every officer shall take and subscribe to the State mandated oath of office. If an officer refuses or neglects to take the oath, the officer is considered to have resigned the office and a new appointment must be made.

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Personnel Action:

Any significant change in EMPG-funded personnel (hired, terminated, retired, receives a change in salary, or a promotion, etc.) requires that MT DES Grants Personnel be notified within 30 days of the determined action.

III. Baseline Requirements

Following are the EMPG Program requirements:

- Maintain an emergency plan and program that is in accordance with, and in support of, the State's disaster and emergency plan, the Montana Emergency Response Framework (MERF), and the State program.
- Complete and record proof of completion of NIMS training, Independent Study (IS) 100, 200, 700, and 800, training. In addition, complete either the IS Professional Development Series or the National Emergency Management Basic Academy.
- The Emergency Operations Plan (EOP) must be reviewed and revised every two years, at a minimum. Signature page representative of completion of revisions must be submitted to MT DES biennially.
- Designate a primary and alternate Emergency Operations Center (EOC)
- Develop and maintain a Resource List of personnel and equipment. Include contact information for public (municipal, county, tribal), private and volunteer personnel.
- Facilitate or participate in your Local Emergency Planning Committee (LEPC), Tribal Emergency Response Commission (TERC), or other all-hazards community planning group. LEPC membership rosters and Emergency Planning and Community Right to Know Act (EPCRA) requirements need to be submitted to the State Emergency Response Commission (SERC) on an annual basis through MT DES, typically in the fall.
- Develop and submit annually a Training and Exercise Plan (TEP) for your jurisdiction.
- All EMPG funded individuals must participate in a minimum of three exercises, as defined by the Homeland Security Exercise and Evaluation Program (HSEEP), within a twelve-month period. At least one exercise should be operations-based. Complete and submit, to the MT DES Exercise Coordinator, an After Action Report/Improvement Plan (AAR/IP) within 90 days of each exercise or real world event.

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- Participate in the State Preparedness Report (SPR) process.
- Meet NIMS compliance requirements
- Attend an MT DES sponsored meeting annually
- Submit the following to MT DES:
 - Completed Application
 - Signed Obligating Document for Award
 - Conflict of Interest (if applicable)
 - Annual Time Certification
 - Oath of Office
 - Form SF 424B Assurances for Non-Construction
 - Information release authorization form with contact information
 - Jurisdictional EOP, biennially
 - Accrual Information
 - Procurement Policy

IV. Application Guidelines

Overview

All grant applications and status reports will be completed online at [fundingmt](http://fundingmt.gov). For additional information concerning application procedures please see readyandsafemt.gov or contact MT DES.

There are five sections to the application.

- 1. General Information**
- 2. Administrative and General Information**
- 3. EMPG Applicant Assessment**
- 4. EMPG Work Plan**
- 5. EMPG Budget**

This Guidance is not intended to describe how to complete an application or report in [fundingmt](http://fundingmt.gov), but to clarify certain sections of the application. EMPG application and reporting forms in Fundingmt.org will be updated each year and are modifiable by MT DES staff as necessary. Step by step [fundingmt](http://fundingmt.gov) application instructions can be found at readyandsafe.mt.gov.

The application establishes a foundation for the year's anticipated work and expenditures. Quarterly reports and reimbursement requests will be based on Work Plan activities and projects

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and Budget breakdowns. It is understood that predictions of future activities are not perfect. If changes need to be made, work with MT DES Grants staff.

Work Plans

The Work Plan section of the application outlines activities to be funded by EMPG funds. Quarterly Status Reports will detail progress made in the Work Plan.

Work Plan projects shall include the following:

- **Name of Planned Project** - Provide a descriptive name of each planned project. Examples include “Develop Emergency Function Annexes”, “Evacuation Plan Update”, “Conduct a Threat and Hazard Identification and Risk Assessment (THIRA)”, “NIMS Training for EMPG Funded Personnel”, “ICS Training for Emergency Response Personnel”, or “Exercising of Sheltering Plan”.
- **Core Capabilities Addressed** - Identify which of the 32 core capabilities (multiple can be selected) the project addresses.
- **Project’s Objective/End State** - What is the desired outcome or result of the project? Briefly explain the major objective of the project, including how the project will address gaps identified through various assessments conducted.
- **Project Milestones for Measurement and Evaluation** - Forecast activities and results per quarter that will be used to evaluate the progress of this project. The description should include a timeline.
- **Milestone Activities** – Provide a descriptive narrative of all events, planned activities, outcomes and objectives met during the specific quarter being reported on. All activities reported should align with the Project Milestones if possible.

