

**The U. S. Department of Homeland Security (DHS)
Notice of Funding Opportunity (NOFO)
Fiscal Year 2024 Flood Mitigation Assistance Swift Current
Amendment #1, December 5, 2024**

SUMMARY OVERVIEW OF KEY INFORMATION FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD MITIGATION ASSISTANCE (FMA) SWIFT CURRENT	
Program Overview	<p>Fiscal Year 2024 Flood Mitigation Assistance (FMA) Swift Current aims to better align the delivery of FMA flood mitigation funding to the disaster survivor experience.</p> <p>The FMA grant program makes federal funds available to states, U.S. territories, federally recognized tribal governments,¹ and local governments to reduce or eliminate the risk of repetitive flood damage to buildings and structures insured under the National Flood Insurance Program (NFIP), and within NFIP-participating communities. It does so with a recognition of the growing flood hazards associated with climate change,² and of the need for flood hazard risk mitigation activities that promote climate adaptation, equity, and resilience with respect to flooding. These include both acute extreme weather events and chronic stressors which have been observed and are expected to increase in intensity and frequency in the future.</p>
Goals and Objective	<p>The purpose of FMA Swift Current is to reduce or eliminate the flood risk to NFIP-participating communities and repetitive flood damage to structures and buildings insured by the NFIP following a flood-related disaster event, and to enhance community flood resilience within NFIP-participating communities. It does so by providing funding for mitigation opportunities immediately after a flood disaster event with the aim of delivering timely mitigation outcomes.</p> <p>This differs from the existing FMA grant opportunity, which has an annual grant cycle that funds a broader range of flood mitigation activities, which includes Capability and Capacity Building Activities, Localized Flood Risk Reduction Projects, and Individual Flood Mitigation Projects, through a competitive selection process. FMA Swift Current aims to streamline funding through disaster declaration and flood insurance claims-based eligibility criteria, minimized application periods, and narrowed project type eligibility to Individual Flood</p>

¹ The term “federally recognized tribal government,” as used in this funding opportunity, has the same meaning as “Indian Tribal government,” as defined at 44 C.F.R. § 77.2(f).

² Climate change is defined as “Changes in average weather conditions that persist over multiple decades or longer. Climate change encompasses both increases and decreases in temperature, as well as shifts in precipitation, changes in frequency and location of severe weather events, and changes to other features of the climate system” (<https://nca2023.globalchange.gov/chapter/appendix-5/>).

	Mitigation Projects that are Severe Repetitive Loss, Repetitive Loss, or Substantially Damaged.
Eligible Projects	The FMA Swift Current grant opportunity funds project scoping and activities under Individual Flood Mitigation Projects.
Deadlines	NOFO Availability Window Start Date: 6/1/2024 NOFO Availability Window End Date: 1/15/2026 Disaster Declaration Deadline: 5/31/2025 Applicant Eligibility Period Start Date: Varies by applicant and dependent on disaster declaration date. Application Submission Deadline: Varies by applicant; typically 120 calendar days after the applicant's eligibility period start date at 03:00:00 PM ET.
Funding Amount	Available Funding for the NOFO: \$300,000,000 \$500,000,000 for Individual Flood Mitigation Projects and scoping efforts that result in submission of Individual Flood Mitigation Projects for repetitive loss, severe repetitive loss, or substantially damaged properties.
Eligible Applicants	States District of Columbia U.S. territories Federally recognized tribal governments
Cost Share	Project Scoping cost share for this program is 75% federal cost share and 25% non-federal cost share. Individual Flood Mitigation Projects federal share options: Up to 100% federal cost share funding for FMA-defined Severe Repetitive Loss (SRL) properties, as defined in 42 U.S.C. § 4104c(h)(3)(B)(i) or (B)(ii); or Up to 90% federal cost share funding for FMA-defined Repetitive Loss (RL) properties, as defined in 42 U.S.C. § 4121(a)(7); or Up to 90% federal cost share funding for each NFIP-insured property located within a census tract with a Centers for Disease Control and Prevention (CDC) Social Vulnerability Index (SVI) score of not less than 0.5001, and the activity must be funded by the Bipartisan Infrastructure Law (BIL). FEMA will determine the CDC SVI score using the following three SVI themes: Socioeconomic Status, Household Characteristics, and Housing Type and Transportation; or Up to 75% federal cost share funding if a higher federal cost share is not available.
Build America, Buy America Act	All applicable FMA Swift Current subapplications must comply with the Build America, Buy America Act (BABAA). Please go to "Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure FEMA.gov for more information.

All entities wishing to do business with the federal government must have a Unique Entity Identifier (UEI). The UEI number is issued by the system. Requesting a UEI using System

for Award Management (SAM.gov) can be found at: <https://sam.gov/content/entity-registration>.

Updates in Grant Application Forms:

The Data Universal Numbering System (DUNS) Number was replaced by a new, non-proprietary identifier requested in, and assigned by SAM.gov. This new identifier is the Unique Entity Identifier.

Additional Information can be found on Grants.gov: <https://www.grants.gov/forms/forms-development/planned-uei-updates>.

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A. Program Description

1. Issued By

U.S. Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA)/Resilience/Hazard Mitigation Directorate/Hazard Mitigation Assistance (HMA) Division

2. Assistance Listings Number

97.144

3. Assistance Listings Title

Flood Mitigation Assistance

4. Funding Opportunity Title

Fiscal Year 2024 Flood Mitigation Assistance Swift Current (FMA Swift Current)

5. Funding Opportunity Number

DHS-24-MT-144-000-99

6. Authorizing Authority for Program

Section 1366 of The National Flood Insurance Act of 1968, as amended (Pub. L. No. 90-448) (codified as amended at 42 U.S.C. § 4104c); Division J, Title V of the Infrastructure Investment and Jobs Act (Pub. L. No. 117-58), 135 Stat. 1387–1388 (2021).

7. Appropriation Authority for Program

Division J, Title V of the Infrastructure Investment and Jobs Act (Pub. L. No. 117-58), 135 Stat. 1387–1388 (2021).

8. Announcement Type

~~Initial~~ **Modification**

9. Program Category

Mitigation: Natural Hazards

10. Program Overview, Objectives, and Priorities

a. Overview

FMA Swift Current makes federal funds available to states, U.S. territories, federally recognized tribal governments,³ and local governments⁴ to reduce or eliminate the risk of repetitive flood damage to buildings and structures insured under the National Flood Insurance Program (NFIP) and within NFIP-participating communities. It does so with a recognition of the growing flood hazards associated with climate change,⁵ anticipated growth of damage and repetitive losses due to flood, and of the need for

³ The term “federally recognized tribal government,” as used in this NOFO, has the same meaning as “Indian Tribal government,” as defined at 44 C.F.R. § 77.2(f).

⁴ The term “local government,” as used in this NOFO, has the same meaning as “Community,” as defined at 44 C.F.R. § 77.2(d).

⁵ Climate change is defined as “Changes in average weather conditions that persist over multiple decades or longer. Climate change encompasses both increases and decreases in temperature, as well as shifts in precipitation, changes in frequency and location of severe weather events, and changes to other features of the climate system.”
(<https://nca2023.globalchange.gov/chapter/appendix-5/>)

flood hazard risk mitigation activities that promote climate adaptation, equity, and resilience with respect to flooding. These include both acute, extreme weather events as well as chronic stressors that have been observed and are expected to increase in the future.

b. Goals, Objectives, and Priorities

The purpose of FMA Swift Current is to reduce or eliminate the flood risk of repetitive flood damage to structures and buildings insured by the NFIP following a flood-related disaster event, and to enhance community flood resilience within NFIP-participating communities.

FMA Swift Current funds Project Scoping that results in development of individual mitigation projects eligible under FMA Swift Current, and Individual Flood Mitigation Projects for Repetitive Loss (RL), Severe Repetitive Loss (SRL), or properties deemed Substantially Damaged after the applicant's disaster declaration incident period start date. The incident period start date refers to the first date of the incident (i.e., flood event) associated with the applicant's flood-related major disaster⁶ declaration that activates eligibility for FMA Swift Current. Disaster declaration information can be found on FEMA's disaster declaration website [Disasters and Other Declarations](#). (Definitions for these terms can be found in Section C. Eligibility Information, Cost Share and Match of this funding opportunity).

In addition, FMA Swift Current aims to incentivize flood mitigation projects that will advance equity (see Executive Order 14091: Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government) and that will benefit disadvantaged communities as discussed in [Executive Order \(EO\) 14008: Tackling the Climate Crisis at Home and Abroad](#). In implementing the Administration's Justice40 Initiative, established in [EO 14008](#) and discussed in subsequent guidance, FMA Swift Current will be identifying a disadvantaged community, also referred to as a Justice40 community, using the [Climate and Economic Justice Screening Tool \(CEJST\)](#). Communities are considered disadvantaged communities if they are in census tracts that meet the thresholds for at least one of the tool's categories of burden, or if they are on lands within the boundaries of a federally recognized tribal government. Further, all eligible federally recognized tribes are Justice40 communities (whether or not they have land).⁷ In addition, Census tracts that are completely surrounded by disadvantaged communities, as described above, are also considered disadvantaged if they meet an adjusted low-income threshold (at or above the 50th percentile). Justice40 communities have been marginalized by underinvestment and overburdened by pollution, as identified by meeting or exceeding the threshold for at least one of the

⁶ Sec. 102. Definitions (42 U.S.C. 5122) As used in this Act - (2) Major Disaster - "Major disaster" means any natural catastrophe (including any hurricane, tornado, storm, high water, winddriven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought), or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under this Act to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby. See [Stafford Act, as Amended - FEMA P-592 vol. 1 May 2021](#)

⁷ See also M-23-09, available at https://www.whitehouse.gov/wp-content/uploads/2023/01/M-23-09_Signed_CEO_CPO.pdf.

tool's eight categories of environmental, climate, or other burdens, along with the socioeconomic threshold. More information about the CEJST methodology, datasets, and downloadable files can be found on the CEJST website at <https://screeningtool.geoplatform.gov>. Although the CEJST will be used to identify disadvantaged communities, FEMA's [Grant Equity Threshold Tool \(GETT\)](#) may also be used to further understand the population impacted by a proposed project, and translate between census tract geographies identified by Justice40 and any broader area that may also benefit.

c. Alignment to Program Purpose and the DHS and FEMA Strategic Plan

FY 2024 FMA Swift Current aims to better align the delivery of FMA flood mitigation funding to the disaster survivor experience. In FY 2024, funds will be made available on a rolling basis to states, territories, District of Columbia, and federally recognized tribal governments that receive a major disaster declaration for a flood-related disaster event and meet all other eligibility criteria. (Refer to Section C.1, Eligible Applicants). Flood-related disasters include coastal storms, hurricanes, remnants of hurricanes, and floods. Eligible activities in FMA Swift Current are Individual Flood Mitigation Projects, for example, structure elevation, property acquisition and structure demolition/relocation, dry floodproofing, and mitigation reconstruction. FMA Swift Current aims to streamline funding through disaster declaration and flood insurance claims-based eligibility criteria, minimized application periods, and narrowed project type eligibility to Individual Flood Mitigation Projects that are Severe Repetitive Loss, Repetitive Loss, or Substantially Damaged. This differs from the existing FMA grant opportunity, which has an annual grant cycle that funds a broader range of flood mitigation activities, which includes Capability and Capacity Building Activities, Localized Flood Risk Reduction Projects, and Individual Flood Mitigation Projects through a competitive selection process. FMA Swift Current prioritizes properties impacted by a flood event in the disaster-declared counties.

FEMA is offering tailored pre-application support to FMA Swift Current applicants and subapplicants for subapplication development. For more information about FMA Swift Current tailored pre-application support, contact your State Hazard Mitigation Officers, FEMA Regional Office, or Regional Tribal Liaison. Contact information can be found on the FEMA website at [State Hazard Mitigation Officers](#) and [FEMA Regional Contacts](#).

FMA Swift Current aligns with the [2020-2024 DHS Strategic Plan](#) through pursuing Goal 5: Strengthen Preparedness and Resilience. Specifically, Objective 5.1: Build a National Culture of Preparedness has several sub-objectives that the FMA Program supports. FMA Swift Current serves primarily to bolster Sub-Objective 5.1.1: Incentivize investments that reduce risk and increase pre-disaster mitigation, including expanding the use of insurance to manage risk through funding hazard mitigation projects, particularly ones that reduce risk to NFIP-insured structures. Additionally, FMA Swift Current's tailored pre-application support also contributes to other sub-objectives. It helps improve awareness initiatives to encourage public action to increase preparedness (Sub-Objective 5.1.2), uses lessons from past

disasters and exercises to inform community investment decisions and anticipate challenges that may emerge during future disasters (Sub-Objective 5.1.3), and coordinates and guide continuity of operations activities through partnerships with government and non-government stakeholders (Sub-Objective 5.1.5).

The [2022-2026 FEMA Strategic Plan](#) outlines a bold vision and three ambitious goals designed to address key challenges the agency faces during a pivotal moment in the field of emergency management: Goal 1 - Instill equity as a foundation of emergency management, Goal 2 - Lead the whole of community in climate resilience, and Goal 3 - Promote and sustain a ready FEMA and prepared nation. Most notably, the FMA program supports Objective 1.2: Remove barriers to FEMA programs through a people first approach, Objective 1.3: Achieve equitable outcomes for those we serve, and Objective 2.2: Build a climate resilient nation. FMA also supports the National Mitigation Investment Strategy by advancing mitigation investment to reduce risks posed by natural hazards and increasing the nation's resilience to natural hazards.

Awards made under this Notice of Funding Opportunity (NOFO) will be funded with funds appropriated by the Infrastructure Investment and Jobs Act (IIJA)(Pub. L. No. 117-58), 135 Stat. 1387–1388 (2021), also known as the Bipartisan Infrastructure Law (BIL). The BIL is a once-in-a-generation investment in infrastructure, which will grow a more sustainable, resilient, and equitable economy by enhancing U.S. competitiveness, driving the creation of good-paying jobs with the free and fair choice to join a union, and ensuring stronger access to economic and environmental benefits for disadvantaged communities. The BIL appropriates billions of dollars to FEMA to promote resilient infrastructure, respond to the impacts of climate change, and equip our nation with the resources to combat its most pressing threats.

11. Performance Measures

The following key performance indicators provide strategic and relevant information to decisionmakers and stakeholders about FMA Swift Current's progress and success toward achieving goals and objectives, and are based on measurable data that are available or could be feasibly collected:

- Total number of NFIP-insured properties selected that are deemed Substantially Damaged after the applicant's disaster declaration incident period start date, and properties that are FMA and/or NFIP-defined ⁸ Severe Repetitive Loss (SRL), Repetitive Loss (RL).
- Total federal cost share funding invested in or benefiting Justice40 communities identified using the [Climate and Economic Justice Screening Tool \(CEJST\)](#), as well as all federally recognized tribes or tribal entities.
- Number of State, Local, Tribal, and Territorial Governments (SLTTs) that attended tailored pre-application support and outreach activities hosted by FEMA.
- Timeliness of obligation from the disaster declaration date.
- Total dollar amount of flood losses avoided in projects or communities funded by FMA Swift Current subapplications.

⁸ For the NFIP definition of an SRL and RL property, refer to 42 U.S.C. § 4014(h).

FEMA recognizes that many effective resilience solutions, such as nature-based solutions, yield critical benefits that may not be monetizable. As such, FEMA notes that these key performance indicators are not determinative of whether an application to the FMA grant program is selected for funding.

FEMA will further assess the recipient's performance against the program objective during the award closeout process as outlined in Section F.3.c of this funding opportunity.

B. Federal Award Information

1. Available Funding for the NOFO: ~~\$300~~ \$500 million

FEMA will accept FY 2024 FMA Swift Current applications based on the applicant eligibility period which is unique to each eligible FMA Swift Current activated event. Applicant eligibility period refers to the time that the applicant may submit subapplications for the FY 2024 FMA Swift Current opportunity.

The availability window refers to the time period, from June 1, 2024, through May 31, 2025, during which major disaster declarations for a flood-related disaster event must be declared to be considered as an eligible activating event for FY 2024 FMA Swift Current. Following determination of an eligible FMA Swift Current activating event, the applicant will be notified by FEMA regarding eligibility and other critical information including deadlines, available maximum set-aside, and other information within 60 days of the disaster declaration. Please note that there may be unique circumstances in which it may take more than 60 days to determine whether an applicant meets the FMA Swift Current activation criteria.

The applicant eligibility period start date will vary by applicant ***The applicant's eligibility period is the time in which applications may be submitted by the applicant. The applicant eligibility period will generally begin 60 days after the date of the flood-related disaster event declaration.** * Generally, the eligibility period is 120 calendar days.

Upon FMA Swift Current activation, the application deadline date will be provided to the applicant. However, if the applicant has more than \$1 million prior flood insurance claims in the previous year and the declared disaster results in 500 or more flood insurance claims for the applicant, their eligibility period is 150 calendar days. If the applicant is a U.S. territory or federally recognized tribal government applying directly to FEMA for assistance, their eligibility period ~~deadline~~ is 150 calendar days. At the start of an applicant's eligibility period, FEMA will determine a maximum set-aside for that applicant (see Section B.1.a. Applicant Maximum Set-Aside below). Applicants must meet all other eligibility criteria to be eligible for FMA Swift Current funds.

An applicant and their subapplicants develop and submit subapplications to FEMA during the applicant's eligibility period. At the end of the applicant's eligibility period, the applicant's maximum set-aside will expire. Subapplications will be reviewed and awarded on a rolling basis, so subapplicants are also encouraged to submit their subapplications as soon as possible to expedite obligation.

Any remaining unused funds by an applicant after the applicant's eligibility period ends will be returned to the FY 2024 FMA Swift Current available funds.

FEMA will distribute the available FY 2024 FMA Swift Current funding amount [Deleted Text Start] ~~and federal activity caps~~ [Deleted Text End] as follows until the total available funding amount is exhausted:

a. Applicant Maximum Set-Aside Variable up to \$40 million

- The applicant maximum set-aside may be used for:
 - Individual Flood Mitigation Projects that mitigate NFIP-insured structures that have been deemed Substantially Damaged after the applicant's disaster declaration incident period start date, and/or NFIP-insured structures that are NFIP-defined or FMA-defined SRL or RL structures.
 - Up to 1% of the applicant's maximum set-aside may be used for project scoping. Exception: U.S. territories and federally recognized tribes applying directly to FEMA for assistance may apply for up to 5% of the tribe or territory's maximum set-aside to use for project scoping. Project scoping awards will be considered part of the maximum set-aside for the applicant.
 - All associated management costs. See Section D.13 for additional information on management costs.
- The applicant maximum set-aside determination may be up to **\$40 million**. All maximum set-asides require the applicants to have a major disaster declaration for a flood-related event declared during the availability window between June 1, 2024, and May 31, 2025. FEMA will determine the maximum set-aside based on the following criteria:
 - If the applicant has at least \$1 million in NFIP flood insurance claims with payment in the twelve months prior to the disaster declaration date, the applicant receives a maximum set-aside **up to \$10 million**.
 - If the applicant has 500 or more NFIP flood insurance claims submitted, resulting from the declared flood-related disaster event, the applicant receives a maximum set-aside **up to \$10 million**.
 - If the applicant has at least \$5 million in NFIP flood insurance claims with payment in the twelve months prior to the disaster declaration date, the applicant receives a maximum set-aside **up to \$20 million**.
 - If the applicant has at least \$1 million in NFIP flood insurance claims with payment in the twelve months prior to the disaster declaration date **AND** has 500 or more NFIP flood insurance claims submitted, resulting from the declared flood-related disaster event, the applicant receives a maximum set-aside **up to \$20 million**.
 - If the applicant has at least \$5 million in NFIP flood insurance claims with payment in the twelve months prior to the disaster declaration date **AND** has 500 or more NFIP flood insurance claims submitted, resulting from the declared flood-related disaster event, the applicant receives a maximum set-aside **up to \$40 million**.

