



Erin J. Greten*

Of Counsel

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Erin Greten is a member of Baker Donelson's Disaster Recovery and Government Services Team and focuses her practice on disaster response and recovery assistance laws, contracting, and public policy. Her experience provides her with in-depth knowledge of FEMA's programs and a broad, practical understanding of federal operations, including audits, administrative procedures, and financial processes.

Mrs. Greten serves clients by applying her knowledge of FEMA programs and federal law to identify creative ways to leverage, maximize, and maintain disaster assistance. She primarily represents public and private non-profit entities throughout the country, guiding them through the complex federal and state regulatory frameworks to secure and retain federal funding.

Mrs. Greten focuses largely on compliance, but she also devotes a significant amount of her time representing clients in dispute resolution, both informally or formally through the appeals and arbitration process. As former agency regulatory counsel, Mrs. Greten also enjoys providing written comments in response to agency requests for public input on draft regulation, policy, or issues of concern. She is passionate about advocating for positive, systemic change by raising awareness of the real-world struggles faced by her clients in their attempts to recover from disasters using federal assistance.

In addition to her practice, Mrs. Greten has served as an adjunct professor at the George Washington University Law School since 2022. She teaches a full-semester course, "Law of Emergencies: Natural Disasters, Climate Crises, Pandemics, and Beyond," which teaches students about the legal framework and implementation challenges faced by federal, state, local, individual, and private sector entities before, during, and after destructive events.

Prior to joining Baker Donelson, Mrs. Greten served as the career senior executive Chief Counsel of the First Responder Network Authority, where she proactively managed and resolved legal issues of all types for the federal agency responsible for the nationwide public safety broadband network known as FirstNet. Prior to that role, Mrs. Greten served as FEMA's Associate Chief Counsel for Regional & Field Operations, where she oversaw the delivery of legal services during all presidentially declared disasters and emergencies nationwide, as well as in FEMA's ten regional offices. She also served as Deputy Associate Chief Counsel for Recovery, where she was the principal legal advisor for FEMA's disaster recovery programs (Public Assistance, Individual Assistance, Fire Management Assistance Grants, Community Disaster Loans, etc.), and served as Assistant Chief Counsel for Regulation & Policy, where she developed, implemented, and managed FEMA's regulatory program. Before joining FEMA, Mrs. Greten worked with the U.S. Coast Guard as a regulatory attorney and practiced commercial litigation at a private law firm.



Case Studies

- Baker Donelson Attorney Represents Historic New Jersey Lighthouse in Appeal of \$4.4 Million FEMA Clawback - Pro Bono



Representative Matters

- Successfully appealed a FEMA ineligibility determination for a private non-profit health care provider and provided subsequent compliance guidance and claim support for dozens of claims filed in

multiple FEMA regions. This resulted in our client receiving hundreds of millions in COVID-19 FEMA Public Assistance funding for the majority of its submitted projects.

- Provided procurement, environmental, and program compliance advice to U.S. territory clients severely impacted by the 2017 hurricane season. Services included the review and revision of high-dollar procurement actions for compliance with FEMA requirements; advice regarding various issues of FEMA eligibility; and the development of new policies and the improvement of existing policies and procedures to mitigate future compliance issues.
- Regularly draft, review, and revise procurement policies, requests for proposals, invitations to bid, and contracts for compliance with federal procurement standards under 2 C.F.R. Part 200. Collaborated with two different California firms to develop procurement policies and template contracts for subrecipients in California implementing two different types of wildfire mitigation programs using state grants.
- Represented a Colorado county impacted by wildfires in arbitration before the Civilian Board of Contract Appeals, resulting in full award of all costs claimed for removal of hazardous trees along private roads.
- Successfully appealed a borrower's U.S. Small Business Administration Paycheck Protection Program loan forgiveness dispute regarding the applicant's non-profit status and accounting practices, resulting in full forgiveness of the loan by the SBA.
- Advised a non-profit FEMA grant recipient as it developed a novel disaster preparedness subgrant program.
- Assisted a private non-profit applicant following the Maui Wildfire and helped them understand and comply with emergency assistance requests and the FEMA claims process.
- Supported multiple for-profit lending institutions seeking to understand the FEMA Public Assistance program as they evaluated borrower risk.
- Favorably settled a FEMA arbitration involving application of the Public Assistance 50 Percent Rule, with FEMA agreeing to fund replacement and financing costs incurred by a Florida city to replace the dock attenuator system for the city's marina; a revision from the original "repair-only" determination worth approximately \$6 million.