EMPG Budget Categories

The EMPG Program Budget contains the following categories: Organization: Personnel Salaries, Organization: Fringe Benefits, Organization: Other Costs, Planning, Supplies, Training, Exercise, Equipment, Travel, Contractual, Construction, Indirect Costs, Management and Administration, and Soft Match. Following are definitions and/or descriptions of each EMPG program budget category.

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Organization: Personnel Salaries

EMPG Program funds may be used for all-hazards emergency management operations, staffing, and other day-to-day activities in support of emergency management. Enter each EMPG-funded employee's Salary and Benefits separately. Staffing costs do NOT need to be broken down by project in the application. Personnel costs, including salary, overtime, compensatory time off, and associated fringe benefits, are allowable costs with EMPG Program funds. These costs must comply with 2 C.F.R. Part 200, Subpart E – Cost Principles.

Organization: Fringe

Fringe denotes personnel benefits (health, unemployment, retirement, etc...) provided by the agency or entity which employs an EMPG eligible individual.

Organization: Other Costs

Organization: Other Costs are those expenditures necessary for operation of an EMPG program which aren't readily associated with other budget areas. Examples of Other Costs include: Telephone costs, Utilities, and Rent.

Planning

Planning efforts should span all five mission areas – Prevention, Protection, Mitigation, Response and Recovery. The EMPG Program Work Plan should provide a baseline for determining potential threats and hazards, required capabilities, required resources, and establish a framework for roles and responsibilities. Planning efforts should also demonstrate the engagement of the whole community in the development of a strategic, operational, and/or community-based approach to preparedness.

Supplies

Supplies are items that are expended or consumed during the course of daily business, trainings, planning, etc...Supplies are expendable, below \$3,500.00 in cost, and typically have less than a one year lifespan. Accountable Supplies are expendable, above \$3,500.00 in cost, and typically have a lifespan of greater than one year.

Training:

EMPG Program funds may be used to enhance the capabilities of emergency management personnel through the establishment, support, conduct, and attendance of training. Attendance at or facilitation of a training activity should be planned to enhance and improve gaps in a jurisdiction's priority core capabilities. Consistent with the *Whole Community* approach, and at the jurisdiction's discretion, personnel from private, non-profit, and other non-governmental organizations that would have a role in any phase of community emergency management are eligible to attend EMPG-funded trainings.

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Exercise:

Exercises conducted with grant funds should test and evaluate performance towards meeting capability targets established in a jurisdiction's THIRA for the core capabilities needed to address its greatest risks. Exercise priorities should align to a current TEP developed annually.

Travel:

Travel: Travel costs (e.g., airfare, mileage, per diem, hotel) are allowable as expenses by employees who are on travel status for official business related to the planning and conduct of the emergency management activities. International travel requests must be authorized by MT DES and FEMA.

Equipment:

Equipment is considered any item over \$5,000.00 dollars with a lifespan of greater than 1 year. Allowable equipment categories for the EMPG Program are listed on the Authorized Equipment List (AEL). Sub-recipients with questions concerning the eligibility of equipment not specifically addressed in the AEL should contact MT DES Grants staff for clarification.

Contractual:

Full- or part-time staff or contractors/consultants may be hired to support direct training-related activities. Full- or part-time staff may be hired to support direct exercise activities. Payment of salaries and fringe benefits must be in accordance with the policies of the state or unit(s) of local government and have the approval of the state or DHS/FEMA, whichever is applicable. The services of contractors/consultants may also be procured to support the design, development, conduct, and evaluation of exercises. Mass notification systems are also an eligible contractual cost.

Construction:

Written approval must be provided by FEMA prior to the use of EMPG funds for construction or renovation. The State of Montana typically will not support funding for construction projects in regards to EMPG. For additional information, please contact MT DES.