- If federally recognized tribes and U.S. territories do not meet the NFIP flood insurance claims-based maximum set-aside determination criteria above, then the tribal and territorial maximum set-aside is up to **\$5 million**.
 - The special consideration maximum set-aside is up to **\$5 million**. This is made available to applicants that submit a request for special consideration for FMA Swift Current to the FEMA Regional Administrator. The FEMA Regional Administrator will forward their recommendation to the FEMA Administrator for approval. (Refer to Section C.4, Other Eligibility Criteria for more information.)
- b. Applicants with an FY 2024 FMA Swift Current-activating event that receive additional flood related disaster declarations may be eligible for subsequent FY 2024 FMA Swift Current activations. An applicant who has accepted an FMA Swift Current activation during the NOFO Availability Window is eligible for subsequent FMA Swift Current activations if the applicant meets the following disaster declaration and claims-based criteria. ***Applicants may be eligible for multiple subsequent FMA Swift Current activations. ***

The applicant meets the subsequent FMA Swift Current activation criteria when:

1. The applicant receives a major disaster declaration for a flood-related disaster event between the immediate previous FMA Swift Current activation and the subsequent disaster declaration deadline of May 31, 2025. A flood-related disaster event includes coastal storms, hurricanes, remnants of hurricanes, and floods; and,
2. The applicant meets at least one of the three conditions:
 - a. The applicant has at least \$1 million in prior NFIP flood insurance claims from previous FMA Swift Current activation disaster declaration date to the subsequent disaster declaration date; OR
 - b. The applicant has 500 or more NFIP flood insurance claims resulting from the subsequent declared flood-related disaster event; OR
 - c. The applicant is a U.S. territory or a federally recognized tribal government applying directly to FEMA.

During the FMA Swift Current availability window, the applicant's eligibility period begins 60 days after the applicant both receives a subsequent major disaster declaration for a flood-related disaster event and meets the FMA Swift Current activation criteria above. Please note that there may be unique circumstances in which it may take more than 60 days to determine whether an applicant meets the FMA Swift Current activation criteria.

***Subsequent Activation Set-Aside and Application Period. The applicant maximum set-aside determination may be up to \$30 million. All maximum set-asides require the applicants to have a major disaster declaration for a flood-related event declared during the availability window between June 1, 2024, and May 31, 2025. FEMA will determine the maximum set-aside based on the following criteria:**

- i. **If the applicant has at least \$1 million in NFIP flood insurance claims with payment from the previous FMA Swift Current activation disaster declaration date to the subsequent disaster declaration date, the applicant receives a maximum set-aside up to \$10 million. The application submission deadline is 120 calendar days after the eligibility period start date.**
OR
- ii. **If the applicant has 500 or more NFIP flood insurance claims submitted resulting from the subsequent declared declaration date, the applicant receives a maximum set-aside up to \$10 million. The application submission deadline is 120 calendar days after the eligibility period start date.**
OR
- iii. **If the applicant has 2,500 or more NFIP flood insurance claims submitted resulting from the subsequent declared flood-related disaster event, the applicant receives a maximum set-aside up to \$30 million. The application submission deadline is 150 calendar days after the eligibility period start date.***

Exception: for U.S. territories and federally recognized tribal governments applying directly to FEMA for assistance and activated for subsequent FMA Swift Current offerings ***that do not meet the NFIP flood insurance claims-based subsequent activation maximum set-aside determination criteria above, then the tribal and territorial subsequent maximum activation set-aside is up to \$5 million, and*** the application submission deadline is 150 calendar days after the eligibility period start date.

~~[Deleted Text Start] For qualified subsequent FMA Swift Current activations, the application submission deadline is 120 calendar days after the eligibility period start date, and the applicant is eligible for a maximum set aside up to \$10 million. Exception: for U.S. territories and federally recognized tribal governments applying directly to FEMA for assistance and activated for subsequent FMA Swift Current offerings, the application submission deadline is 150 calendar days after the eligibility period start date. [Deleted Text End]~~

- c. FEMA shall make up to 10 percent of the available funding for Applicant Management Costs. For more information, see Section D, Management Costs.
- d. For more information on FY 2024 FMA Swift Current funding priorities and eligible activities, see Section E, Application Review Information, Review, and Selection Process.
- e. For more information about use of assistance under FMA Swift Current, including how to submit various project types in FEMA Grants Outcomes (FEMA GO), refer to [Resources for the Flood Mitigation Assistance Grant Program](#).

- f. At the close of the final application period, FEMA may consider eligible subapplications submitted that exceeded the maximum applicant set-aside. FEMA will prioritize subapplications based on one or more of the following factors:
- Properties damaged by the incident for which the major disaster was declared
 - Availability of funding
 - Program priorities and policy factors, such as Justice40

2. Projected Number of Awards: Variable

The number of projected awards is variable due to the unpredictable nature of flood-related major disaster declarations across the nation in any given year.

3. Period of Performance: 36 months

The Period of Performance (POP) is 36 months, starting on the date of the recipient's federal award. Any subsequent amendments to the federal award will not extend the POP unless explicitly stated.

Extensions to the POP are allowed. For additional information on period of performance extensions, please refer to Section H of this funding opportunity, Additional Information, Period of Performance Extensions.

FEMA awards under most programs, including this program, only include one budget period, so it will be the same as the period of performance. *See* 2 C.F.R. § 200.1 for definitions of "budget period" and "period of performance."

4. Projected Period of Performance Start Date(s): Will vary by award

5. Projected Period of Performance End Date(s): 36 months from date of award unless otherwise approved by FEMA

6. Projected Budget Period(s)

There will be only a single budget period with the same start and end dates as the period of performance.

7. Funding Instrument Type: Grant

C. Eligibility Information

1. Eligible Applicants

- a. States
- b. District of Columbia
- c. U.S. territories
- d. Federally recognized tribal governments

Each state, U.S. territory, the District of Columbia, and federally recognized tribal government shall designate one agency to serve as the applicant for FMA Swift Current funding. The designee is strongly encouraged to conduct outreach with disadvantaged communities as referenced in EO 14008 prior to and during the application process. Each applicant's designated agency may submit only one FMA grant application to FEMA at a time.

2. Applicant Eligibility Criteria

- a. The applicant meets the FMA Swift Current activation criteria when:
 1. The applicant receives a major disaster declaration for a flood-related disaster event between June 1, 2024, and the disaster declaration deadline of May 31, 2025. A flood-related disaster event includes coastal storms, hurricanes, remnants of hurricanes, and floods; and,
 2. The applicant meets at least one of the three conditions or the special consideration:
 - The applicant has at least \$1 million in prior NFIP flood insurance claims in the twelve months prior to the disaster declaration date; **OR**
 - The applicant has 500 or more NFIP flood insurance claims resulting from the declared flood-related disaster event; **OR**
 - The applicant is a U.S. territory or a federally recognized tribal government ⁹ applying directly to FEMA.
 - Special Consideration: If the applicant receives a major disaster declaration for a flood-related disaster event between June 1, 2024, and May 31, 2025, but does not meet any of the three additional conditions listed above, the applicant may submit a request to their FEMA Regional Administrator (RA) for special consideration for FMA Swift Current within 60 days of the declared disaster. The applicant may submit a request to their FEMA RA by contacting the Regional Office contact listed at [FEMA Regional Contacts](#). By submitting a request for special consideration for FMA Swift Current, the applicant certifies that any FMA Swift Current funding will align with the applicant's SRL, RL and SD plans and strategies. The FEMA Regional Administrator will review requests to confirm that the applicant and circumstance aligns with the Region's flood mitigation goals and will forward their recommendation to the FEMA Administrator for approval. If the request for special consideration for FMA Swift Current is approved, FEMA will provide a maximum set-aside of up to \$5 million.
- b. All applicants must be participating in the NFIP, and not be withdrawn, on probation, or suspended. NFIP community status can be verified at [Community Status Book](#).
- c. Structures eligible for Individual Flood Mitigation Projects must have an NFIP policy (including a Group Flood Insurance Policy (GFIP)) in effect prior to the opening of

⁹ If a federally recognized tribal government is applying as a subapplicant to the state, the state is considered the applicant and must meet at least one of the claims-related FMA Swift Current activation criteria. (I.e., the applicant has at least \$1 million in prior NFIP flood insurance claims from (in the twelve months prior to the disaster declaration date) or the applicant has 500 or more NFIP flood insurance claims in the declared flood-related disaster event).

the application period and the policy must be maintained throughout the life of the structure. The requirement of maintaining flood insurance shall apply during the life of the property, regardless of transfer of ownership of such property. If the subapplicant does not comply with this requirement, FEMA may take one or more actions as remedies for noncompliance, as appropriate. This could include disallowing all of the cost, part of the cost of the activity, or the action not in compliance. For additional details on NFIP requirements, see Title 44 of the Code of Federal Regulations (C.F.R.) § 77.6.

- d. Applicants are required to have a FEMA-approved State Hazard Mitigation Plan or Tribal Hazard Mitigation Plan in accordance with Title 44 of the (C.F.R.) Part 201 at the time of application and at the time of obligation of the award. More detailed information is provided in Part 4. Eligibility and Requirements, C. Hazard Mitigation Plan Requirements, of the [Hazard Mitigation Assistance Program and Policy Guide](#).
- e. To be considered for financial assistance, all applicants must submit their FY 2024 FMA Swift Current grant applications to FEMA via FEMA GO. Refer to Section D, Application and Submission Information of this funding opportunity.
- f. At the close of the final application period, FEMA may consider eligible subapplications submitted that exceeded the maximum applicant set-aside. FEMA will prioritize subapplications based on one or more of the following factors:
 - Availability of funding
 - Program priorities and policy factors, such as Justice40

3. Subawards and Beneficiaries

a. Subaward allowability

Communities, including local governments¹⁰, cities, townships, counties, special district governments, and tribal governments who choose to apply as subapplicants are considered subapplicants and must submit subapplications to their applicant agency. Federally recognized tribal governments who directly apply to FEMA for FMA Swift Current assistance will be considered applicants. Certain political subdivisions (for example, regional flood control districts or county governments) may apply and act as subapplicants if they are part of a community participating in the NFIP where the political subdivision provides zoning and building code enforcement or planning and community development professional services for that community. Subapplications under which two or more entities would carry out the award are eligible, such as a multi-state or multi-tribal initiative; however, only one entity may be the subapplicant with primary responsibility for carrying out the award. Contact information for the State Hazard Mitigation Officers) is provided on the FEMA website at [State Hazard Mitigation Officers](#).

¹⁰ The term “local government,” as used in this NOFO, has the same meaning as “Community,” as defined at 44 C.F.R. § 77.2(d).

b. Subrecipient Eligibility

All subapplicants must be participating in the NFIP, and not be withdrawn, on probation, or suspended. NFIP community status can be verified at [Community Status Book](#).

Subapplicants are required to have a FEMA-approved Local or Tribal Hazard Mitigation Plan in accordance with 44 C.F.R. Part 201 at the time of application and at the time of obligation of grant funds. Mitigation plan integration, while not required to be eligible for FMA, is encouraged. See section H.16 for additional information. Local hazard mitigation plans must conform to the Local Plan Review Guide, or any subsequent local mitigation planning guide that supersedes it.

c. Beneficiaries or Participants

This NOFO and any subsequent federal awards create no rights or causes of action for any participant or beneficiary.

Individuals, businesses, and nonprofit organizations are not eligible to apply for FMA Swift Current funds as an applicant or subapplicant; however, an eligible applicant or subapplicant may apply for funding on behalf of individuals, businesses, and nonprofit organizations.

4. Other Eligibility Criteria/Restrictions

- a. Properties included in Individual Flood Mitigation Project subapplications must be NFIP-insured properties that were deemed Substantially Damaged after the applicant's disaster declaration incident period start date, or NFIP-insured FMA and/or NFIP-defined SRL properties or RL properties.
- b. All activities under FMA Swift Current must be in conformance with all criteria established by FEMA that is specific to the proposed activity found in the [Hazard Mitigation Assistance Program and Policy Guide](#).
- c. All Individual Flood Mitigation Project subapplications submitted as part of an FMA Swift Current grant application must be consistent with the goals and objectives identified in the current, FEMA-approved State or Tribal (Standard or Enhanced) Mitigation Plan and the local mitigation plan for the jurisdiction in which the project is located. Hazard Mitigation Plans should reflect state-wide mitigation priorities across all potential federal and non-federal mitigation funding sources.
- d. On April 19, 2022, FEMA updated the [State and Local Mitigation Planning Policy Guides](#). On April 19, 2023, they went into effect. This means that all state and local mitigation plans must meet the updated requirements. For instance, it is required that state plans weigh equity and the impacts of climate change. FMA funding can be used for mitigation planning grants, with a focus on integrating equity, climate impacts, and floodplain management. For more information on funding and designing the mitigation planning process to integrate floodplain management planning and maximize Community Rating System Activity 510 points, refer to [Mitigation Planning and the Community Rating System: Key Topics Bulletin \(fema.gov\)](#), and

the Local Hazard Mitigation Plan and Community Rating System Crosswalk Starter Kit in the [Local Mitigation Planning Handbook \(fema.gov\)](https://www.fema.gov). For more information on requirements for approved mitigation plans, States should refer to the [State Mitigation Planning Policy Guide](#) (FP 302-094-2, April 19, 2022). Local governments should refer to the [Local Mitigation Planning Policy Guide](#) (FP-206-21-0002, April 19, 2022). Tribal governments should refer to the [Tribal Mitigation Plan Review Guide \(December 2017\)](#).

e. *Federal Flood Risk Management Standard (FFRMS)

- 1. For Swift Current activations with an eligibility period start date prior to the December 5, 2024, all structure elevation, mitigation reconstruction, and dry floodproofing projects; and all projects where HMA funds are used for new construction, substantial improvement, or to address substantial damage to structures,¹¹ must meet the minimum standards of FEMA’s partial implementation of the Federal Flood Risk Management Standard (FFRMS). See FEMA Policy #-206-21-003-0001, Partial Implementation of the Federal Flood Risk Management Standard for Hazard Mitigation Assistance Programs and the Hazard Mitigation Assistance Program and Policy Guide¹²**
- 2. For Swift Current activations with an eligibility period start date on or after December 5, 2024, all structure elevation, mitigation reconstruction, and dry floodproofing projects; and all projects where hazard mitigation funds are used for new construction, substantial improvement, or to address substantial damage to structures, must comply with the requirements of FEMA Policy 206-24-005: Federal Flood Risk Management Standard (FFRMS). See FEMA Policy: Federal Flood Risk Management.**

Upon Swift Current activation, FEMA will notify the eligible applicant of their FFRMS implementation requirement. *

If a state, local, tribal, or territorial government, or federal agency has adopted a higher standard applicable to the specific project, FEMA will require the higher standard.¹³

- f. See [EO 14030, Climate-Related Financial Risk](#), [Deleted Text Start] ~~FEMA Policy #-206-21-003-0001, Partial Implementation of the Federal Flood Risk Management Standard for Hazard Mitigation Assistance Programs~~, [Deleted Text End] and the [Hazard Mitigation Assistance Program and Policy Guide](#). Subapplicants can direct any questions about the proposed hazard mitigation project’s location in the floodplain to their local floodplain manager and/or State Hazard Mitigation Officers.

¹¹ Refer to [44 C.F.R. § 9.4](#) for the definitions of “[new construction](#)” and “[substantial improvement](#),” Refer to [44 C.F.R. § 59.1](#) for the definition of “[substantial damage](#).”

¹² Refer to the [Hazard Mitigation Assistance Program and Policy Guide, Part 4, I. Federal Flood Risk Management Standards – Partial](#).

¹³ Under 44 C.F.R. § 9.11(d)(6), no action may be taken if it is inconsistent with the criteria of the National Flood Insurance Program (44 C.F.R. part 59 et seq.) or any more restrictive Federal, State, or local floodplain management standards.

Contact information for the State Hazard Mitigation Officers is provided on the FEMA website at <http://www.fema.gov/state-hazard-mitigation-officers>.

- g. When eligible subapplications include an information technology or operational technology component as part of a larger project, FEMA will allow activities that enable greater community resilience through cybersecurity as eligible costs when those activities are performed in accordance with the cybersecurity performance goals for critical infrastructure and control systems directed by the National Security Presidential Memorandum on Improving Cybersecurity for Critical Infrastructure Control Systems, found at <https://www.cisa.gov/control-systems-goals-and-objectives>. Subapplicants should address cybersecurity in their planning, design, and project oversight for awards that include a technology nexus that may pose a cyber risk that would affect the reliability or operability of project.

FEMA encourages the use of environmentally friendly construction practices when completing FMA Swift Current mitigation projects.

- When subapplications include the use of concrete or asphalt products, FEMA encourages the inclusion of low embodied carbon concrete and environmentally preferable asphalt.
 - Subrecipients should ensure that federally funded infrastructure investments reduce life cycle emissions of construction materials, specifically concrete, asphalt, and steel.
 - Subrecipients should request disclosure of Environmental Product Declarations (EPD) to evaluate and incentivize acquisition of these lower carbon materials.
 - Subrecipients are encouraged to prioritize the use of American-made, lower-carbon construction materials as referenced in the [Federal Buy Clean Initiative](#).
- h. FEMA encourages the use of nature-based solutions in FMA Swift Current mitigation projects.
 - Subrecipients can refer to resources such as FEMA’s guide to [Building Community Resilience with Nature-Based Solutions](#) and the [Federal Nature-Based Solutions Resource Guide](#) to identify strategies for using nature-based solutions in ways that reduce future flood risk while simultaneously building resilience, reducing emissions, and delivering other co-benefits.
 - Nature-based solutions: are actions to protect, sustainably manage, or restore natural or modified ecosystems to address societal challenges, simultaneously providing benefits for people and the environment. Other terms for nature-based solutions include green infrastructure, natural and nature-based features, natural climate solutions, and natural infrastructure.
 - i. Subrecipients are encouraged to place publicly visible signage at sites where federal funding is being used for hazard mitigation projects, identifying the funding source of the project ([Office of Management and Budget’s February 24, 2023 Controller Alert, “CA-23-6, Enhancing Transparency Through Use of the Investing in America Emblem on Signs \(UPDATED\)”](#)). The cost of such signs is an eligible project cost. Subapplicants may request up to \$5,000 per project for such costs. Requests for signage costs must be identified as a line item in the subapplication cost estimate.

Project costs for signage are subject to the applicable cost-sharing requirements. The contents and other details of the signage must be in accordance with FEMA's signage guidance at <https://www.fema.gov/grants/policy-guidance/bipartisan-infrastructure-law>. Subrecipients that choose to include signage as a project cost must include in their grant reporting: the location of the signage on the project site to include the city, State, and project name; the number of signs on the project site; and a photograph of each sign with the date the photograph was taken. In the information that is reported relating to signage, subrecipients must not include any information that may be considered personally identifiable information.