Professional Honors & Activities

- Recipient – Baker Donelson Washington, D.C. Office Pro Bono Award (2023)
- FEMA Administrator's Award for Innovation (2013)
- DHS Service Award for Superior Mission Achievement (2010)



Publications

- "FEMA is Making Post-Disaster Mitigation Less Expensive for Applicants" (October 2024)
- "Understanding Disaster Appropriations," republished October 7, 2024, in *Daily Business Review* (September 2024)
- "FEMA Now Accepting Comments on Changes to its Public Assistance Program" (July 2024)
- "OMB Soon To Release Updates To Uniform Grant Regulations" (April 2024)
- "OMB Proposed Rule Would Revise the Suspension and Debarment and Uniform Grant Administration Regulations" (December 2023)
- "Recent Trends in FEMA COVID-19 Appeal and Arbitration Decisions" (August 2023)
- "Inconsistency Between FEMA's Appeal Policy and Appeal Regulations Proves Fatal to Appeal – and How to Avoid a Similar Fate " (July 2023)
- "Filing a FEMA Public Assistance Appeal: The Real-Life Saga of Goldilocks and the Three Bears" (October 2022)
- "New FEMA Clarification Regarding Codes & Standards Requirements" (October 2022)

- "FEMA Seeks Public Comment on Proposed Public Assistance COVID-19 Policy on Deadlines and Overlapping Sources of Funding" (April 2022)
- "UPDATED: President Biden Extends 100 Percent Cost Share for COVID-19 Public Assistance" (March 2022)
- "Changes to FEMA's Public Assistance Appeals and Arbitrations Regulation Go Into Effect January 1, 2022" (December 2021)
- "Avoiding Audit Disaster After Receiving a Disaster Grant," *Law360* (December 2021)
- "New FEMA Thresholds and Indicators for Fiscal Year 2022" (November 2021)
- "DOJ Launches Initiative to Pursue Cybersecurity-Related Fraud by Government Contractors and Grant Recipients" (October 2021)
- "State/Tribe/Territory Application Period for FEMA Flood Mitigation Assistance and BRIC Grants To Run September 30, 2021 - January 28, 2022" (August 2021)
- "EDA Publishes NOFOs Worth \$3 Billion in American Rescue Plan Act Grants" (August 2021)
- "FEMA Updates Policy on Stafford Act § 705" (August 2021)
- "Representing States, Tribes, and Local Governments before, During, and After a Presidentially-Declared Disaster," *The Urban Lawyer*, Volume 48, Issue 3 (Summer 2016); republished in *Homeland Security and Emergency Management: A Legal Guide for State and Local Governments*, 3d. ed. (2018)



Speaking Engagements

- Co-presenter – "Disaster Relief and Compliance: Avoiding the Disaster following the Disaster," ABA Standing Committee on Disaster Response and Preparedness (September 2021)



Webinars

- An Inside Look at How to Effectively Navigate the FEMA Appeals and Arbitrations Process (May 2022)



Education

- Naval Postgraduate School, Center for Homeland Defense/Security, Executive Leadership Graduate, 2011
- Catholic University of America, J.D., 2001
- James Madison College, Michigan State University, B.A., 1997



Admissions

- Maryland, 2001
- Michigan, 2017
- Virginia, 2019
- U.S. Supreme Court, 2005

* Baker Donelson attorney admitted to the practice of law in Maryland, Virginia, and Michigan; not admitted to the practice of law in the District of Columbia. Practice supervised by D.C. Bar members and limited to matters before federal courts, federal agencies, and District of Columbia agencies.