Indirect Costs:

Indirect costs are allowable under this program, as described in 2 C.F.R. § 200.414. With the exception of sub-recipients who have never received a negotiated, indirect cost rate as described in 2 C.F.R. § 200.414(f), sub-recipients must have an approved indirect cost rate agreement with their cognizant agency to charge indirect costs to this award. A copy of the approved rate (a fully executed, agreement negotiated with the applicant's cognizant agency) is required at the time of application, and must be provided to MT DES before indirect costs may be charged to the award.

Management and Administration:

Management and Administration (M&A) activities are those directly related to managing and administering the award, such as financial management and monitoring.

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It should be noted that salaries of state and local emergency managers are not typically categorized as M&A, unless the state or local EMA chooses to assign non EM personnel to specific M&A activities. Sub-recipients may use up to five percent (5%) of their EMPG award for M&A purposes.

Soft Match:

See Claims section of Program Guidance for more information concerning match requirements.

V. Status Reports

Sub-recipients are required to submit financial and programmatic reports on a quarterly basis. Quarterly status reports should detail progress towards completing activities and projects approved in your EMPG Work Plan, how expenditures support maintenance and sustainment of current core capabilities, and progress made towards implementing the National Preparedness System (NPS). Quarterly Status Reports and Claims are expected to be entered into the fundingmt website by the dates listed below. However, if a due date falls on a weekend or holiday, the deadline is adjusted to the next business day. Status Reports must be submitted prior to Claim submittals. For additional information concerning status reports please see readyandsafemt.gov or contact MT DES.

Reporting Period	Status Report Due Date	Claims Due Date
October 1 – December 31	January 5	February 15
January 1 – March 31	April 5	May 15
April 1 – June 30	July 5	August 15
July 1 – September 30	October 5	November 15

VI. Claims & Match Requirements

Claims:

EMPG is a cost match grant program, meaning jurisdictions are required to provide a cost match of no less than 50 percent in matching funds as stipulated by the Federal grant guidance. Local jurisdictional match may be cash or in-kind. Claims must also be submitted following the close of each quarter (see above). Claims must be verifiable, reasonable, allowable, allocable, and necessary under the grant program. Proof of payment must be submitted with claim request(s). MT DES maintains the right to deny payment of any sub-recipient claim request.

Sub-recipients are required to establish and maintain accounting systems and financial records that accurately account for the funds awarded to them, as well as any matching funds (where applicable).

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Fiscal controls and accounting procedures must meet GAAP and be sufficient to ensure grant funds have not been used in violation of federal, state, tribal, or local requirements. Sub-recipients must promptly notify MT DES of any illegal acts or irregularities, including conflicts of interest, falsification of records or reports, and misappropriation of funds or other assets, and must take prompt action when instances of noncompliance are identified in audit findings.

Local and Tribal DES coordinators are responsible for the uploading of general ledgers and soft match reporting documentation into the fundingmt system to facilitate review processes.

For questions concerning allowable and/or unallowable costs please call your MT DES Grant Coordinator prior to purchasing any items or services. For additional information concerning claims please see readyandsafemt.gov or contact MT DES.

Matching Funds

Matching funds will be considered only if contributions meet the following criteria:

- (1) Are verifiable from the non-Federal entity's records;
- (2) Are not included as contributions for any other Federal award;
- (3) Are necessary and reasonable for accomplishment of project or program objectives;
- (4) Are allowable under Subpart E-Cost Principles
- (5) Are not paid by the Federal Government under another Federal award;
- (6) Are provided for in an approved budget; and
- (7) Conform to all other Federal, State, Tribal or Local provisions, as applicable.

Hard Match

Hard match is a cash match, meaning that for each federal grant dollar spent, a requisite amount (as determined by the grant budget) is spent by the sub-recipient (county or tribe) to meet match requirements.

Soft Match

Typically soft match utilizes time as a measure of payment to meet sub-recipient match requirements. The dollar value of volunteer time is determined by the national volunteer rate. This amount is then multiplied by the number of volunteers and the time of the activity to determine the full amount of eligible for reimbursement. The determined amount is then used in lieu of county or tribal hard match. Eligible soft match activities must be directly related to EMPG activities.