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- ~~j. Awards made under this funding opportunity are funded, in whole or in part, by the Infrastructure Investment and Jobs Act, more commonly known as the Bipartisan Infrastructure Law (BIL). The BIL is a once-in-a-generation investment in infrastructure, which will grow a more sustainable, resilient, and equitable economy by enhancing U.S. competitiveness. The BIL appropriates billions of dollars to FEMA to promote resilient infrastructure, respond to the impacts of climate change, and equip our nation with the resources to combat its most pressing threats. To expand the availability of good, family-sustaining jobs with the free and fair opportunity for all to join a union, FEMA urges investment of these funds toward projects that are implemented and designed around [The Good Jobs Principles](#), a description of the elements of a Good Job that has informed the investment of billions of dollars through the Biden-Harris Administration's Invest in America Agenda.~~

[Deleted Text End]

- j. FEMA encourages the use of native vegetation when completing FMA Swift Current hazard mitigation projects. Trees and shrubs can provide lowland habitat, channel shading, soil and bank stabilization, and aesthetic benefits. The use of native vegetation is strongly encouraged to support creation or restoration of habitat and to maintain natural ecosystem conditions.

5. Cost Share or Match

Cost share is required for most subapplications funded under this program. FEMA may contribute the federal cost share funding if available, as follows:

a. Management Costs

The applicant's management cost is up to 10% of the aggregate of all total subapplication budgets. Management costs are inclusive of the maximum set-aside, not in addition to it. Refer to section D.13, Management Costs for more information on management cost share.

b. Individual Flood Mitigation Projects federal cost share options and definitions:

1. Up to 100% federal cost share funding for FMA-defined Severe Repetitive Loss (SRL) properties, which, as defined in 42 U.S.C. § 4104c(h)(3)(B)(i) or (B)(ii), is a structure that:
 - i. Is covered under a contract for flood insurance made available under the NFIP; **and**

- ii. Has incurred flood-related damage
 - 1. ((B)(i)) For which four or more separate claims payments (includes building and contents) have been made under flood insurance coverage with the amount of each such claim exceeding \$5,000, and with the cumulative amount of such claim payments exceeding \$20,000, **or**
 - 2. ((B)(ii)) For which at least two separate claims payments (includes only building) have been made under such coverage, with the cumulative amount of such claims exceeding the market value of the insured structure.
 - iii. To receive an increased federal cost share under these provisions, properties must meet the FMA SRL definition. Applicants and subapplicants that are requesting an increased federal cost share must submit documentation with their application or subapplication demonstrating that properties meet the definition.
2. Up to 90% federal cost share funding for FMA-defined Repetitive Loss (RL) properties, which, as defined in 42 U.S.C. § 4121(a)(7), is a structure covered by a contract for flood insurance made available under the NFIP that:
- i. Has incurred flood-related damage on two occasions, in which the cost of the repair, on the average, equaled or exceeded 25 percent of the market value of the structure at the time of each such flood event; **and**
 - ii. At the time of the second incidence of flood-related damage, the contract for flood insurance contains Increased Cost of Compliance (ICC) coverage.
 - iii. To receive an increased federal cost share under these provisions, properties must meet the FMA RL definition. Applicants and subapplicants that are requesting an increased federal cost share must submit documentation with their application or subapplication demonstrating that properties meet this definition.
3. Up to 90% federal cost share funding for each NFIP-insured property located within a census tract with a CDC SVI score that is not less than 0.5001, and for which the mitigation activity is funded by the Bipartisan Infrastructure Law (BIL). FEMA will determine the CDC SVI score using the following three SVI themes: Socioeconomic Status, Household Characteristics, and Housing Type and Transportation, **or**
4. Up to 75% federal cost share funding if a higher federal cost share is not available.

To note, the Individual Flood Mitigation Project's Repetitive Loss (RL) 90% federal cost share and the Severe Repetitive Loss (SRL) 100% federal cost share options are only eligible for those NFIP properties meeting FMA definitions under 42 U.S.C. § 4104c(h)(3) and 42 U.S.C. § 4121(a)(7). These federal cost shares are not available for NFIP-defined SRL and RL properties.

Generally, the cost share for this program is 75 percent federal cost share and 25 percent non-federal cost share. This means federal funding is available for up to 75 percent of eligible costs. The remaining 25 percent of eligible costs must be derived from non-federal sources. For example, if the total cost of the activity is \$400,000 and the non-federal cost share is 25 percent, then the non-federal contribution is \$100,000: 25 percent of \$400,000 is \$100,000. The non-federal contribution would be provided by the applicant or subapplicant. Likewise, the federal cost share of that activity would be \$300,000: 75 percent of \$400,000 is \$300,000. The federal contribution would be provided by FEMA. FEMA may consider the non-federal cost share based on availability of remaining federal funds, as noted in Section E, Application Review Information.

As a result of FMA funding made available under the IIJA, FEMA may contribute up to 90 percent federal cost share for qualifying FY 2024 funding priorities and criteria. FEMA will determine the CDC SVI score using the following three SVI themes: Socioeconomic Status, Household Characteristics, and Housing Type and Transportation. Applicants and Subapplicants can determine their activities and projects' CDC SVI score by calculating the three SVI themes' averages using information on the [CDC/ATSDR Social Vulnerability Index](#) webpage.

Structures with different federal cost-share requirements can be submitted in a single project subapplication. The overall project federal cost share documented in the Cost Share Section of the project subapplication should reflect the combined federal cost shares of the structures. For example, in an Individual Flood Mitigation Project subapplication, a project with \$100,000 costs for one Severe Repetitive Loss structure funded at 100 percent federal cost share plus \$100,000 costs for one Repetitive Loss structure funded at 90 percent federal cost share will have an overall project federal cost share of 95 percent, or \$190,000, of the \$200,000 total cost for both structures.

For insular areas (American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the U.S. Virgin Islands), FEMA automatically waives the non-federal cost share for the recipient when the non-federal cost share for the entire award is under \$200,000. If the non-federal cost share for the entire award is \$200,000 or greater, FEMA may waive all or part of the non-federal cost share at the request of the recipient. The recipient may request 100 percent cost-share in its application.

The non-federal cost share may consist of cash, donated or third-party in-kind services, materials, or any combination thereof. Cash and third-party in-kind matches must consist of eligible costs (i.e., same eligibility as the federal share). Applicants cannot apply other federal award funds toward the non-federal cost share unless the

other federal statutory authority allows the funds to be used to meet cost-share requirements. For example, FEMA’s Safeguarding Tomorrow through Ongoing Risk Management Revolving Loan Fund (Safeguarding Tomorrow RLF) Program loans may be eligible for non-federal cost share funding. For more information, visit the [Safeguarding Tomorrow RLF](#) webpage. In addition, in certain situations U.S. Department of Housing and Urban Development Community Development Block Grant Disaster Recovery (CDBG-DR) program funds, U.S. Small Business Administration Disaster Loans, United States Department of Agriculture Rural Development Single Family Direct Home Loans or Single-Family Repair Loans, the Department of Defense’s Readiness and Environmental Protection Integration (REPI) program, and others may be used towards the non-federal match. Additionally, certain American Rescue Plan funds may be used as non-federal cost share as determined by the Department of Treasury.¹⁴ Refer to the [Hazard Mitigation Assistance Cost Share Guide](#) for more information. FEMA encourages innovative use of public and private-sector partnerships to meet the non-federal cost share.

FMA Swift Current funding cannot be used as matching funds for another federal grant. Additionally, third-party in-kind matches used to meet the matching requirement may not be used to meet matching requirements for any other federal grant program.

Ultimately, the recipient is responsible for ensuring that it contributes the proper cost share to its actual project costs. If actual total project costs exceed the projected total project costs stated in the federal award, the recipient will not receive any additional federal funding and will be responsible for contributing additional funds above the required cost match. If actual total project costs are less than the projected total project costs stated in the federal award, the recipient will be responsible for contributing a cost match calculated as a percentage of those actual project costs.

More detailed information is provided in Part 4. Eligibility and Requirements, Section L: Cost Share of the [Hazard Mitigation Assistance Program and Policy Guide](#).

D. Application and Submission Information

1. Key Dates and Times

- | | |
|--|-------------------------|
| <i>a. Availability Window Start Date:</i> | <i>6/1/2024</i> |
| <i>b. Availability Window End Date:</i> | <i>1/15/2026</i> |
| <i>c. Disaster Declaration Deadline:</i> | <i>5/31/2025</i> |

FEMA will solicit applications for the FY 2024 FMA Swift Current program from June 1, 2024, until January 15, 2026, based on applicants who have received a flood-related major

¹⁴ Treasury funds are available through the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program. According to U.S. Department of Treasury, the SLFRF program funds available under the “revenue loss” eligible use category (sections 602(c)(1)(C) and 603(c)(1)(C) of the Social Security Act) generally may be used to meet the non-federal cost-share or matching requirements of other federal programs. See Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule at <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf>.

disaster declaration between June 1, 2024, and May 31, 2025, and meet certain requirements. This is called the FMA Swift Current availability window and is different from the application submission deadline.

Each applicant's individual application submission deadline is determined by the date of the major disaster declaration for the flood-related event. See D.1.d. Eligibility Period Start Date below.

d. Eligibility Period Start Date

Varies by applicant

The applicant eligibility period start date varies by applicant. The applicant's eligibility period starts 60 days after the applicant both receives a major disaster declaration for a flood-related event and meets the claims-related eligibility criterion. The applicant's eligibility period end date is the application submission deadline.

e. Application Submission Deadline:

***Varies by applicant;
03:00:00 PM ET***

Upon FMA Swift Current activation, the eligibility period start date and application submission deadline date will be provided to the applicant.

I. APPLICATION SUBMISSION DEADLINE (GENERAL)

The application submission deadline varies by applicant. Typically, the applicant's application submission deadline is 120 calendar days after the eligibility period start date.

II. APPLICATION SUBMISSION DEADLINE (EXCEPTION)

The application submission deadline varies by applicant. If the applicant has more than \$1 million prior flood insurance claims in the previous year and the declared disaster results in 500 or more flood insurance claims for the applicant, the applicant's application submission deadline is 150 calendar days after the eligibility period start date. If the applicant is a U.S. territory or federally recognized tribal government applying directly to FEMA for assistance, the applicant's application submission deadline is 150 calendar days after the eligibility period start date.

Applications will be reviewed for eligibility on a rolling timeline as they are submitted to FEMA. After the application submission deadline, the applicant's maximum set-aside will expire. Any remaining funds will be available to future eligible applicants. For more information see Section E.2, Application Review Information, Review, and Selection Process.

All applications **must** be received by the established deadline. Please note that FEMA deadlines listed in this NOFO refer to application deadlines for the applicants. Subapplicants should consult with their applicant agency to confirm subapplication deadlines to the applicant if applicable.

FEMA's Grants Outcomes System (FEMA GO) automatically records proof of timely submission and the system generates an electronic date/time stamp when FEMA GO successfully receives the application. The individual with the Authorized Organization

Representative role that submitted the application will also receive the official date/time stamp and a FEMA GO tracking number in an email serving as proof of their timely submission. For additional information on how an applicant will be notified of application receipt, see the subsection titled “Timely Receipt Requirements and Proof of Timely Submission” in Section D of this NOFO.

FEMA will not review applications that are received after the deadline or consider these late applications for funding. FEMA may, however, extend the application deadline on request for any applicant who can demonstrate that good cause exists to justify extending the deadline. Good cause for an extension may include technical problems outside of the applicant’s control that prevent submission of the application by the deadline, other exigent or emergency circumstances, or statutory requirements for FEMA to make an award.

Applicants experiencing technical problems outside of their control must notify FEMA as soon as possible and before the application deadline. Failure to timely notify FEMA of the issue that prevented the timely filing of the application may preclude consideration of the award. “Timely notification” of FEMA means: prior to the application deadline and within 48 hours after the applicant became aware of the issue.

A list of FEMA contacts can be found in Section G of this NOFO, “DHS Awarding Agency Contact Information.” For technical assistance with the FEMA GO system, please contact the FEMA GO Helpdesk at femago@fema.dhs.gov or (877) 585-3242, Monday through Friday, 9:00 AM – 6:00 PM Eastern Time (ET). For programmatic or grants management questions, please contact your Program Analyst or Grants Management Specialist. If applicants do not know who to contact or if there are programmatic questions or concerns, please contact fema-grants-news@fema.dhs.gov OR by phone at (800) 368-6498, Monday through Friday, 9:00 AM – 5:00 PM ET.

f. Other Key Dates

Event	Suggested Deadline for Completion
Obtaining Unique Entity Identifier (UEI) number	Four weeks before actual submission deadline
Obtaining a valid Employer Identification Number (EIN)	Four weeks before actual submission deadline
Creating an account with login.gov	Four weeks before actual submission deadline
Registering in SAM or updating SAM registration	Four weeks before actual submission deadline
Registering Organization in FEMA GO	Prior to beginning application
Submitting complete application in FEMA GO	One week before actual submission deadline

2. Agreeing to Terms and Conditions of the Award

By submitting an application, applicants agree to comply with the requirements of this NOFO and the terms and conditions of the award, should they receive an award.

3. Address to Request Application Package

Applications are processed through the FEMA GO system. To access the system, go to <https://go.fema.gov/>.

Hard copies of the NOFO can be downloaded at [Grants.gov](https://grants.gov/) or obtained via email from the Awarding Office points of contact listed in Section G of this NOFO, “DHS Awarding Agency Contact Information” or by TTY (800) 462-7585.

4. Requirements: Obtain a Unique Entity Identifier (UEI) and Register in the System for Award Management ([SAM.gov](https://sam.gov/))

Each applicant, unless they have a valid exception under 2 CFR §25.110, must:

- a. Be registered in Sam.Gov before application submission.
- b. Provide a valid UEI in its application.
- c. Continue to always maintain an active SAM registration with current information during the federal award process. Note: Per 2 C.F.R. § 25.300, subrecipients are NOT required to go through the full SAM registration process. First-tier subrecipients (meaning entities receiving funds directly from the recipient) are only required to obtain a UEI through SAM, but they are not required to complete the full SAM registration in order to obtain a UEI. Recipients may not make subawards unless the subrecipient has obtained and provided the UEI.

Lower-tier subrecipients (meaning entities receiving funds passed through by a higher-tier subrecipient) are not required to have a UEI and are not required to register in SAM.

Applicants are also not permitted to require subrecipients to complete a full registration in SAM beyond obtaining the UEI.

5. Steps Required to Obtain a Unique Entity Identifier, Register in the System for Award Management (SAM), and Submit an Application

Applying for an award under this program is a multi-step process and requires time to complete. Applicants are encouraged to register early as the registration process can take four weeks or more to complete. Therefore, registration should be done in sufficient time to ensure it does not impact your ability to meet required submission deadlines.

Please review the table above for estimated deadlines to complete each of the steps listed. Failure of an applicant to comply with any of the required steps before the deadline for submitting an application may disqualify that application from funding.

To apply for an award under this program, all applicants must:

- a. Apply for, update, or verify their UEI number from SAM.gov and Employer Identification Number (EIN) from the Internal Revenue Service;
- b. In the application, provide an UEI number;
- c. Have an account with login.gov;
- d. Register for, update, or verify their SAM account and ensure the account is active before submitting the application;
- e. Register in FEMA GO, add the organization to the system, and establish the Authorized Organization Representative (AOR). The organization’s electronic

business point of contact (EBiz POC) from the SAM registration may need to be involved in this step. For step-by-step instructions, see

<https://www.fema.gov/grants/guidance-tools/fema-go/startup>

- f. Submit the complete application in FEMA GO; and
- g. Continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a federal awarding agency. As part of this, applicants must also provide information on an applicant's immediate and highest-level owner and subsidiaries, as well as on all predecessors that have been awarded federal contracts or federal financial assistance within the last three years, if applicable.

Applicants are advised that FEMA may not make a federal award until the applicant has complied with all applicable SAM requirements. Therefore, an applicant's SAM registration must be active not only at the time of application, but also during the application review period and when FEMA is ready to make a federal award. Further, as noted above, an applicant's or recipient's SAM registration must remain active for the duration of an active federal award. If an applicant's SAM registration is expired at the time of application, expires during application review, or expires any other time before award, FEMA may determine that the applicant is not qualified to receive a federal award and use that determination as a basis for making a federal award to another applicant.

Per 2 C.F.R. § 25.110~~(e)(2)(iii)~~, if an applicant is experiencing exigent circumstances that prevents it from obtaining a UEI number and completing SAM registration prior to receiving a federal award, the applicant must notify FEMA as soon as possible by contacting fema-grants-news@fema.dhs.gov and providing the details of the circumstances that prevent completion of these requirements. If FEMA determines that there are exigent circumstances and FEMA has decided to make an award, the applicant will be required to obtain a UEI number, if applicable, and complete SAM registration within 30 days of the federal award date.

6. Electronic Delivery

DHS is participating in the Grants.gov initiative to provide the grant community with a single site to find and apply for grant funding opportunities. DHS encourages or requires applicants to submit their applications online through Grants.gov, depending on the funding opportunity.

For this funding opportunity, FEMA requires applicants to submit applications through FEMA GO.

7. How to Register to Apply

a. General Instructions:

Registering and applying for an award under this program is a multi-step process and requires time to complete. Read the instructions below about registering to apply for FEMA funds. Applicants should read the registration instructions carefully and prepare the information requested before beginning the registration process. Reviewing and assembling the required information before beginning the registration process will alleviate last-minute searches for required information.

The registration process can take up to four weeks to complete. To ensure an application meets the deadline, applicants are advised to start the required steps well in advance of their submission.

Organizations must have an UEI number, an EIN, an active SAM registration and Grants.gov account to apply for a federal award under this funding opportunity.

b. Obtain an UEI Number:

All entities applying for funding, including renewal funding, must have a UEI number. Applicants must enter the UEI number in the applicable data entry field on the SF-424 form. For more detailed instructions for obtaining a UEI number, refer to: [SAM.gov](https://sam.gov).

c. Obtain Employer Identification Number

All entities applying for funding must provide an Employer Identification Number (EIN). The EIN can be obtained from the IRS by visiting: <https://www.irs.gov/businesses/small-businesses-self-employed/apply-for-an-employer-identification-number-ein-online>.

d. Create a login.gov account:

Applicants must have a login.gov account in order to register with SAM or update their SAM registration. Applicants can create a login.gov account here: https://secure.login.gov/sign_up/enter_email?request_id=34f19fa8-14a2-438c-8323-a62b99571fd3.

Applicants only have to create a login.gov account once. For applicants that are existing SAM users, use the same email address for the login.gov account as with SAM.gov so that the two accounts can be linked.

For more information on the login.gov requirements for SAM registration, refer to: <https://www.sam.gov/SAM/pages/public/loginFAQ.jsf>.

e. Register with SAM:

All applicants applying online through FEMA GO must register with SAM. Failure to register with SAM will prevent an applicant from completing the application in Grants.gov. SAM registration must be renewed annually. Organizations will be issued a UEI number with the completed SAM registration.

For more detailed instructions for registering with SAM, refer to <https://apply07.grants.gov/help/html/help/Register/RegisterWithSAM.htm>

Note: Per 2 C.F.R. § 25.200, applicants must also provide the applicant's immediate and highest-level owner, subsidiaries, and predecessors that have been awarded federal contracts or federal financial assistance within the last three years, if applicable.

I. ADDITIONAL SAM REMINDERS

Existing SAM.gov account holders should check their account to make sure it is “ACTIVE.” SAM registration should be completed at the very beginning of the application period and should be renewed annually to avoid being “INACTIVE.”

Please allow plenty of time before the grant application submission deadline to obtain a UEI number and then to register in SAM. It may be four weeks or more after an applicant submits the SAM registration before the registration is active in SAM, and then it may be an additional 24 hours before FEMA’s system recognizes the information.

It is imperative that the information applicants provide is correct and current. Please ensure that your organization’s name, address, and EIN are up to date in SAM and that the UEI number used in SAM is the same one used to apply for all other FEMA awards. Payment under any FEMA award is contingent on the recipient’s having a current SAM registration.

II. HELP WITH SAM

The SAM quick start guide for new recipient registration and SAM video tutorial for new applicants are tools created by the General Services Administration (GSA) to assist those registering with SAM. If applicants have questions or concerns about a SAM registration, please contact the Federal Support Desk at <https://www.fsd.gov/fsd-gov/home.do> or call toll free (866) 606-8220.

f. Register in FEMA GO, Add the Organization to the System, and Establish the AOR:

Applicants must register in FEMA GO and add their organization to the system. The organization’s electronic business point of contact (EBiz POC) from the SAM registration may need to be involved in this step. For step-by-step instructions, see <https://www.fema.gov/grants/guidance-tools/fema-go/startup>.

Note: FEMA GO will support only the most recent major release of the following browsers:

- Google Chrome
- Internet Explorer
- Mozilla Firefox
- Apple Safari
- Microsoft Edge

Users who attempt to use tablet type devices or other browsers may encounter issues with using FEMA GO.

8. Submitting the Application

Applicants will be prompted to submit the standard application information and any program-specific information required as described in Section D.10 of this NOFO, “Content and Form of Application Submission.” The Standard Forms (SF) may be accessed in the Forms tab under the <https://grants.gov/forms/forms-repository/sf-424-family>. Applicants should review these forms before applying to ensure they have all the information required.

Applicants must review and approve subapplications submitted by their subapplicants. Applicants must ensure that accurate NFIP policy numbers and RL numbers are included in the Properties section of project subapplications to be considered for competitive property flood mitigation project funding. For structures that are deemed Substantially Damaged after the first date of the applicant's disaster declaration incident period date, applicants must include a certification that the structures meet these conditions.

After submitting the final application, FEMA GO will provide either an error message or a successfully received transmission in the form of an email sent to the AOR that submitted the application. Applicants using slow internet connections, such as dial-up connections, should be aware that transmission can take some time before FEMA GO receives your application.

For additional application submission requirements, including program-specific requirements, please refer to the subsection titled "Content and Form of Application Submission" under Section D of this NOFO.

9. Timely Receipt Requirements and Proof of Timely Submission

All applications must be completed in FEMA GO by the application deadline. FEMA GO automatically records proof of timely submission and the system generates an electronic date/time stamp when FEMA GO successfully receives the application. The individual with the AOR role that submitted the application will also receive the official date/time stamp and a FEMA GO tracking number in an email serving as proof of their timely submission on the date and time that FEMA GO received the application.

Applicants who experience system-related issues will be addressed until 3:00 PM ET, 48 hours before their application submission deadline. No new system-related issues will be addressed after this deadline. Applications not received by the application submission deadline will not be accepted.

10. Content and Form of Application Submission

a. Standard Required Application Forms and Information

The following forms or information are required to be submitted via FEMA GO. The Standard Forms (SF) are also available at <https://grants.gov/forms/forms-repository/sf-424-family>.

- **SF-424, Application for Federal Assistance**
- **Grants.gov Lobbying Form, Certification Regarding Lobbying**
- **SF-424A, Budget Information (Non-Construction)**
 - **For construction under an award, submit SF-424C, Budget Information (Construction), in addition to or instead of SF-424A**
- **SF-424B, Standard Assurances (Non-Construction)**
 - **For construction under an award, submit SF-424D, Standard Assurances (Construction), in addition to or instead of SF-424B**
- **SF-LLL, Disclosure of Lobbying Activities**

Generally, applicants have to submit either the non-construction forms (i.e., SF-424A and SF-424B) or construction forms (i.e., SF-424C and SF-424D), meaning that

applicants that only have construction work and do not have any non-construction work need only submit the construction forms (i.e., SF-424C and SF-424D) and not the non-construction forms (i.e., SF-424A and SF-424B), and vice versa. However, applicants who have both construction and non-construction work under this program need to submit both the construction and non-construction forms.

b. Program-Specific Required Forms and Information

The following program-specific forms or information are required to be submitted in FEMA GO:

Applicants may require their subapplicants to complete and attach the grant application and/or Assurance and Certifications forms to their Individual Flood Mitigation Project subapplications in FEMA GO.

Subapplicants should contact their applicant agency for information specific to their state/territory/federally recognized tribal government's application process. Contact information for the State Hazard Mitigation Officers is provided on the FEMA website at <https://www.fema.gov/state-hazard-mitigation-officers>.

All applicants must submit an FMA grant application via FEMA GO by the application deadline to be considered for funding. The required format for applications and subapplications is built into FEMA GO:

- FMA applications including Individual Flood Mitigation Project and Management Costs subapplications must be submitted in an FY 2024 FMA Swift Current application.
 - Individual Flood Mitigation Project must be submitted in a “**project**” subapplication type.
- Applicant Management Costs must be submitted in a “management costs” subapplication type. For additional information, please refer to Section D.13, Management Costs.
- Project Scoping activities must be submitted in a project scoping application type.

11. Other Submission Requirements

a. National Environmental Policy Act Requirement for Hazard Mitigation Projects

Applicants and subapplicants applying for hazard mitigation projects must provide information needed to comply with the National Environmental Policy Act (NEPA) (42 U.S.C. §§ 4321–4370h), the Council on Environment Quality's implementing regulations at 40 C.F.R. parts 1500-1508, and the related DHS and FEMA instructions and directives (i.e., DHS Directive 023-01,¹⁵ DHS Instruction Manual 023-01-001-01,¹⁶ FEMA Directive 108-1,¹⁷ and FEMA Instruction 108-1-1,¹⁸ which

¹⁵ DHS Directive 023-01 is titled Implementation of the National Environmental Policy Act.

¹⁶ DHS Instruction Manual 023-01-001-01 is titled Implementation of the National Environmental Policy Act (NEPA).

¹⁷ FEMA Directive 108-1 is titled Environmental Planning and Historic Preservation Responsibilities and Program Requirements.

¹⁸ FEMA Instruction 108-1-1 is titled Instruction on Implementation of the Environmental Planning and Historic Preservation Responsibilities and Program Requirements.

can be accessed at <https://www.fema.gov/emergency-managers/practitioners/environmental-historic/laws/ehp-directive-instruction>). The required information is included in the subapplication in FEMA GO. Environmental Planning and Historic Preservation (EHP) Job Aids and Supplements are available on the [Hazard Mitigation Assistance Job Aids](#) and [Environmental & Historic Preservation Guidance for FEMA Grant Applications](#) webpages.

b. *Benefit-Cost Analysis (BCA) for Hazard Mitigation Projects*

Applicants and subapplicants applying for Individual Flood Mitigation Projects must provide a BCA or other documentation that validates cost-effectiveness, with some exceptions.¹⁹ Federally recognized tribes and applicants located within a Community Disaster Resilience Zone with otherwise eligible projects do not have to submit BCA or a cost effectiveness narrative at the time of application. FEMA will use publicly available information or request information to conduct a BCA for the proposed project. Additionally, Project Scoping, under 42 U.S.C. 4104c(c)(3)(G)), and management costs subapplications do not require a BCA.

Further details on hazard mitigation project cost-effectiveness can be found in the [HMA Guide, Part 5. Cost-Effectiveness](#) or the [Benefit-Cost Analysis webpage](#).

c. *Acquisition Project Requirements*

The subrecipient must provide FEMA with a signed copy of the Statement of Voluntary Participation for each property post- award. The Statement of Voluntary Participation formally documents the Notice of Voluntary Interest and information related to the purchase offer. The Statement of Voluntary Participation is available on the FEMA website at https://www.fema.gov/sites/default/files/documents/fema_form-ff-206-fy-21-124.pdf.

Subrecipients must apply deed-restriction language to all acquired properties to ensure that the property is maintained in perpetuity as open space consistent with the conservation of natural floodplain functions, as agreed to by accepting FEMA mitigation award funding. Deed-restriction language is applied to acquired properties by recording the open space and deed restrictions. The FEMA Model Deed Restriction is available at https://www.fema.gov/sites/default/files/2020-08/fema_model-deed-restriction.pdf. Subrecipients, as well as recipients and FEMA are responsible for enforcing compliance with open space restrictions pursuant to 44 CFR Part 80 requirements.

12. Intergovernmental Review

An intergovernmental review may be required. Applicants must contact their state's Single Point of Contact (SPOC) to comply with the state's process under Executive Order 12372 (See <https://www.archives.gov/federal-register/codification/executive-order/12372.html>; [Intergovernmental Review \(SPOC List\)](#) ([whitehouse.gov](https://www.whitehouse.gov)).

¹⁹ <https://www.whitehouse.gov/omb/briefing-room/2023/08/01/accounting-for-ecosystem-services-in-benefit-cost-analysis/>

13. Funding Restrictions and Allowable Costs

All costs charged to federal awards (including both federal funding and any non-federal matching or cost sharing funds) must comply with applicable statutes, rules and regulations, and policies, this NOFO, and the terms and conditions of the federal award. They must also comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements at 2 C.F.R. Part 200, unless otherwise indicated in the NOFO, or the terms and conditions of the federal award. This includes, among other requirements, that costs must be incurred, and products and services must be delivered within the budget period. *See* 2 C.F.R. § 200.403(h). The following identifies a list of activities for which a recipient may not use federal funds and any cost sharing or matching funds under federal awards:

- Matching or cost sharing requirements for other federal grants and cooperative agreements (see 2 C.F.R. § 200.306)
- Lobbying or other prohibited activities under 18 U.S.C. § 1913 or 2 C.F.R. § 200.450
- Prosecuting claims against the federal government or any other government entity (see 2 C.F.R. § 200.435) See subsections below for information on any other funding restrictions.

In general, the Cost Principles establish standards for the allowability of costs, provide detailed guidance on the cost accounting treatment of costs as direct or administrative costs, and set forth allowability principles for selected items of cost. More specifically, except as otherwise stated in this NOFO, the terms and condition of an award, or other program materials, costs charged to awards covered by this NOFO must be consistent with the Cost Principles for Federal Awards located at 2 C.F.R. Part 200, Subpart E. In order to be allowable, all costs charged to a FEMA award or applied to the cost share must be reasonable in nature and amount and allocable to the particular FEMA award.

Additionally, all costs charged to awards must comply with the grant program's applicable statutes, policies, requirements in this NOFO as well as with the terms and conditions of the award. If FEMA staff identify costs that are inconsistent with any of these requirements, these costs may be disallowed, and FEMA may recover funds as appropriate, consistent with applicable laws, regulations, and policies.

As part of those requirements, grant recipients and subrecipients may only use federal funds or funds applied to a cost share for the purposes set forth in this NOFO and the terms and conditions of the award, and those costs must be consistent with the statutory authority for the award.

Grant funds may not be used for matching funds for other federal grants/cooperative agreements, lobbying, or intervention in federal regulatory or adjudicatory proceedings. In addition, federal funds may not be used to sue the federal government or any other government entity.

Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high-cost items, and those subject to rapid technical advances. Large equipment purchases must be identified and explained. For more information regarding property management standards for equipment and federal procurement requirements, please reference [2 C.F.R. Part 200](#).

More detailed information is available in the [Hazard Mitigation Assistance Program and Policy Guide](#).

a. Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services

Recipients, subrecipients, and their contractors must comply with the prohibitions set forth in Section 889 of the [John S. McCain National Defense Authorization Act](#) for Fiscal Year 2019, Pub. L. No. 115-232 (2018) and 2 C.F.R. §§ 200.216, 200.327, 200.471, and Appendix II to 2 C.F.R. Part 200. The FY 2019 NDAA and these regulations, as they apply to recipients, subrecipients, and their contractors and subcontractors provide for two distinct prohibitions: (1) prevent the use of federal award funds to procure or obtain covered telecommunications equipment or services; and (2) prevent the use of federal award funds to contract with an entity that uses such covered telecommunications equipment or services. Guidance is available at [FEMA Policy #405-143-1 - Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services](#).

Additional guidance is available at [Contract Provisions Guide: Navigating Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards \(fema.gov\)](#).

FEMA recipients and subrecipients **may not** use any FEMA funds under open or new awards to:

- Procure or obtain any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology of any system;
- Enter into, extend, or renew a contract to procure or obtain any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology of any system; or
- Enter into, extend, or renew contracts with entities that use covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

I. DEFINITIONS

Per section 889(f)(2)-(3) of the FY 2019 NDAA and 2 C.F.R. § 200.216, covered telecommunications equipment or services means:

- i. Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation, (or any subsidiary or affiliate of such entities);
- ii. For the purpose of public safety, security of Government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities);

- iii. Telecommunications or video surveillance services provided by such entities or using such equipment; or
- iv. Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the People's Republic of China.

Examples of the types of products covered by this prohibition include phones, internet, video surveillance, and cloud servers when produced, provided, or used by the entities listed in the definition of “covered telecommunications equipment or services.” See 2 C.F.R. § 200.471.

b. Pre-Award Costs

Pre-award costs directly related to developing the FMA grant application or subapplication that are incurred prior to the date of the grant award are allowed subject to FEMA approval at time of award. Such costs may have been incurred prior to application submission, for example gathering data to be used for preparing environmental reviews required by NEPA or developing a BCA (see Section D, Application and Submission Information), preparing design specifications, or conducting workshops or meetings related to development and submission of subapplications. To be eligible for FMA funding, pre-award costs must be identified in the individual line item in the cost estimate of the subapplication.

Pre-award costs may be cost shared or applicants and subapplicants may identify them as their non-federal cost share (see Section C, Eligibility Information, Cost Share or Match).

Costs associated with implementation of proposed projects in the submitted grant application or subapplication that are incurred prior to the date of the grant award are not allowed. Activities initiated or completed prior to the date of the grant award are generally not eligible.

- However, per the Hazard Eligibility and Local Projects (HELP) Act, FEMA may provide assistance for certain acquisition and demolition projects when implementation started after January 3*5*, 2023. In order to be eligible, the project must also: (1) qualify for a categorical exclusion under NEPA; (2) be compliant with applicable floodplain management and protection of wet land regulations and criteria; and (3) not require consultation under any other environmental or historic preservation law or regulation or involve any extraordinary circumstances. An entity seeking assistance under the HELP Act must comply with all other applicable HMA and federal requirements ([Pub. L. No. 117-332](#)).

If any pre-award activities related to developing an FMA Swift Current grant application or subapplication result in ground disturbance, the applicant or

subapplicant must comply with all applicable federal, state, and local laws and regulations, and obtain any applicable environmental permits and clearances. The applicant or subapplicant must ensure monitoring of ground disturbance, and if any potential archaeological resources are discovered, work will immediately cease, and the appropriate state authority will be notified.

- c. *Applicants and subapplicants who are not selected for awards or subawards, or do not meet the requirements of the HELP Act (if seeking reimbursement under HELP Act), will not receive reimbursement for the corresponding pre-award costs. Indirect [Deleted Text Start] ~~Facilities & Administrative (F&A)~~ [Deleted Text End] Costs***

Indirect costs of administering the FMA program are eligible as part of the 10 percent management costs for the recipient or the 5 percent management costs of the subrecipient, but in no case do they make the recipient eligible for additional management costs that exceed the statutory caps. In addition, all costs must be in accordance with the provisions of 2 C.F.R. parts 200 and 3002.

Indirect costs are allowable under this program as described in 2 C.F.R. Part 200, including 2 C.F.R. § 200.414. Applicants with a current negotiated indirect cost rate agreement that desire to charge indirect costs to an award must provide a copy of their negotiated indirect cost rate agreement at the time of application. Not all applicants are required to have a current negotiated indirect cost rate agreement. Applicants that are not required by 2 C.F.R. Part 200 to have a negotiated indirect cost rate agreement but are required by 2 C.F.R. Part 200 to develop an indirect cost rate proposal must provide a copy of their proposal at the time of application. Applicants who do not have a current negotiated indirect cost rate agreement (including a provisional rate) and wish to charge the de minimis rate must reach out to the Grants Management Specialist for further instructions. Applicants who wish to use a cost allocation plan in lieu of an indirect cost rate must also reach out to the Grants Management Specialist for further instructions.

Subapplicants are not required to submit negotiated indirect cost rate agreements or proposals directly to FEMA, but they may need to submit them to the applicable applicants per 2 C.F.R. § 200.332.

d. *Management Costs*

Applicants and subapplicants are eligible to request up to 10% and 5%, respectively, of the total costs (federal and non-federal shares) for management costs. Once management cost amount has been calculated, the applicant and subapplicant must determine the federal and non-federal cost shares of that management cost. Applicants will submit a single subapplication for management cost, and subapplicants will submit management cost request as a line item within their subapplication.

The subapplicant may request up to 5% of the total project costs for management costs. For example, a subapplicant submits a subapplication with total project cost of \$500,000. The management cost could be up to \$25,000 (\$500,000 multiplied by 5%,

which is equal to \$25,000). The subapplicant's federal cost share of management cost is the same as the federal cost share of the total project cost. Subapplicant management cost activities must be added to the Scope of Work section and identified in the Cost Estimate section of subapplications.

Applicants may request up to 10% of the total costs (federal and non-federal shares) for management costs. The applicant's federal cost share of management cost is based on the overall federal cost share to total cost share ratio of all subapplications submitted. Applicant requests for management costs must be submitted in a separate management costs subapplication.

Applicant Management Cost and Cost Share Example: An applicant has received multiple subapplications with total project costs of \$1,000,000. The applicant requests the maximum allowed 10% of the total project costs as the requested total management costs, \$1,000,000 multiplied by 10%, which is equal to \$100,000.

Management costs will be subject to a federal and non-federal cost match. To calculate the federal cost share match, the applicant calculates the total federal cost share for all subapplications and divides it by the total project cost. In this example, the total federal cost share match for the project is \$930,000 of the \$1,000,000 total project costs, which is a 93% aggregate federal cost share. The total non-federal cost share match in the example is the remaining 7% aggregate, or \$70,000.

The applicant would then calculate the management cost federal and non-federal cost shares. The management cost federal cost share is calculated as the requested management costs of \$100,000 multiplied by 93%. Therefore, the management cost non-federal cost share is 7% multiplied by the total requested management costs of \$100,000, which equals **\$7,000**.

Applicant Total Project Cost	Applicant Requested Management Cost Subapplication (Total Cost)	Aggregate Federal Cost Share for all Subapplications (%)	Aggregate Non-federal Cost Share for all Subapplications (%)	Eligible Applicant MC Federal Cost Share (\$)	Eligible Applicant MC Non-Federal Cost Share (\$)
\$1,000,000	\$100,000	93%	7%	\$93,000	\$7,000
Subapplication 1: Total Project Cost \$310,000 + Subapplication 2: Total Project Cost \$230,000 + Subapplication 3: Total Project Cost \$460,000 = Total cost equal = \$1,000,000	Calculation: $10\% \times \$1,000,000$ = \$100,000	Subapplication 1: Federal share \$300,000 + Subapplication 2: Federal share \$210,000 + Subapplication 3: Federal Share \$420,000 = Total federal cost \$930,000 / \$1,000,000 of total project costs Calculation: $(\$930,000 / \$1,000,000)$ = 93%	Subapplication 1: Non-federal share \$10,000 + Subapplication 2: Non-federal share \$20,000 + Subapplication 2: Non-federal share \$40,000 = Total non-federal cost \$70,000 / \$1,000,000 of total project costs Calculation: $(\$70,000 / \$1,000,000)$ = 7%	Calculation: $\$100,000 \times 93\%$ = \$93,000 Maximum Applicant management cost federal share	Calculation: $\$100,000 \times 7\%$ = \$7,000 Applicant management cost non-federal share

If the applicant is also implementing the award as the subapplicant, the applicant is allowed to claim subapplicant (up to 5%) and applicant management costs (up to 10%). Use of the applicant management costs must be distinct from subapplicant management costs and must adhere to the stated uses, even if being used by the same entity. The total management costs may not exceed 15% of the total award.