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Basic Guidelines

- For costs to be eligible to meet matching requirements, the costs must first be allowable under the grant program.
- The costs must also be in compliance with all Federal requirements and regulations.
- Costs must be verifiable, reasonable, allowable, allocable, and necessary under the grant program.
- Records for all expenditures relating to cost sharing or matching must be kept in the same manner as those for the grant funds.
- Except as provided by federal statute, a cost matching requirement may not be met by costs borne by another federal grant.
- The source of the match funds must be identified in the grant application.
- Every item must be verifiable, i.e., tracked and documented.
- Any claimed cost share expense can only be counted once.

Non-Supplanting

Any purchase and/or payment with sub-recipient funds that would otherwise be funded using local resources is considered supplanting. Federal non-supplanting requirements state that sub-recipient funds must never replace funds that have been budgeted for the same purpose through nonfederal sources. Sub-recipients are responsible for ensuring that funds are not used to pay for something or someone which has already been allocated from another funding source, such as a local general fund.

Non-Comingling

Comingling is the mixing or blending of funds within a financial accounting system in such a way that expenditures cannot be identified or reconciled to a particular sub-recipient, project, grant, or indirect activity. Comingling of sub-recipient funds is not allowable per Federal regulations. Sub-recipients must utilize financial systems which provide for effective control and accountability for all funds. This generally entails the use of separate accounts established for the specific oversight and expenditure documentation of EMPG grant funds as established within the sub-recipient's jurisdictional financial policies and procedures, or other established guidelines as approved.

Procurement Policy

When considering purchases which fall within Federal, State, Local, or Tribal procurement guidelines; all Federal, State, Local, and Tribal procurement standards that must be supported, including full and open competition and conflict of interest requirements. Noncompetitive (sole source) proposals are allowed if the item is only available from a single source, public

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emergency will not permit a delay, or competition is deemed inadequate after solicitation from a number of sources. Sub-recipients are encouraged to enter into state and local intergovernmental agreements for procurement or of use common goods and services. Sub-recipients can use their own procurement procedures, provided they are documented in writing, as strict as the federal policy, and follow all applicable federal, state and local laws and regulations. In cases where the federal/state procurement policy is stricter than the sub-recipient's, the federal/state policy must be followed. Contractors that develop or draft specifications, requirements, statements of work, and invitations for bids and/or requests for proposals must be excluded from competing for such procurements.

Suspension and Debarment

Prior to purchasing equipment or services, jurisdictions are required to utilize the Federal and State suspension and debarment listings to ensure compliance. Suspension and debarment actions prevent companies and individuals who pose a business risk to the government from participating in government contracts, subcontracts, loans, grants and other assistance programs. The effect of suspension and debarment by a federal agency is government wide.

VII. Monitoring and Records Management

Monitoring Visits

EMPG recipients will be monitored programmatically and financially by MT DES to ensure that all activities and project goals, objectives, performance requirements, timelines, milestone completion, budgets, and other related program criteria are being met.

Technical Assistance

Technical assistance shall be accomplished through either desk-based reviews, on-site technical assistance visits, or both. Technical assistance may involve the review and analysis of the financial, programmatic, performance, compliance and administrative processes, policies, activities, and other attributes and will identify areas where technical assistance, corrective actions and other support may be needed.

Records Retention

Sub-recipients are responsible for the maintenance, storage, and accuracy of all pertinent files, correspondence, modifications, records, reports and expenditures, etc. having to do with their EMPG program. In the event of an audit, these records should afford auditors a holistic understanding of the status of the grant and provide thorough documentation of each transaction, any issues that have arisen, and the general nature of the program. All records, whether paper or electronic must be stored in such a way as to protect against tampering.

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County/Tribal DES Coordinators are responsible for the retention of all expenditure and other required documentation for a period of not less than three years from the close of the grant period, or the most recent financial action (audit, etc.), as appropriate, or as required by local, state, or federal law. MT DES recommends a storage period not less than 7 years. This information is to be made accessible for review at any reasonable time by an authorized representative of the SAA upon request, per 2 CFR 200. For additional information concerning records requirements, see Appendix B: Monitoring/Technical Assistance Form.