Management costs are governed by 44 C.F.R. Part 77. Management costs are any indirect costs, any direct administrative costs, and other administrative expenses that are reasonably incurred in administering an award or subaward. Eligible applicant or subapplicant management cost activities may include:

- Solicitation, review, and processing of subapplications and subawards
- Subapplication development and technical assistance to subapplicants regarding feasibility and effectiveness and BCA
- Geocoding hazard mitigation projects identified for further review by FEMA
- Delivery of technical assistance (e.g., plan reviews, planning workshops, training) to support the implementation of hazard mitigation activities
- Managing awards (e.g., quarterly reporting including closeout)
- Technical monitoring (e.g., site visits, technical meetings)
- Purchase of equipment, per diem and travel expenses, and professional development that is directly related to the implementation of HMA programs
- Staff salary costs directly related to performing the activities listed above

See Section D, Application and Submission Information, Content and Form of Application Submission.

E. Application Review Information

1. Application Evaluation Criteria

a. Programmatic Criteria

FEMA will review subapplications submitted by each applicant to ensure:

- Eligibility of the applicant and subapplicant;
- Eligibility of proposed activities and costs;
- Completeness of the subapplication;
- Cost-effectiveness, alternative cost-effectiveness, and engineering feasibility of mitigation projects; or expected savings to the National Flood Insurance Fund (NFIF) from expected avoided damages through acquisition or relocation activity;
- Eligibility and availability of non-federal cost share;
- Alignment with approved State Mitigation Plan and Local and/or Tribal Hazard Mitigation Plan;
- Conformance with all applicable federal, state, tribal and local environmental and historic preservation laws and regulations;
- Proposed project will solve a problem independently, or constitute a functional portion of a long-term solution where there is assurance that the project will be completed; and

- Requested funds do not duplicate benefits available from another source for the same purpose or assistance that another federal agency or program has more primary authority to provide.

For more detailed information, see Part VI, Application Review Information, of the [Hazard Mitigation Assistance Program and Policy Guide](#).

b. Financial Integrity Criteria

Prior to making a federal award, FEMA is required by 31 U.S.C. § 3354, as enacted by the Payment Integrity Information Act of 2019, Pub. L. No. 116-117 (2020); 41 U.S.C. § 2313; and 2 C.F.R. § 200.206 to review information available through any Office of Management and Budget (OMB)-designated repositories of governmentwide eligibility qualification or financial integrity information, including whether the applicant is suspended or debarred. FEMA may also pose additional questions to the applicant to aid in conducting the pre-award risk review. Therefore, application evaluation criteria may include the following risk-based considerations of the applicant:

- Financial stability.
- Quality of management systems and ability to meet management standards.
- History of performance in managing federal award.
- Reports and findings from audits.
- Ability to effectively implement statutory, regulatory, or other requirements.

c. Supplemental Financial Integrity Criteria and Review

Prior to making a federal award where the anticipated total federal share will be greater than the simplified acquisition threshold, currently \$250,000:

- FEMA is required to review and consider any information about the applicant, including information on the applicant's immediate and highest-level owner, subsidiaries, and predecessors,²⁰ if applicable, that is in the designated integrity and performance system accessible through the System for Award Management (SAM), which is currently the [Federal Awardee Performance and Integrity Information System](#) (FAPIIS).
- An applicant, at its option, may review information in FAPIIS and comment on any information about itself that a federal awarding agency previously entered.
- FEMA will consider any comments by the applicant, in addition to the other information in FAPIIS, in making a judgment about the applicant's integrity, business ethics, and record of performance

²⁰ As defined in 2 C.F.R. Part 25, specifically § 25.447: Predecessor means a non-federal entity that is replaced by a successor and includes any predecessors of the predecessor.

under federal awards when completing the review of risk posed by applicants as described in 2 C.F.R. § 200.206.

2. Review and Selection Process

a. *Selection*

FEMA will select eligible subapplications up to at least the available funding amount of ~~\$300~~ **\$500** million.

All identified properties in a subapplication must be deemed Substantially Damaged after the applicant's disaster declaration incident period start date, or NFIP-defined or FMA-defined SRL or RL, as referenced in Section C.4, Other Eligibility Criteria. If a subapplication includes a property that is not SRL, RL, or has been deemed Substantially Damaged before the applicant's disaster declaration incident period start date, FEMA will remove the property from the subapplication prior to selection.

Project Scoping that results in development of individual mitigation projects eligible under FMA Swift Current can be used to obtain data and to prioritize, select, and develop Individual Flood Mitigation Projects based on current FEMA-approved mitigation plans. Project Scoping subapplications will be evaluated to ensure that the end result will lead to an eligible project subapplication that will provide benefits to the NFIP.

Project Scoping activities must be submitted in a project scoping application type. Project Scoping is inclusive of the maximum set-aside, not in addition to it.

FEMA may lower the priority of subapplications where the average elevation federal cost share is greater than \$250,000 for all single dwelling units or the average acquisition federal cost share is greater than \$750,000 for all single dwelling units.

FEMA may increase the priority of properties from subapplications if the building value of a single-family dwelling is less than \$750,000, according to best available data, to ensure maximization of the number of NFIP-insured properties selected for mitigation projects in accordance with 44 C.F.R. § 77.4(a). To determine the building value of a single-family dwelling, homeowners can refer to the Replacement Cost Value (RCV)²¹ documented in the most recent claim. If no RCV is provided, then homeowners can refer to the Actual Cash Value (ACV)²² as documented on the most recent claim. If an RCV or ACV for the structure is not available or includes errors, FEMA will evaluate properties on a case-by-case basis for removal from the subapplication.

If the structure does not have an RCV, then FEMA will consider the Actual Cash Value (ACV) of the structure, as listed on the most current claim of the property. If the structure has neither RCV nor ACV, FEMA will consider the assessed market value.

Subapplications will be reviewed and selected on a rolling basis as subapplications

²¹ The cost to replace property with the same kind of material and construction without deduction for depreciation.

²² The cost to replace an insured item of property at the time of loss, less the value of its physical depreciation.

are submitted to FEMA during the applicant’s eligibility period.

At the end of the applicant’s eligibility period, the applicant maximum set-aside will expire. At this time, any unused funds within the applicant maximum set-aside that are not tied to projects identified for further review will be returned to FY 2024 FMA Swift Current available funds.

Sec. 223 from Executive Order 14008: “Tackling the Climate Crisis at Home and Abroad” establishes the Justice40 Initiative, which sets a goal that 40 percent of the overall benefits of certain Federal investments flow to disadvantaged communities. Pursuant to this effort and to maximize the number of NFIP-insured properties receiving assistance in accordance with 44 C.F.R. § 77.4(a), FEMA will use the Climate and Economic Justice Screening Tool (CEJST) to identify properties located in a Justice40 community, also referred as a disadvantaged community, in order to prioritize assistance for those communities. Applicants and subapplicants should also undertake ongoing and meaningful community engagement in the implementation of Justice40 to identify and design efforts that will prioritize and maximize benefits for disadvantaged communities through the implementation of these projects. To help realize these benefits, applicants and subapplicants could also consider including local and economic hiring practices or contracting with small, disadvantaged businesses rooted in disadvantaged communities to help implement the work that will be conducted.

FEMA may select a subapplication out of prioritized order or rolling order based on one or more of the following factors:

- Availability of funding
- Duplication of subapplications
- Program priorities and policy factors
- Other pertinent information, such as flood insurance claims history, substantial damage status, structure value, etc.

Subapplications that have made it through the selections process but will not be funded due to the limited availability of FMA funding may be reviewed by other FEMA grant programs for eligibility and alternative funding. Additional information may be requested to ensure all applicable programmatic eligibility criteria are met.

b. Selection Status

After the review has been completed as described in Section E, Application Review Information, FEMA will designate the selected project subapplications as one of the following three statuses:

- **Identified for Further Review (IFFR)** – Applicants with project subapplication(s) that are Identified for Further Review that submitted a management costs subapplication in their FMA grant application (see Section D.9 Content and Form of Application Submission) are eligible to receive applicant management costs not to exceed 10 percent of the

selected project subapplications.

- **Not Selected** – This means the subapplication is eligible but was not selected due to a lack of available funding under the applicable subtotals.
- **Does Not Meet HMA Hazard Mitigation Assistance Requirements** – This means the subapplication does not satisfy the eligibility and completeness requirements.

c. Request for Reconsideration

At its discretion, and at the request of the applicant or subapplicant (through the applicant), FEMA may reconsider a decision regarding any subapplication that is Not Selected or Does Not Meet HMA Requirements only where there is an indication of substantive technical or procedural error that may have influenced FEMA's decision. There will be no reconsideration regarding the amount of applicant management costs. Applicants must send requests for reconsideration based on technical or procedural error to the FEMA Regional Office within 60 days of the posting of subapplication status. Subapplicants should contact their applicant agency regarding reconsideration requests, so that the applicant may submit it to the FEMA Regional Office on their behalf. Contact information for each State Hazard Mitigation Officer is provided at [State Hazard Mitigation Officers | FEMA.gov](#).

The FEMA Regional Office will review reconsideration requests received from applicants and submit the Regional recommendation to FEMA Headquarters. FEMA Headquarters will make a final determination to overturn or uphold the original decision and send the response to the applicant.

Prior to making an award, FEMA will evaluate applicants to determine the level of risk when there is a history of failure to comply with general or specific terms and conditions of a federal award or failure to meet the expected performance goals. If FEMA determines that a federal award will be made, special conditions that correspond to the degree of risk assessed may be applied to the award, as specified in Part VI, Section B: Risk Assessment Prior to PDM and FMA award, of the [Hazard Mitigation Assistance Program and Policy Guide](#).

F. Federal Award Administration Information

1. Notice of Award

Before accepting the award, the AOR and recipient should carefully read the award package. The award package includes instructions on administering the grant award and the terms and conditions associated with responsibilities under federal awards. **Recipients must accept all conditions in this NOFO as well as any specific terms and conditions in the Notice of Award to receive an award under this program.**

FEMA will provide the federal award package to the applicant electronically via FEMA GO. Award packages include an Award Letter, Summary Award Memo, Agreement Articles, and Obligating Document. An email notification of the award package will be sent through FEMA's grant application system to the AOR that submitted the application.

Recipients must accept their awards no later than 30 days from the award date. The recipient shall notify FEMA of its intent to accept and proceed with work under the award through the FEMA GO system.

Funds will remain on hold until the recipient accepts the award through the FEMA GO system and all other conditions of the award have been satisfied or until the award is otherwise rescinded. Failure to accept a grant award within the specified timeframe may result in a loss of funds.

2. Administrative and National Policy Requirements

In addition to the requirements of in this section and in this NOFO, FEMA may place specific terms and conditions on individual awards in accordance with 2 C.F.R. Part 200.

a. DHS Standard Terms and Conditions

All successful applicants for DHS grant and cooperative agreements are required to comply with DHS Standard Terms and Conditions, which are available online at: [DHS Standard Terms and Conditions](#)

The applicable DHS Standard Terms and Conditions will be those in effect at the time the award was made. What terms and conditions will apply for the award will be clearly stated in the award package at the time of award.

b. Ensuring the Protection of Civil Rights

As the Nation works towards achieving the [National Preparedness Goal](#), it is important to continue to protect the civil rights of individuals. Recipients and subrecipients must carry out their programs and activities, including those related to the building, sustainment, and delivery of core capabilities, in a manner that respects and ensures the protection of civil rights for protected populations.

Federal civil rights statutes, such as Section 504 of the Rehabilitation Act of 1973 and Title VI of the Civil Rights Act of 1964, along with FEMA regulations, prohibit discrimination on the basis of race, color, national origin, sex, religion, age, disability, limited English proficiency, or economic status in connection with programs and activities receiving [federal financial assistance](#) from FEMA, as applicable.

The DHS Standard Terms and Conditions include a fuller list of the civil rights provisions that apply to recipients. These terms and conditions can be found in the [DHS Standard Terms and Conditions](#). Additional information on civil rights provisions is available at <https://www.fema.gov/about/offices/equal-rights/civil-rights>.

Monitoring and oversight requirements in connection with recipient compliance with federal civil rights laws are also authorized pursuant to 44 C.F.R. Part 7 or other applicable regulations.

In accordance with civil rights laws and regulations, recipients and subrecipients must ensure the consistent and systematic fair, just, and impartial treatment of all

individuals, including individuals who belong to underserved communities that have been denied such treatment.

c. Environmental Planning and Historic Preservation (EHP) Compliance

As a federal agency, FEMA is required to consider the effects of its actions on the environment and historic properties to ensure that all activities and programs funded by FEMA, including grant-funded projects, comply with federal EHP laws, Executive Orders, regulations, and policies, as applicable.

Recipients and subrecipients proposing projects that have the potential to impact the environment, including, but not limited to, the construction of communication towers, modification or renovation of existing buildings, structures, and facilities, or new construction including replacement of facilities, must participate in the FEMA EHP review process. The EHP review process involves the submission of a detailed project description along with any supporting documentation requested by FEMA in order to determine whether the proposed project has the potential to impact environmental resources including, but not limited to, threatened or endangered species and historic properties; and identify mitigation measures and/or alternative courses of action that may lessen any impact to those resources.

In some cases, FEMA is also required to consult with other regulatory agencies and the public in order to complete the review process. Federal law requires EHP review to be completed before federal funds are released to carry out proposed projects. FEMA may not be able to fund projects that are not in compliance with applicable EHP laws, Executive Orders, regulations, and policies. FEMA may recommend mitigation measures and/or alternative courses of action to lessen any impact to environmental ***or historic*** resources and bring the project into compliance with EHP requirements.

Guidance on the EHP process is found at [Environmental Planning and Historic Preservation](#). The site contains links to various documents including those identifying agency EHP responsibilities and program requirements, such as implementation of the National Environmental Policy Act and other EHP laws, regulations, and Executive Orders. DHS and FEMA EHP policy is also found in the [EHP Directive & Instruction](#).

All FEMA actions, including grant-funded actions, must comply with National Flood Insurance Program criteria or any more restrictive federal, state, or local floodplain management standards or building code (44 C.F.R. § 9.11(d)(6)).

*** For actions located within or that may affect a floodplain or wetland, the following alternatives must be considered: a) no action; b) alternative locations; and c) alternative actions. For actions under Swift Current activations with an eligibility period start date on or after December 5, 2024, alternative actions that use natural features or nature-based solutions must be considered. Where possible, natural features and nature-based solutions shall be used. If not**

practicable as an alternative on their own, natural features and nature-based solutions may be incorporated into actions as minimization measures.*

***For Swift Current activations with an eligibility period start date prior to December 5, 2024, *** all FEMA-funded non-critical actions in 1% annual chance floodplains (also known as 100-year floodplains) that involve structure elevation, mitigation reconstruction, dry floodproofing, new construction, repair of substantial damage or substantial improvement of structures must be elevated or floodproofed, at a minimum, to the lower of:

- Two feet above the 1% annual chance flood elevation (also known as the base flood elevation), in accordance with the Federal Flood Risk Management Standard (FFRMS) “Freeboard Value Approach” (FVA); or
- The 0.2% annual chance flood elevation. Where 0.2% annual chance flood elevations are not available, such actions must be elevated to at least two feet above the 1% annual chance flood elevation.

All FEMA-funded critical actions in 1% annual chance floodplains or 0.2% annual chance floodplains (also known as 500-year floodplains) that involve structure elevation, mitigation reconstruction, dry floodproofing, new construction, repair of substantial damage or substantial improvement of structures must be elevated, at a minimum, to the higher of:

- Three feet above the 1% annual chance flood elevation; or
- The 0.2% annual chance flood elevation. Where 0.2% annual chance flood elevations are not available, such actions must be elevated to at least three feet above the 1% annual chance flood elevation.

See Executive Order 11988, Floodplain Management, as amended by Executive Order 13690, *Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input*, and the Hazard Mitigation Assistance Program and Policy Guide.

***For Swift Current activations with an eligibility period start date on or after December 5, 2024, all FEMA-funded new construction, substantial improvement, and repair of substantial damage actions, and all structure elevation, mitigation reconstruction, and dry floodproofing actions under FEMA’s Hazard Mitigation Assistance programs must be either outside the FFRMS floodplain or designed to ensure resilience against flooding up to the FFRMS flood elevation. Structures must be elevated (or, if non-residential, elevated or floodproofed) to the FFRMS flood elevation. Resilience measures for facilities include using structural or nonstructural methods to reduce or prevent damage; elevating a structure; or, where appropriate, designing it to adapt to, withstand, and rapidly recover from a flood event. See EO 11988, Floodplain Management, as amended by EO 13690, Establishing a Federal Flood Risk**

Management Standard and a Process for Further Soliciting and Considering Stakeholder Input, and the FEMA Policy 206-24-005: Federal Flood Risk Management Standard (FFRMS)²³.*

Individual FEMA programs have separate procedures to conduct and document EHP review. Guidance for individual grant programs is available from applicable program offices.

~~Presidential EO 11988: Floodplain Management and EO 11990: Protection of Wetlands~~ **EO 11988, Floodplain Management, and EO 11990, Protection of Wetlands**, require that all federal actions in or affecting the floodplain or wetlands be reviewed for opportunities to relocate, and be evaluated for social, economic, historical, environmental, legal and safety considerations. FEMA's regulations at 44 C.F.R. Part 9 implement the EOs and require an 8-step review process if a proposed action is located in a floodplain or wetland [Deleted Text Start] ~~consistent with 44 C.F.R. § 9.6~~ [Deleted Text End] **or has the potential to affect or be affected by a floodplain or wetland.**

The regulation also requires that the federal agency provide public notice of the proposed action at the earliest possible time to provide the opportunity for public involvement in the decision-making process (44 C.F.R. § 9.8). Where there is no opportunity to relocate the federal action, FEMA is required to undertake a detailed review to determine what measures can be taken to minimize future damages to the floodplain or wetland.

Through this NOFO, FEMA is giving notice of projects that may be funded under the FMA program, consistent with the requirements of Section 9.8. The public is invited to participate in the process of identifying alternatives to locating a proposed project in the floodplain or wetland and analyzing the impacts of the alternatives on the floodplain or wetland. Comments may be provided by **emailing FEMA-OEHP-NOFOQuestions@fema.dhs.gov** ~~FEMA-EHPHELPLINE@fema.dhs.gov~~ **within 15 days of its issuance.** While analyzing alternatives, FEMA may determine there are no practicable alternatives to carrying out the proposed work within the floodplain or wetland. Relocating facilities may not be practicable and would adversely impact affected communities socially and economically.

In addition, no alternative actions may be practicable that serve the same purpose and have less potential to affect or be affected by the floodplain. [Deleted Text Start] ~~The no action option would not be appropriate as it would fail to meet the purpose and need of the community. In the course of developing project proposals, subsequent public notices will be published, if necessary, as more specific information becomes available.~~ [Deleted Text End] ***While developing project proposals, subsequent project-specific public notices will be published, if necessary, as more detailed information becomes available.***

²³ See also www.fema.gov/floodplain-management/intergovernmental/federal-flood-risk-management-standard for more information on FEMA's implementation of the FFRMS.

d. Construction Project Requirements

Acceptance of federal funding requires FEMA, the recipient, and any subrecipients to comply with all federal, state, and local laws and regulations prior to the start of any construction activity. Failure to obtain all appropriate federal, state, and local environmental permits and clearances may jeopardize federal funding. Also:

- Any change to the approved scope of work will require re-evaluation by FEMA for compliance with the NEPA and other laws and Executive Orders.
- If ground-disturbing activities occur during construction, the recipient and any subrecipients must ensure monitoring of ground disturbance, and if any potential archaeological resources are discovered, the subrecipient will immediately cease construction in that area and notify the recipient and FEMA.
 - All mitigation projects must be in in conformance with flood insurance requirements. This means that if the project is located in a SFHA: (a) the project must be in a jurisdiction participating in the NFIP; and (b) the property owner(s) must obtain and maintain flood insurance for the life of the structure, regardless of transfer of ownership, in an amount at least equal to the project cost or to the maximum limit of coverage made available with respect to the mitigated property, whichever is less.

e. Mandatory Disclosures

The ~~non-federal entity~~ ***recipient, subrecipient***, or applicant for a federal award must disclose, in a timely manner, in writing to the federal awarding agency or pass-through entity all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. (2 C.F.R. § 200.113)

Please note applicants and recipients may report issues of fraud, waste, abuse, and mismanagement, or other criminal or noncriminal misconduct to the [Office of Inspector General \(OIG\) Hotline](#). The toll-free numbers to call are 1 (800) 323-8603, and TTY 1 (844) 889-4357.

3. Reporting

Recipients are required to submit various financial and programmatic reports as a condition of award acceptance. Future awards and funds drawdown may be withheld if these reports are delinquent.

a. Financial Reporting Requirements

I. FEDERAL FINANCIAL REPORT (FFR)

Recipients must report obligations and expenditures through the FFR form (SF-425) to FEMA.

Recipients may review the Federal Financial Reporting Form (FFR) (SF-425) at <https://apply07.grants.gov/apply/forms/sample/SF425-V1.0.pdf>

Recipients must file the FFR electronically using FEMA GO.

II. FFR REPORTING PERIODS AND DUE DATES

An FFR must be submitted quarterly throughout the POP, including partial calendar quarters, as well as in periods where no grant award activity occurs. The final FFR is due within 120 calendar days after the end of the POP. Future awards and fund drawdowns may be withheld if these reports are delinquent, demonstrate lack of progress, or are insufficient in detail.

Except for the final FFR due at 120 days after the end of the POP for purposes of closeout, the following reporting periods and due dates apply for the FFR:

Reporting Period	Report Due Date
October 1 – December 31	January 30
January 1 – March 31	April 30
April 1 – June 30	July 30
July 1 – September 30	October 30

b. Programmatic Performance Reporting Requirements

I. PERFORMANCE PROGRESS REPORT (PPR)

In addition to the FFR reports, recipients must report on the progress of the grant on a quarterly basis to DHS/FEMA using the Quarterly Performance Report in FEMA GO. The Quarterly Performance Reports must be submitted electronically in FEMA GO quarterly throughout the POP, including partial calendar quarters, as well as for periods where no grant award activity occurs. Reports are due within 30 days from the end of the first federal quarter following the initial grant award and thereafter until the grant ends.

c. Closeout Reporting Requirements

I. CLOSEOUT REPORTING

Within 120 calendar days after the end of the period of performance for the prime award or after an amendment has been issued to close out an award before the original POP ends, recipients must liquidate all financial obligations and must submit the following:

- i. The final request for payment, if applicable.
- ii. The final FFR (SF-425).
- iii. The final progress report detailing all accomplishments, including a narrative summary of the impact of those accomplishments throughout the period of performance.

- iv. Other documents required by this NOFO, terms and conditions of the award, or other FEMA guidance. If the final FFR and performance report periods coincide with the end of the period of performance, FEMA has discretion under 2 C.F.R. Part 200 to waive the last quarterly/semiannual/annual reports and only require the final FFR and performance report for closeout purposes. The recipient is responsible for returning any balances of unobligated or unliquidated funds that have been drawn down that are not authorized to be retained per 2 C.F.R. § 200.344(d)*(e)*.

In addition, pass-through entities are responsible for closing out their subawards as described in 2 C.F.R. § 200.344; subrecipients are still required to submit closeout materials within 90 calendar days of the period of performance end date. When a subrecipient completes all closeout requirements, pass-through entities must promptly complete all closeout actions for subawards in time for the recipient to submit all necessary documentation and information to FEMA during the closeout of the prime award.

After the prime award closeout reports have been reviewed and approved by FEMA, a closeout notice will be completed to close out the grant. The notice will indicate the period of performance as closed, list any remaining funds that will be deobligated, and address the requirement of maintaining the grant records for at least three years from the date of the final FFR. The record retention period may be longer, such as due to an audit or litigation, for equipment or real property used beyond the period of performance, or due to other circumstances outlined in 2 C.F.R. § 200.334.

The recipient is responsible for refunding to FEMA any balances of unobligated cash that FEMA paid that are not authorized to be retained per 2 C.F.R. § 200.344(d)*(e)*.

II. ADMINISTRATIVE CLOSEOUT

Administrative closeout is a mechanism for FEMA to unilaterally move forward with closeout of an award using available award information in lieu of final reports from the recipient per 2 C.F.R. § 200.344(h)-(i). It is a last resort available to FEMA, and if FEMA needs to administratively close an award, this may negatively impact a recipient's ability to obtain future funding. This mechanism can also require FEMA to make cash or cost adjustments and ineligible cost determinations based on the information it has, which may result in identifying a debt owed to FEMA by the recipient.

When a recipient is not responsive to FEMA's reasonable efforts to collect required reports needed to complete the standard closeout process, FEMA is required under 2 C.F.R. § 200.344(h) to start the administrative closeout process within the regulatory timeframe. FEMA will make at least three written attempts to collect required reports before initiating administrative closeout. If the recipient does not submit all required reports in accordance with 2 C.F.R. § 200.344, this

NOFO, and the terms and conditions of the award, FEMA must proceed to administratively close the award with the information available within one year of the period of performance end date. Additionally, if the recipient does not submit all required reports within one year of the period of performance end date, per 2 C.F.R. § 200.344(i), FEMA must report in Contracting Performance Assessment Reporting System (CPARS) the recipient's material failure to comply with the terms and conditions of the award.

If FEMA administratively closes an award where no final FFR has been submitted, FEMA uses that administrative closeout date in lieu of the final FFR submission date as the start of the record retention period under 2 C.F.R. § 200.334.

In addition, if an award is administratively closed, FEMA may decide to impose remedies for noncompliance per 2 C.F.R. § 200.339, consider this information in reviewing future award applications, or apply special conditions to existing or future awards.

d. Additional Reporting Requirements

I. DISCLOSING INFORMATION PER 2 C.F.R. § 180.335

This reporting requirement pertains to disclosing information related to government-wide suspension and debarment requirements. Before a recipient enters into a grant award with FEMA, the recipient must notify FEMA if it knows if it or any of the recipient's principals under the award fall under one or more of the four criteria listed at 2 C.F.R. § 180.335:

- i. Are presently excluded or disqualified;
- ii. Have been convicted within the preceding three years of any of the offenses listed in 2 C.F.R. § 180.800(a) or had a civil judgment rendered against it or any of the recipient's principals for one of those offenses within that time period;
- iii. Are presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses listed in 2 C.F.R. § 180.800(a); or
- iv. Have had one or more public transactions (federal, state, or local) terminated within the preceding three years for cause or default.

At any time after accepting the award, if the recipient learns that it or any of its principals falls under one or more of the criteria listed at 2 C.F.R. § 180.335, the recipient must provide immediate written notice to FEMA in accordance with 2 C.F.R. § 180.350.

II. REPORTING OF MATTERS RELATED TO RECIPIENT INTEGRITY AND PERFORMANCE

Appendix XII to 2 C.F.R. Part 200 sets forth a term and condition related to recipient integrity and performance matters that will apply to all federal awards under this funding opportunity. If the total value of currently active grants,

cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of a federal award under this funding opportunity, then a recipient must maintain the currency of information reported in the Contracting Performance Assessment Reporting System (CPARS) about civil, criminal, or administrative proceedings described in paragraph 2 of Appendix XII at the reporting frequency described in paragraph 4 of Appendix XII.

III. SINGLE AUDIT REPORT

A recipient that expends ~~\$750,000~~ ***\$1,000,000*** or more during the recipient's fiscal year in federal awards (as defined by 2 C.F.R. § 200.1) must have a single audit conducted in accordance with 2 C.F.R. § 200.514 except when it elects to have a program-specific audit conducted in accordance with 2 C.F.R. § 200.501. The audit must be conducted in accordance with 2 C.F.R. Part 200, Subpart F and, as required by 2 C.F.R. § 200.514, in accordance with the U.S. Government Accountability Office (GAO) Generally Accepted Government Auditing Standards, which can be found on the Yellow Book page of the GAO website.

4. Monitoring and Oversight

The regulation at 2 C.F.R. § 200.337 provides DHS and any of its authorized representatives with the right of access to any documents, papers, or other records of the recipient [and any subrecipients] that are pertinent to a federal award in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to the recipient's or subrecipient's personnel for the purpose of interview and discussion related to such documents. Pursuant to this right and per 2 C.F.R. § 200.329, DHS may conduct desk reviews and make site visits to review project accomplishments and management control systems to evaluate project accomplishments and to provide any required technical assistance. During site visits, DHS may review a recipient's or subrecipient's files pertinent to the federal award and interview and/or discuss these files with the recipient's or subrecipient's personnel. Recipients and subrecipients must respond in a timely and accurate manner to DHS requests for information relating to a federal award.

Effective monitoring and oversight help FEMA ensure that recipients use grant funds for their intended purpose(s); verify that projects undertaken are consistent with approved plans; and ensure that recipients make adequate progress toward stated goals and objectives. Additionally, monitoring serves as the primary mechanism to ensure that recipients comply with applicable laws, rules, regulations, program guidance, and requirements. FEMA regularly monitors all grant programs both financially and programmatically in accordance with federal laws, regulations (including 2 C.F.R. Part 200), program guidance, and the terms and conditions of the award. All monitoring efforts ultimately serve to evaluate progress towards grant goals and proactively target and address issues that may threaten grant success during the period of performance.

FEMA staff will periodically monitor recipients to ensure that administrative processes, policies and procedures, budgets, and other related award criteria are meeting Federal Government-wide and FEMA regulations. Aside from reviewing quarterly financial and programmatic reports, FEMA may also conduct enhanced monitoring through either desk-

based reviews, onsite monitoring visits, or both. Enhanced monitoring will involve the review and analysis of the financial compliance and administrative processes, policies, activities, and other attributes of each federal assistance award, and it will identify areas where the recipient may need technical assistance, corrective actions, or other support.

Financial and programmatic monitoring are complementary processes within FEMA's overarching monitoring strategy that function together to ensure effective grants management, accountability, and transparency; validate progress against grant and program goals; and safeguard federal funds against fraud, waste, and abuse. Financial monitoring primarily focuses on statutory and regulatory compliance with administrative grant requirements, while programmatic monitoring seeks to validate and assist in grant progress, targeting issues that may be hindering achievement of project goals and ensuring compliance with the purpose of the grant and grant program. Both monitoring processes are similar in that they feature initial reviews of all open awards, and additional, in-depth monitoring of grants requiring additional attention.

Recipients and subrecipients who are pass-through entities are responsible for monitoring their subrecipients in a manner consistent with the terms of the federal award at 2 C.F.R. Part 200, including 2 C.F.R. § 200.332. This includes the pass-through entity's responsibility to monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved.

In terms of overall award management, recipient and subrecipient responsibilities include, but are not limited to: accounting of receipts and expenditures, cash management, maintaining adequate financial records, reporting and refunding expenditures disallowed by audits, monitoring if acting as a pass-through entity, or other assessments and reviews, and ensuring overall compliance with the terms and conditions of the award or subaward, as applicable, including the terms of 2 C.F.R. Part 200.

By accepting the award, all recipients agree to participate in monitoring or an evaluation of this grant, which may include analysis of the impact and providing access to program operating personnel and participants, as specified by the evaluator(s). FEMA, through the FMA program, encourages investments to protect communities and infrastructure. As part of performance evaluation and monitoring efforts, FEMA will conduct a series of grant effectiveness and cost-effectiveness case studies jointly with FMA recipients to highlight how recipients and subrecipients have used the FMA funds to increase resilience from natural hazards in their jurisdictions.

FEMA may provide additional federal funding in the event of a cost overrun.

G. DHS Awarding Agency Contact Information

1. Contact and Resource Information

a. Program Office Contact

General questions about the FMA program can be directed to the appropriate FEMA Regional Office or State Hazard Mitigation Officer. Contact information for FEMA

Regional Offices is provided at <https://www.fema.gov/about/contact>. Contact information for the State Hazard Mitigation Officers is available on the [State Hazard Mitigation Officers](#) webpage.

The HMA Helpline is available by telephone 1-866-222-3580.

For questions about cost-effectiveness and FEMA's BCA software, contact the BC Helpline by telephone 1-855-540-6744 or email BCHelpline@fema.dhs.gov.

The Building Science Helpline is available for guidance on FEMA Building Science publications by email FEMA-BuildingScienceHelp@fema.dhs.gov.

For questions about NEPA or EHP requirements, the EHP Helpline is available by email to FEMA-EHPHELPLINE@fema.dhs.gov.

Resources and job aids intended to help prepare applications and subapplications are available on FEMA's [Hazard Mitigation Assistance Grants](#) webpage.

FEMA publications that specify the documentation and information necessary for FEMA to review project applications for feasibility and effectiveness, cost-effectiveness, and potential impacts on environmental and cultural resources are available on the FEMA website at <https://www.fema.gov/grants/guidance-tools>.

b. FEMA Grants News

FEMA Grants News is a non-emergency comprehensive management and information resource developed by FEMA for grants stakeholders. This channel provides general information on all FEMA grant programs and maintains a comprehensive database containing key personnel contact information at the federal, state, and local levels. When necessary, recipients will be directed to a federal point of contact who can answer specific programmatic questions or concerns. FEMA Grants News Team can be reached by e-mail at fema-grants-news@fema.dhs.gov OR by phone at (800) 368-6498, Monday through Friday, 9:00 AM – 5:00 PM ET.

c. FEMA Regional Offices

FEMA Regional Offices manage, administer, and conduct the application budget review, create the award package, approve, amend, and close out awards, as well as conduct cash analysis, financial and programmatic monitoring, and audit resolution for FMA Swift Current. The Regions also provide technical assistance to FMA Swift Current recipients.

FEMA Regional Office contact information is available at <https://www.fema.gov/fema-regional-contacts>.

d. ~~Equal~~ *Civil* Rights

The FEMA Office of ~~Equal~~-Civil Rights (~~OER~~) is responsible for compliance with and enforcement of federal civil rights obligations in connection with programs and services conducted by FEMA and recipients of FEMA financial assistance. All

inquiries and communications about federal civil rights compliance for FEMA grants under this NOFO should be sent to FEMA-CivilRightsOffice@fema.dhs.gov.

***FEMA's Office of Environmental Planning and Historic Preservation (OEHP) and Office of Civil Rights (OCR) provide technical assistance and guidance to FEMA components and program offices and other stakeholders regarding environmental justice and equitable access to government-funded programs, respectively, to safeguard against discrimination. This includes, but is not limited to, the identification and addressing of, consistent with applicable law, exclusion barriers and/or disproportionate and adverse human health and environmental effects of FEMA and FEMA-funded programs, policies, and activities on communities with environmental justice concerns. If there are concerns regarding environmental justice or equitable access to funding that allege a FEMA or FEMA-funded program is in violation of federal environmental justice directives or civil rights law, the OCR will process complaints and seek resolution. Please contact the OCR at FEMA-CivilRightsOffice@fema.dhs.gov. ***

e. Environmental Planning and Historic Preservation

The FEMA ~~Office of Environmental Planning and Historic Preservation (OEHP)~~ **OEHP** provides guidance and information about the EHP review process to FEMA programs and FEMA's recipients and subrecipients. All inquiries and communications about EHP compliance for FEMA grant projects under this NOFO or the EHP review process should be sent to FEMA-OEHP-NOFOQuestions@fema.dhs.gov.

2. Systems Information

a. FEMA GO

For technical assistance with the FEMA GO system, please contact the FEMA GO Helpdesk at femago@fema.dhs.gov or (877) 585-3242, Monday through Friday, 9:00 AM – 6:00 PM ET.

H. Additional Information

1. Termination Provisions

FEMA may terminate a federal award in whole or in part for one of the following reasons. FEMA and the recipient must still comply with closeout requirements at 2 C.F.R. §§ 200.344-200.345 even if an award is terminated in whole or in part. To the extent that subawards are permitted under this NOFO, pass-through entities should refer to 2 C.F.R. § 200.340 for additional information on termination regarding subawards.

a. Noncompliance

If a recipient fails to comply with the terms and conditions of a federal award, FEMA may terminate the award in whole or in part. If the noncompliance can be corrected, FEMA may first attempt to direct the recipient to correct the noncompliance. This may take the form of a Compliance Notification. If the noncompliance cannot be corrected or the recipient is non-responsive, FEMA may proceed with a Remedy

Notification, which could impose a remedy for noncompliance per 2 C.F.R. § 200.339, including termination. Any action to terminate based on noncompliance will follow the requirements of 2 C.F.R. §§ 200.341-200.342 as well as the requirement of 2 C.F.R. § 200.340(c) to report in ~~FAPHS~~ ***CPARS*** the recipient's material failure to comply with the award terms and conditions. See also the section on Actions to Address Noncompliance in this NOFO.

b. With the Consent of the Recipient

FEMA may also terminate an award in whole or in part with the consent of the recipient, in which case the parties must agree upon the termination conditions, including the effective date, and in the case of partial termination, the portion to be terminated.

c. Notification by the Recipient

The recipient may terminate the award, in whole or in part, by sending written notification to FEMA setting forth the reasons for such termination, the effective date, and in the case of partial termination, the portion to be terminated. In the case of partial termination, FEMA may determine that a partially terminated award will not accomplish the purpose of the federal award, so FEMA may terminate the award in its entirety. If that occurs, FEMA will follow the requirements of 2 C.F.R. §§ 200.341-200.342 in deciding to fully terminate the award.

2. Program Evaluation

Federal agencies are required to structure NOFOs that incorporate program evaluation activities from the outset of their program design and implementation to meaningfully document and measure their progress towards meeting agency priority goal(s) and program outcomes.

OMB Memorandum M-21-27, Evidence-Based Policymaking: Learning Agendas and Annual Evaluation Plans, implementing Title I of the Foundations for Evidence-Based Policymaking Act of 2018, Pub. L. No. 115-435 (2019) (Evidence Act), urges federal awarding agencies to use program evaluation as a critical tool to learn, improve equitable delivery, and elevate program service and delivery across the program lifecycle. Evaluation means “an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency.” Evidence Act, § 101 (codified at 5 U.S.C. § 311).