Purge Policy

Should the need arise to destroy outdated or obsolete records, please refer to your County/Tribal purge policy to ensure all records are correctly removed from circulation.

VIII. Accruals

An accrual, as found in the Montana Operations Manual, is the recognition of expenditure activity prior to its actual receipt or disbursement. Accruals must be submitted to the SAA annually not later than the second week of June for approval.

Accruals, according to Montana Operations Manual Policy 375, require that all projected expenditures include the following before being considered: general criteria for valid obligations, supporting documentation, and accrual estimate for anticipated costs.

Accrual procedures must meet Generally Accepted Accounting Principles (GAAP), which require that all expenditures be recognized in the accounting year accrued.

Valid accruable expenditures should include:

- Materials and supplies expended in the fiscal year in which they are received;
- Goods ordered but not received as of the fiscal year end if accompanied with a purchase order to verify date of order/purchase;
- Services rendered in the fiscal year which they were charged;
- Equipment charged against the fiscal year in which the purchase order was issued;
- Contracts or other legal commitments relate dot unperformed legally binding contracts in process at year end.

Accruals must be accompanied by valid supporting documentation which must be submitted to the SAA upon request.

“A” accruals are those accruals which have a valid PO to purchase items or contract for services to be received *AFTER* June 30th. “A” accruals must have supporting documentation in order to be accounted for.

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“B” accruals, are goods or services received *BEFORE* June 30th where the payment (reimbursement) will not be made until the new state fiscal year.

IX. Grant Amendments

Change of Scope

A sub-recipient may request a change of scope at any point during the period of performance. A change of scope request is necessary if a sub-recipient wants to create a new work plan objective or modify their existing work plan. Change of scope requests must be submitted to the proper MT DES EMPG Grant Coordinator. Change of scope requests must be submitted using the correct format and allow for 30 days’ notice prior to the implementation of the requested change of scope. Specific sub-recipient programs may have additional requirements. Sub-recipients should contact their MT DES Grant Coordinator with any questions regarding the change of scope process.

Budget Modification

A sub-recipient may request a budget modification at any point during the period of performance. A budget modification is necessary if a sub-recipient wants to create a new budget line item or move funds between existing budget line items. Budget modification requests must be submitted to MT DES Grant Coordinator. Budget modification requests must be submitted using the correct format and allow for 30 days’ notice prior to the implementation of the requested modification. Specific sub-recipient programs may have additional requirements. Sub-recipients should contact their MT DES Grant Coordinator with any questions regarding the budget modification process.

X. Deobligation of Funds & Closeout

If a sub-recipient is unable to expend all funds awarded prior to the end of the grant period of performance (as defined by MT DES), all remaining funds will be deobligated from the awarded agency, county, tribe, etc., no longer available to the sub-recipient.

Close-out of EMPG awards will be administered by MT DES upon determination of grant completion in accordance with 2 C.F.R. § 200.343 and upon receipt of a signed sub-recipient letter requesting closeout. Sub-recipient closeout letters shall be submitted no later than December 15 of each year. MT DES, upon receipt of a completed closeout letter, will provide a closeout confirmation letter to the sub-recipient.

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Appendix A: EMPG Reporting and Submission Dates

Quarters

1 st Quarter	October 1 - December 31
2 nd Quarter	January 1 - March 31
3 rd Quarter	April 1 – June 30
4 th Quarter	July 1 – September 30

Status Reports due to fundingmt

1 st Quarter	January 5
2 nd Quarter	April 5
3 rd Quarter	July 5
4 th Quarter	October 5

Claims due to fundingmt

1 st Quarter	February 15
2 nd Quarter	May 15
3 rd Quarter	August 15
4 th Quarter	November 15

If a Due Date falls on a weekend or Holiday, the deadline is adjusted to the next business day.

Reporting Period	Status Report Due Date	Claims Report Due Date
October 1 – December 31	January 5	February 15
January 1 – March 31	April 5	May 15
April 1 – June 30	July 5	August 15
July 1 – September 30	October 5	November 15

Other Annual Deadlines

EMPG Application	Open on or about January 02 Due on or about March 01 (Dependent on Federal Input)
Accruals	Due the second week of June
Closeout Letter	Due no later than December 15 th