As such, recipients and subrecipients are required to participate in a DHS-, Component, or Program Office-led evaluation if selected, which may be carried out by a third-party on behalf of the DHS, its component agencies, or the Program Office. Such an evaluation may involve information collections including but not limited to surveys, interviews, or discussions with individuals who benefit from the federal award program operating personnel, and award recipients, as specified in a DHS-, component agency-, or Program Office-approved evaluation plan. More details about evaluation requirements may be provided in the federal award, if available at that time, or following the award as evaluation requirements are finalized. Evaluation costs incurred during the period of performance are allowable costs (either as direct or indirect) Recipients and subrecipients are also encouraged,

but not required, to participate in any additional evaluations after the period of performance ends, although any costs incurred to participate in such evaluations are not allowable and may not be charged to the federal award.

3. Period of Performance Extensions

Extensions to the period of performance (POP) for this program are allowed. Extensions to the POP identified in the award will only be considered through formal, written requests to the recipient's FEMA Regional Office and must contain specific and compelling justifications as to why an extension is required. Recipients are advised to coordinate with the FEMA Regional Hazard Mitigation Assistance Specialist as needed when preparing an extension request.

All extension requests must address the following:

- a. The grant program, fiscal year, and award number;
- b. Reason for the delay –including details of the legal, policy, or operational challenges that prevent the final outlay of awarded funds by the deadline;
- c. Current status of the activity(ies);
- d. Approved POP termination date and new project completion date;
- e. Amount of funds drawn down to date;
- f. Remaining available funds, both federal and, if applicable, non-federal;
- g. Budget outlining how remaining federal and, if applicable, non-federal funds will be expended;
- h. Plan for completion, including milestones and timeframes for achieving each milestone and the position or person responsible for implementing the plan for completion; and
- i. Certification that the activity(ies) will be completed within the extended POP without any modification to the original statement of work, as described in the application and as approved by FEMA.

Extension requests will be granted only due to compelling legal, policy, or operational challenges. Extension requests will only be considered for the following reasons:

- Contractual commitments by the recipient or subrecipient with vendors prevent completion of the project, including delivery of equipment or services, within the existing POP;
- The project must undergo a complex environmental review that cannot be completed within the existing POP;
- Projects are long-term by design, and therefore acceleration would compromise core programmatic goals; or
- Where other special or extenuating circumstances exist.

Recipients should submit all proposed extension requests to FEMA for review and approval at least 60 days prior to the end of the POP to allow sufficient processing time.

Based on sufficiency of justification, the FEMA Regional Administrator can issue up to two extensions of the POP for up to 12 months each.

4. Disability Integration

Pursuant to Section 504 of the Rehabilitation Act of 1973, recipients of FEMA financial assistance must ensure that their programs and activities do not discriminate against qualified individuals with disabilities.

Grant and cooperative agreement recipients should engage with the whole community to advance individual and community preparedness and to work as a nation to build and sustain resilience. In doing so, recipients are encouraged to consider the needs of individuals with disabilities into the activities and projects funded by the grant or cooperative agreement.

FEMA expects that the integration of the needs of people with disabilities will occur at all levels, including planning; alerting, notification, and public outreach; training; purchasing of equipment and supplies; protective action implementation; and exercises/drills.

The following are examples that demonstrate the integration of the needs of people with disabilities in carrying out FEMA awards:

- Include representatives of organizations that work with/for people with disabilities on planning committees, work groups and other bodies engaged in development and implementation of the grant programs and activities.
- Hold all activities related to the grant in locations that are accessible to persons with physical disabilities and intellectual disabilities to the extent practicable.
- Provide auxiliary aids and services, including American Sign Language interpreters, that provide public information across the community and in shelters.
- Ensure shelter-specific grant funds are in alignment with FEMA's [Guidance on Planning for Integration of Functional Needs Support Services in General Population Shelters](#).
- If making alterations to an existing building to a primary function area utilizing federal funds, complying with the most recent codes and standards and making path of travel to the primary function area accessible to the greatest extent possible.
- Implement specific procedures used by public transportation agencies that include evacuation and passenger communication plans and measures for individuals with disabilities.
- Identify, create, and deliver training to address any training gaps specifically aimed toward whole-community preparedness. Include and interact with individuals with disabilities, aligning with the designated program capability.
- Establish best practices in inclusive planning and preparedness that consider physical access, needs of individuals with intellectual disabilities, and information access.

FEMA grant recipients can fund projects towards improving the resilience of the whole community, including people with disabilities, such as training, outreach and safety campaigns, provided that the project aligns with this NOFO and the terms and conditions of the award.

5. Conflicts of Interest in the Administration of Federal Awards or Subawards

For conflicts of interest under grant-funded procurements and contracts, refer to the section on Procurement Integrity in this NOFO and 2 C.F.R. §§ 200.317 – 200.327.

To eliminate and reduce the impact of conflicts of interest in the subaward process, recipients and pass-through entities must follow their own policies and procedures regarding the elimination or reduction of conflicts of interest when making subawards. Recipients and pass-through entities are also required to follow any applicable federal and state, local, tribal, or territorial (SLTT) statutes or regulations governing conflicts of interest in the making of subawards.

The recipient or pass-through entity must disclose to the respective Program Analyst or Program Manager, in writing, any real or potential conflict of interest that may arise during the administration of the federal award, as defined by the federal or SLTT statutes or regulations or their own existing policies, within five days of learning of the conflict of interest. Similarly, subrecipients, whether acting as subrecipients or as pass-through entities, must disclose any real or potential conflict of interest to the recipient or next-level pass-through entity as required by the recipient or pass-through entity's conflict of interest policies, or any applicable federal or SLTT statutes or regulations.

Conflicts of interest may arise during the process of FEMA making a federal award in situations where an employee, officer, ~~or~~ agent, ***or board member***, any members of his or her immediate family, his or her partner has a close personal relationship, a business relationship, or a professional relationship, with an applicant, subapplicant, recipient, subrecipient, or FEMA employees.

6. Procurement Integrity

Through audits conducted by the DHS Office of Inspector General (OIG) and FEMA grant monitoring, findings have shown that some FEMA recipients have not fully adhered to the proper procurement requirements at 2 C.F.R. §§ 200.317 – 200.327 when spending grant funds. Anything less than full compliance with federal procurement requirements jeopardizes the integrity of the grant as well as the grant program. To assist with determining whether an action is a procurement or instead a subaward, please consult 2 C.F.R. § 200.331. For detailed guidance on the federal procurement standards, recipients and subrecipients should refer to various materials issued by FEMA's Procurement Disaster Assistance Team (PDAT), such as the [PDAT Field Manual](#) and [Contract Provisions Guide](#). Additional resources, including an upcoming trainings schedule can be found on the PDAT Website: <https://www.fema.gov/grants/procurement>.

The below highlights the federal procurement requirements for FEMA recipients when procuring goods and services with federal grant funds. FEMA will include a review of recipients' procurement practices as part of the normal monitoring activities. **All procurement activity must be conducted in accordance with federal procurement standards at 2 C.F.R. §§ 200.317 – 200.327.** Select requirements under these standards are listed below. The recipient and any of its subrecipients must comply with all requirements, even if they are not listed below.

Under 2 C.F.R. § 200.317, when procuring property and services under a federal award, states (including territories) ***and Indian Tribes*** must follow the same policies and procedures they use for procurements from their non-federal funds; additionally, states ***and**

Indian Tribes* must now follow 2 C.F.R. § 200.321 regarding socioeconomic steps, 200.322 regarding domestic preferences for procurements, ~~200.323 regarding procurement of recovered materials~~, and 2 C.F.R. § 200.327 regarding required contract provisions. ***States, but not Indian Tribes, must also follow 200.323 regarding procurement of recovered materials.***

All other non-federal entities, such as tribes (collectively, non-state entities) ***Local government and nonprofit recipients or subrecipients*** must have and use their own documented procurement procedures that reflect applicable SLTT laws and regulations, provided that the procurements conform to applicable federal law and the standards identified in 2 C.F.R. Part 200. These standards include, but are not limited to, providing for full and open competition consistent with the standards of 2 C.F.R. § 200.319 and the required procurement methods at § 200.320.

a. Important Changes to Procurement Standards in 2 C.F.R. Part 200

***On April 22, 2024, OMB updated various parts of Title 2 of the Code of Federal Regulations, among them the procurement standards. These revisions apply to all FEMA awards with a federal award date or disaster declaration date on or after October 1, 2024, unless specified otherwise. The changes include updates to the federal procurement standards, which govern how FEMA award recipients and subrecipients must purchase under a FEMA award.**

More information on OMB's revisions to the federal procurement standards can be found in [Purchasing Under a FEMA Award: 2024 OMB Revisions Fact Sheet](#).*

[Deleted Text Start] States are now required to follow the socioeconomic steps in soliciting small and minority businesses, women's business enterprises, and labor surplus area firms per 2 C.F.R. § 200.321. All non-federal entities should also, to the greatest extent practicable under a federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States per 2 C.F.R. § 200.322. More information on OMB's revisions to the federal procurement standards can be found in [Purchasing Under a FEMA Award: OMB Revisions Fact Sheet](#).

The recognized procurement methods in 2 C.F.R. § 200.320 have been reorganized into informal procurement methods, which include micro-purchases and small purchases; formal procurement methods, which include sealed bidding and competitive proposals; and noncompetitive procurements. The federal micro-purchase threshold is currently \$10,000, and non-state entities may use a lower threshold when using micro-purchase procedures under a FEMA award. If a non-state entity wants to use a micro-purchase threshold higher than the federal threshold, it must follow the requirements of 2 C.F.R. § 200.320(a)(1)(iii)-(v). The federal simplified acquisition threshold is currently \$250,000, and a non-state entity may use a lower threshold but may not exceed the federal threshold when using small purchase procedures under a FEMA award. See 2 C.F.R. § 200.1 (citing the definition of simplified acquisition threshold from [48 C.F.R. Part 2, Subpart 2.1](#)).

See 2 C.F.R. §§ 200.216, 200.471, and Appendix II as well as section D.13.a of the NOFO regarding prohibitions on covered telecommunications equipment or services. [Deleted Text End]

b. Competition and Conflicts of Interest

Among the requirements of 2 C.F.R. § 200.319(b) applicable to ~~all non-federal entities other than states~~ ***local government and nonprofit recipients or subrecipients***, in order to ensure objective contractor performance and eliminate unfair competitive advantage, ***requires that*** contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. FEMA considers these actions to be an organizational conflict of interest and interprets this restriction as applying to contractors that help a ~~non-federal entity~~ ***recipient or subrecipient*** develop its grant application, project plans, or project budget. This prohibition also applies to the use of former employees to manage the grant or carry out a contract when those former employees worked on such activities while they were employees of the ~~non-federal entity~~ ***recipient or subrecipient***.

Under this prohibition, unless the ~~non-federal entity~~ ***recipient or subrecipient*** solicits for and awards a contract covering both development and execution of specifications (or similar elements as described above), and this contract was procured in compliance with 2 C.F.R. §§ 200.317 – 200.327, federal funds cannot be used to pay a contractor to carry out the work if that contractor also worked on the development of those specifications. This rule applies to all contracts funded with federal grant funds, including pre-award costs, such as grant writer fees, as well as post-award costs, such as grant management fees.

Additionally, some of the situations considered to be restrictive of competition include, but are not limited to:

- Placing unreasonable requirements on firms for them to qualify to do business;
- Requiring unnecessary experience and excessive bonding;
- Noncompetitive pricing practices between firms or between affiliated companies;
- Noncompetitive contracts to consultants that are on retainer contracts;
- Organizational conflicts of interest;
- Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and
- Any arbitrary action in the procurement process.

[Deleted Text Start] ~~Per 2 C.F.R. § 200.319(c), non-federal entities other than states must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed SLTT geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering services, geographic~~

location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract. [Deleted Text End

Under 2 C.F.R. § 200.318(c)(1), ~~non-federal entities other than states~~ ***local government and nonprofit*** are required to maintain written standards of conduct covering conflicts of interest and governing the actions of their employees engaged in the selection, award, and administration of contracts. **No employee, officer, or agent, *or board member* may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest.** Such A conflict of interest would arise ***includes*** when the employee, officer or agent, any member of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from ~~a firm~~ ***an entity*** considered for a contract. The officers, employees, ~~and agents.~~ ***and board members*** of the ~~non-federal entity~~ ***recipient or subrecipient*** may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors ~~or parties to subcontracts.~~ However, ~~non-federal entities~~ ***recipients or subrecipients*** may set standards for situations in which the financial interest is not substantial, or the gift is an unsolicited item of nominal value. The ***recipient's or subrecipient's*** standards of conduct must provide for disciplinary actions to be applied for violations of such standards by ***its*** officers, employees, ~~or agents,~~ ***or board members*** of the ~~non-federal entity~~ ***recipients or subrecipients***.

Under 2 C.F.R. 200.318(c)(2), if the ***local government or nonprofit*** recipient or subrecipient ~~(other than states)~~ has a parent, affiliate, or subsidiary organization that is not a state, local, tribal, or territorial government, the ~~non-federal entity~~ ***recipient or subrecipient*** must also maintain written standards of conduct covering organizational conflicts of interest. In this context, organizational conflict of interest means that because of a relationship with a parent company, affiliate, or subsidiary organization, the ~~non-federal entity~~ ***recipient or subrecipient*** is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization. The ~~non-federal entity~~ ***recipient or subrecipient*** must disclose in writing any potential conflicts of interest to FEMA or the pass-through entity in accordance with applicable FEMA policy.

c. Supply Schedules and Purchasing Programs

Generally, a ~~non-federal entity~~ ***recipient or subrecipient*** may seek to procure goods or services from a federal supply schedule, state supply schedule, or group purchasing agreement.

I. GENERAL SERVICES ADMINISTRATION SCHEDULES

States, tribes, and local governments, and any instrumentality thereof (such as local education agencies or institutions of higher education) may procure goods and services from a General Services Administration (GSA) schedule. GSA offers multiple efficient and effective procurement programs for state, tribal, and local governments, and instrumentalities thereof, to purchase products and services

directly from pre-vetted contractors. The GSA Schedules (also referred to as the Multiple Award Schedules and the Federal Supply Schedules) are long-term government-wide contracts with commercial firms that provide access to millions of commercial products and services at volume discount pricing.

Information about GSA programs for states, tribes, and local governments, and instrumentalities thereof, can be found at <https://www.gsa.gov/resources-for/programs-for-State-and-local-governments> and <https://www.gsa.gov/buying-selling/purchasing-programs/gsa-schedules/schedule-buyers/state-and-local-governments>.

For ~~tribes~~, local governments, and their instrumentalities that purchase off of a GSA schedule, this will satisfy the federal requirements for full and open competition provided that the recipient follows the GSA ordering procedures; however, ~~tribes~~, local governments, and their instrumentalities will still need to follow the other rules under 2 C.F.R. §§ 200.317 – 200.327, such as ~~solicitation of minority businesses, women’s business enterprises, small businesses, or labor surplus area firms~~ (§ 200.321), domestic preferences (§ 200.322), contract cost and price (§ 200.324), and required contract provisions (§ 200.327 and Appendix II).

II. OTHER SUPPLY SCHEDULES AND PROGRAMS

For ~~non-federal entities other than states, such as tribes, local governments, and nonprofits~~ ***local government and nonprofit recipients and subrecipients***, that want to procure goods or services from a state supply schedule, cooperative purchasing program, or other similar program, in order for such procurements to be permissible under federal requirements, the following must be true:

- The procurement of the original contract or purchasing schedule and its use by the ~~non-federal entity~~ ***recipient or subrecipient*** complies with state and local law, regulations, and written procurement procedures;
- The state or other entity that originally procured the original contract or purchasing schedule entered into the contract or schedule with the express purpose of making it available to the ~~non-federal entity~~ ***recipient or subrecipient*** and other similar types of entities;
- The contract or purchasing schedule specifically allows for such use, and the work to be performed for the ~~non-federal entity~~ ***recipient or subrecipient*** falls within the scope of work under the contract as to type, amount, and geography;
- The procurement of the original contract or purchasing schedule complied with all the procurement standards applicable to a ~~non-federal entity~~ ***local government or nonprofit recipient or subrecipient*** other than states under at 2 C.F.R. §§ 200.317 – 200.327; and
- With respect to the use of a purchasing schedule, the ~~non-federal entity~~ ***recipient or subrecipient*** must follow ordering procedures that adhere to applicable state, tribal, and local laws and regulations and the minimum requirements of full and open competition under 2 C.F.R. Part 200.

If a ~~non-federal entity other than a state~~ ***local government or nonprofit recipient or subrecipient*** seeks to use a state supply schedule, cooperative purchasing program, or other similar type of arrangement, FEMA recommends the recipient discuss the procurement plans with its FEMA Regional Grants Management Specialist.

d. Procurement Documentation

Per 2 C.F.R. § 200.318(i), ~~non-federal entities other than states and territories~~ ***local government or nonprofit recipient or subrecipient*** are required to maintain and retain records sufficient to detail the history of procurement covering at least the rationale for the procurement method, selection of contract type, contractor selection or rejection, and the basis for the contract price. States, ~~and territories,~~ ***and Indian Tribes*** are encouraged to maintain and retain this information as well and are reminded that in order for any cost to be allowable, it must be adequately documented per 2 C.F.R. § 200.403(g).

Examples of the types of documents that would cover this information include but are not limited to:

- Solicitation documentation, such as requests for quotes, invitations for bids, or requests for proposals;
- Responses to solicitations, such as quotes, bids, or proposals;
- Pre-solicitation independent cost estimates and post-solicitation cost/price analyses on file for review by federal personnel, if applicable;
- Contract documents and amendments, including required contract provisions; and
- Other documents required by federal regulations applicable at the time a grant is awarded to a recipient.
- Additional information on required procurement records can be found on pages 24-26 of the [PDAT Field Manual](#).

7. Financial Assistance Programs for Infrastructure

a. Build America, Buy America Act

Recipients and subrecipients must comply with the Build America, Buy America Act (BABAA), which was enacted as part of the Infrastructure Investment and Jobs Act §§ 70901-70927, Pub. L. No. 117-58 (2021); and Executive Order 14005, Ensuring the Future is Made in All of America by All of America's Workers. See also 2 C.F.R. Part 184 and Office of Management and Budget (OMB) Memorandum M-24-02, Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

None of the funds provided under this program may be used for a project for infrastructure unless the iron and steel, manufactured products, and construction materials used in that infrastructure are produced in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the

infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

For FEMA's official policy on BABAA, please see FEMA Policy 207-22-0001: Buy American Preference in FEMA Financial Assistance Programs for Infrastructure available at https://www.fema.gov/sites/default/files/documents/fema_build-america-buy-america-act-policy.pdf. To see whether a particular FEMA federal financial assistance program is considered an infrastructure program and thus required to include a Buy America preference, please see [Programs and Definitions: Build America, Buy America Act | FEMA.gov](#).

b. *Waivers*

When necessary, recipients (and subrecipients through their pass-through entity) may apply for, and FEMA may grant, a waiver from these requirements.

A waiver of the domestic content procurement preference may be granted by the agency awarding official if FEMA determines that:

- Applying the domestic content procurement preference would be inconsistent with the public interest.
- The types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality.
- The inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25%.

For FEMA awards, the process for requesting a waiver from the Buy America preference requirements can be found on FEMA's website at: ["Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure | FEMA.gov](#).

c. *Definitions*

For BABAA specific definitions, please refer to the FEMA Buy America website at: ["Programs and Definitions: Build America, Buy America Act | FEMA.gov"](#).

Please refer to the applicable DHS Standard Terms & Conditions for the BABAA specific term applicable to all FEMA financial assistance awards for infrastructure.

8. Record Retention

a. *Record Retention Period*

Financial records, supporting documents, statistical records, and all other ~~non-Federal entity~~ ***recipient or subrecipient*** records pertinent to a Federal award generally must be maintained for at least three years from the date the final FFR is submitted. See 2 C.F.R. § 200.334. Further, if the recipient does not submit a final FFR and the award is administratively closed, FEMA uses the date of administrative closeout as the start of the general record retention period.

The record retention period **may be longer than three years or have a different start date** in certain cases. These include:

- Records for real property and equipment acquired with Federal funds must be retained for **three years after final disposition of the property**. *See* 2 C.F.R. § 200.334(c).
- If any litigation, claim, or audit is started before the expiration of the three-year period, the records **must be retained until** all litigation, claims, or audit findings involving the records **have been resolved and final action taken**. *See* 2 C.F.R. § 200.334(a).
- The record retention period will be extended if the ~~non-federal entity~~ ***recipient or subrecipient*** is notified in writing of the extension by FEMA, the cognizant or oversight agency for audit, or the cognizant agency for indirect costs, or pass-through entity. *See* 2 C.F.R. § 200.334(b).
- Where FEMA requires recipients to report program income after the period of performance ends, the **program income record retention period begins at the end of the recipient's fiscal year in which program income is earned**. *See* 2 C.F.R. § 200.334(e).
- For indirect cost rate computations and proposals, cost allocation plans, or any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates), the start of the record retention period depends on whether the indirect cost rate documents were submitted for negotiation. If the **indirect cost rate documents were submitted for negotiation, the record retention period begins from the date those documents were submitted** for negotiation. If indirect cost rate documents were **not submitted for negotiation, the record retention period begins at the end of the recipient's fiscal year or other accounting period covered by that indirect cost rate**. *See* 2 C.F.R. § 200.334(f).

b. Types of Records to Retain

FEMA requires that ~~non-federal entities~~ ***recipients or subrecipients*** maintain the following documentation for federally funded purchases:

- Specifications
- Solicitations
- Competitive quotes or proposals
- Basis for selection decisions
- Purchase orders
- Contracts
- Invoices
- Cancelled checks

~~Non-federal entities~~ ***Recipients or subrecipients*** should keep detailed records of all transactions involving the grant. FEMA may at any time request copies of any relevant documentation and records, including purchasing documentation along with

copies of cancelled checks for verification. *See, e.g.*, 2 C.F.R. §§ 200.318(i), 200.334, 200.337.

In order for any cost to be allowable, it must be adequately documented per 2 C.F.R. § 200.403(g). ~~Non-federal entities~~ ***Recipients or subrecipients*** who fail to fully document all purchases may find their expenditures questioned and subsequently disallowed.

9. Actions to Address Noncompliance

~~Non-federal entities~~ ***Recipients or subrecipients*** receiving financial assistance funding from FEMA are required to comply with requirements in the terms and conditions of their awards or subawards, including the terms set forth in applicable federal statutes, regulations, NOFOs, and policies. Throughout the award lifecycle or even after an award has been closed, FEMA or the pass-through entity may discover potential or actual noncompliance on the part of a recipient or subrecipient. This potential or actual noncompliance may be discovered through routine monitoring, audits, civil rights complaint investigations and compliance reviews, closeout, or reporting from various sources.

In the case of any potential or actual noncompliance, FEMA may place special conditions on an award per 2 C.F.R. §§ 200.208 and 200.339, FEMA may place a hold on funds until the matter is corrected, or additional information is provided per 2 C.F.R. § 200.339, or it may do both. Similar remedies for noncompliance with certain federal civil rights laws are authorized pursuant to 44 C.F.R. Parts 7 and 19 or other applicable regulations.

In the event the noncompliance is not able to be corrected by imposing additional conditions or the recipient or subrecipient refuses to correct the matter, FEMA may take other remedies allowed under 2 C.F.R. § 200.339. These remedies include actions to disallow costs, recover funds, wholly or partly suspend or terminate the award, initiate suspension and debarment proceedings, withhold further federal awards, or take other remedies that may be legally available. For further information on termination due to noncompliance, see the section on Termination Provisions in the NOFO.

FEMA may discover and take action on noncompliance even after an award has been closed. The closeout of an award does not affect FEMA's right to disallow costs and recover funds as long as the action to disallow costs takes place during the record retention period. *See* 2 C.F.R. §§ 200.334, 200.345(a). Closeout also does not affect the obligation of the ~~non-federal entity~~ ***recipient or subrecipient*** to return any funds due as a result of later refunds, corrections, or other transactions. 2 C.F.R. § 200.345(a)(2).

The types of funds FEMA may attempt to recover include, but are not limited to, improper payments, cost share reimbursements, program income, interest earned on advance payments, or equipment disposition amounts.

FEMA may seek to recover disallowed costs through a Notice of Potential Debt Letter, a Remedy Notification, or other letter. The document will describe the potential amount owed, the reason why FEMA is recovering the funds, the recipient's appeal rights, how the amount can be paid, and the consequences for not appealing or paying the amount by the deadline.

If the recipient neither appeals nor pays the amount by the deadline, the amount owed will become final. Potential consequences if the debt is not paid in full or otherwise resolved by the deadline include the assessment of interest, administrative fees, and penalty charges; administratively offsetting the debt against other payable federal funds; and transferring the debt to the U.S. Department of the Treasury for collection.

FEMA notes the following common areas of noncompliance for FEMA's grant programs:

- Insufficient documentation and lack of record retention.
- Failure to follow the procurement under grants requirements.
- Failure to submit closeout documents in a timely manner.
- Failure to follow EHP requirements.
- Failure to comply with the POP deadline.

10. Audits

FEMA grant recipients are subject to audit oversight from multiple entities including the DHS OIG, the GAO, the pass-through entity, or independent auditing firms for single audits, and may cover activities and costs incurred under the award. Auditing agencies such as the DHS OIG, the GAO, and the pass-through entity (if applicable), and FEMA in its oversight capacity, must have access to records pertaining to the FEMA award. Recipients and subrecipients must retain award documents for at least three years from the date the final FFR is submitted, and even longer in many cases subject to the requirements of 2 C.F.R. § 200.334. In the case of administrative closeout, documents must be retained for at least three years from the date of closeout, or longer subject to the requirements of 2 C.F.R. § 200.334. If documents are retained longer than the required retention period, the DHS OIG, the GAO, and the pass-through entity, as well as FEMA in its oversight capacity, have the right to access these records as well. *See* 2 C.F.R. §§ 200.334, 200.337.

Additionally, ~~non-federal entities~~ ***recipients or subrecipients*** must comply with the single audit requirements at 2 C.F.R. Part 200, Subpart F. Specifically, ~~non-federal entities~~ ***recipients or subrecipients***, other than for-profit subrecipients, that expend \$750,000 ***\$1,000,000*** or more in federal awards during their fiscal year must have a single or program-specific audit conducted for that year in accordance with Subpart F. 2 C.F.R. § 200.501. A single audit covers all federal funds expended during a fiscal year, not just FEMA funds. The cost of audit services may be allowable per 2 C.F.R. § 200.425, but ~~non-federal entities~~ ***recipients or subrecipients*** must select auditors in accordance with 2 C.F.R. § 200.509, including following the proper procurement procedures. For additional information on single audit reporting requirements, see section F of this NOFO under the header "Single Audit Report" within the subsection "Additional Reporting Requirements."

The objectives of single audits are to:

- Determine if financial statements conform to generally accepted accounting principles (GAAP);
- Determine whether the schedule of expenditures of federal awards is presented fairly;
- Understand, assess, and test the adequacy of internal controls for compliance with major programs; and

- Determine if the entity complied with applicable laws, regulations, and contracts or grants.

For single audits, the auditee is required to prepare financial statements reflecting its financial position, a schedule of federal award expenditures, and a summary of the status of prior audit findings and questioned costs. The auditee also is required to follow up and take appropriate corrective actions on new and previously issued but not yet addressed audit findings. The auditee must prepare a corrective action plan to address the new audit findings. 2 C.F.R. §§ 200.508, 200.510, 200.511.

~~Non-federal entities~~ ***Recipients or subrecipients*** must have an audit conducted, either single or program-specific, of their financial statements and federal expenditures annually or biennially pursuant to 2 C.F.R. § 200.504. ~~Non-federal entities~~ ***Recipients or subrecipients*** must also follow the information submission requirements of 2 C.F.R. § 200.512, including submitting the audit information to the [Federal Audit Clearinghouse](#) within the earlier of 30 calendar days after receipt of the auditor's report(s) or nine months after the end of the audit period. The audit information to be submitted include the data collection form described at 2 C.F.R. § 200.512(c) and Appendix X to 2 C.F.R. Part 200 as well as the reporting package described at 2 C.F.R. § 200.512(b).

The ~~non-federal entity~~ ***recipient or subrecipient*** must retain one copy of the data collection form and one copy of the reporting package for three years from the date of submission to the Federal Audit Clearinghouse. 2 C.F.R. § 200.512; *see also* 2 C.F.R. § 200.517 (setting requirements for retention of documents by the auditor and access to audit records in the auditor's possession).

FEMA, the DHS OIG, the GAO, and the pass-through entity (if applicable), as part of monitoring or as part of an audit, may review a ~~non-federal entity's~~ ***recipient's or subrecipient's*** compliance with the single audit requirements. In cases of continued inability or unwillingness to have an audit conducted in compliance with 2 C.F.R. Part 200, Subpart F, FEMA and the pass-through entity, if applicable, are required to take appropriate remedial action under 2 C.F.R. § 200.339 for noncompliance, pursuant to 2 C.F.R. § 200.505.

11. Payment Information

FEMA uses the Direct Deposit/Electronic Funds Transfer (DD/EFT) method of payment to recipients.

Payment requests are submitted through FEMA GO.

12. Whole Community Preparedness

Preparedness is a shared responsibility that calls for the involvement of everyone—not just the government—in preparedness efforts. By working together, everyone can help keep the nation safe from harm and help keep it resilient when struck by hazards, such as natural disasters, acts of terrorism, and pandemics.

[Whole Community](#) includes:

- Individuals and families, including those with access and functional needs

- Businesses
- Faith-based and community organizations
- Nonprofit groups
- Schools and academia
- Media outlets
- All levels of government, including state, local, tribal, territorial, and federal partners

The phrase “Whole Community” often appears in preparedness materials, as it is one of the guiding principles. It means two things:

1. Involving people in the development of national preparedness documents.
2. Ensuring their roles and responsibilities are reflected in the content of the materials.

13. Report issues of fraud, waste, abuse

Please note, when applying to this notice of funding opportunity and when administering the grant, applicants may report issues of fraud, waste, abuse, and mismanagement, or other criminal or noncriminal misconduct to the Office of Inspector General (OIG) Hotline. The toll-free numbers to call are 1 (800) 323-8603, and TTY 1 (844) 889-4357.

14. Extraordinary Circumstances

Applicants and subapplicants must have a FEMA-approved current hazard mitigation plan at the time of application submission and at the time of the award; hazard mitigation plans pending adoption is not sufficient. The FEMA Regional Administrator may grant an exception to the local mitigation plan requirements in extraordinary circumstances when the appropriate justification is provided.

Extraordinary circumstances exist when FEMA or the applicant determine that the proposed project is consistent with the priorities and strategies identified in the state or tribal (standard or enhanced) mitigation plan and that the jurisdiction meets at least one of the criteria below:

- The jurisdiction meets the small and impoverished communities as defined in 44 C.F.R. 201.2.
- The jurisdiction has been determined to have had insufficient capacity because of lack of available assistance, staffing or other necessary expertise to satisfy the mitigation planning requirement prior to the current disaster or application deadline
- The jurisdiction experienced significant disruption from a declared disaster or another event that impacts its ability to complete the mitigation planning process prior to award or final approval of a project award.
- The jurisdiction does not have a mitigation plan for reasons beyond the control of the state, federally recognized tribal government or local community, such as Disaster Relief Fund restrictions, that delay FEMA from granting a subaward prior to the expiration of the local or tribal mitigation plan.

The applicant must provide written justification that identifies the specific criteria from the above list and explains why the jurisdiction will be able to have a plan both approved by

FEMA and adopted by the jurisdiction within 12 months. The justification must identify the specific actions or circumstances that have eliminated or will eliminate the deficiency that prevented the jurisdiction from previously having an approved plan. The justification must clearly demonstrate how the above circumstances impacted the community beyond just stating the above circumstances.

If FEMA grants an extraordinary circumstances exception, a local or tribal mitigation plan must be approved by FEMA within 12 months of the award of the project subaward to that community. The recipient must acknowledge in writing to the Regional Administrator that the jurisdiction will complete a plan within 12 months of the subaward. The recipient must provide a Compliance Action Plan for completing the local or tribal mitigation plan, including milestones and a timetable, to ensure the jurisdiction will complete the plan in the required time. This requirement must be incorporated into the award. If a plan is not provided within this time frame, the project subaward will be terminated, and any costs incurred after notice of subaward termination will not be reimbursed by FEMA. FEMA must notify the recipient of the subaward termination. For more information on award termination, refer to Part 8 of the [Hazard Mitigation Assistance Program and Policy Guide](#).

If the mitigation plan is not approved by FEMA within 12 months of the award, and if the subaward also involved a mitigation planning award, FEMA should notify the recipient of its failure to meet the additional specific award or subaward conditions and request that the issue be corrected following remedies for non-compliance procedures in Part 8 of the [Hazard Mitigation Assistance Program and Policy Guide](#). If compliance cannot be achieved, FEMA will apply a remedy action to the planning subaward to address the non-compliance and may, as a result, withhold assistance, recoup assistance, suspend or terminate the planning subaward.

15. *Good Jobs Initiative

FEMA encourages investment of these funds toward projects that are implemented and designed around the Good Jobs Principles, a description of the elements of a good job that has informed the investment of billions of dollars through the Biden-Harris Administration's Investing in America Agenda. To this end, FEMA encourages applicants to include in their scope of work a narrative addressing how they will ensure that jobs created as a result of FEMA awards create good jobs as defined by these principles. Employers offering jobs like those described in the principles can produce higher-quality work, complete projects ahead of time, and reduce costs because of decreased worker turnover. Because equity is a key element of the Good Jobs Principles, applicants should address what steps they will take to ensure good jobs reach underserved populations.

Other potential elements of these suggested good jobs plans could include:

- How applicants and partners will ensure timely payment of wages that meet the local cost of living and provide safe worksites**
- How applicants and partners will ensure access to childcare or other benefits that may be needed to attract and retain working parents**

- **What steps applicants and partners will take to incorporate worker voice into worksites, such as existing collective bargaining agreements or plans for project labor agreements to ensure timely and efficient completion of work**

For additional guidance, visit goodjobs.gov.*

16. Integrating Hazard Mitigation and Planning

In addition, SLTTs are encouraged, but not required, to pursue hazard mitigation planning and projects with co-benefits that advance shared outcomes for economic, environmental, and social resilience. Alignment with SLTT planning mechanisms (economic development, housing, comprehensive plans, transportation plans, building codes, floodplain ordinances, etc.) and vice versa is vital to build safer, more resilient, equitable communities. This two-way exchange of information supports community-wide risk reduction, both before and after disasters occur. Not only will the community's planning efforts be better integrated, but by going through this process there is a higher level of interagency coordination, which is just as important as the planning mechanisms. Additional information on Plan Integration can be found at [Implement, Integrate and Maintain Mitigation Planning Activities](#), [Guides to Expanding Mitigation](#), and the [American Planning Association Hazards Planning](#).

17. Hazard-Resistant Building Codes

Hazard-resistant building codes are a foundational element of a more resilient nation, safeguarding communities and lives against natural disasters, with an estimated \$11:1 return on investment. The adoption, enforcement and application of modern building codes mitigates community vulnerabilities, reduces disaster recovery costs, and strengthens nationwide capability. FEMA is working to promote and support building codes in all areas of its work in support of the multi-agency National Initiative to Advance Building Codes. In the interest of building a stronger, more resilient nation, FEMA encourages all grant recipients and subrecipients to prioritize actions that result in adoption and meet current published editions of relevant consensus-based building codes, specifications and standards, and to exceed them where feasible.

18. Appendices

a. Abbreviations

- ACV: Actual Cash Value
- AOR: Authorized Organization Representative
- BABAA: Build America, Buy America Act
- BCA: Benefit Cost Analysis
- BIL: Bipartisan Infrastructure Law (BIL)
- C.F.R: Code of Federal Regulations
- CDBG-DR: U.S. Department of Housing and Urban Development Community Development Block Grant Disaster Recovery
- CDC: Centers for Disease Control and Prevention
- CEJST: Climate and Economic Justice Screening Tool
- CPARS: Contracting Performance Assessment Reporting System
- DD/EFT: Direct Deposit/Electronic Funds Transfer

- DHS: U. S. Department of Homeland Security
- DUNS: Data Universal Numbering System
- EHP: Environmental Planning and Historic Preservation
- EIN: Employer Identification Number
- EO: Executive Order
- F&A: Facilities and Administrative
- FAPIIS: Federal Awardee Performance and Integrity Information System
- FEMA: Federal Emergency Management Agency
- FEMA GO: FEMA Grants Outcomes
- FFR: Federal Financial Report
- FFRMS: Federal Flood Risk Management Standard
- FMA: Flood Mitigation Assistance
- FVA: Freeboard Value Approach
- GAAP: Generally Accepted Accounting Principles
- GAO: U.S. Government Accountability Office
- GETT: Grant Equity Threshold Tool
- GFIP: Group Flood Insurance Policy
- GSA: General Services Administration
- HELP Act: Hazard Eligibility and Local Projects Act
- IFFR: Identified for Further Review
- IIJA: Infrastructure Investment and Jobs Act
- NDAA: National Defense Authorization Act
- NEPA: National Environmental Policy Act
- NFIP: National Flood Insurance Program
- NIMS: National Incident Management System
- NOFO: Notice of Funding Opportunity
- OEHP: FEMA Office of Environmental Planning and Historic Preservation
- OER: FEMA Office of Equal Rights
- OIG: Office of Inspector General
- OMB: Office of Management and Budget
- PDAT: Procurement Disaster Assistance Team
- PDM: Pre-Disaster Mitigation
- POP: Period of Performance
- PPR: Performance Progress Report
- RA: Regional Administrator
- RCV: Replacement Cost Value
- REPI: Department of Defense Readiness and Environmental Protection Integration
- RL: Repetitive Loss
- RLF: Revolving Loan Fund
- SAM: System for Award Management
- SF: Standard Forms
- SFHA: Special Flood Hazard Area
- SLTT: State, Local, Tribal, and Territorial Governments
- SPOC: Single Point of Contact

- SRL: Severe Repetitive Loss
- SVI: Social Vulnerability Index
- UEI: Unique Entity Identifier

b. Resources

- 2020-2024 Department of Homeland Security Strategic Plan: <https://www.dhs.gov/publication/department-homeland-securitys-strategic-plan-fiscal-years-2020-2024>
- 2022-2026 FEMA Strategic Plan: <https://www.fema.gov/about/strategic-plan>
- Building Community Resilience with Nature-Based Solutions: A guide for local communities: <https://www.fema.gov/emergency-managers/risk-management/nature-based-solutions>
- Building Community Resilience with Nature-Based Solutions: Strategies for success: <https://www.fema.gov/emergency-managers/risk-management/nature-based-solutions>
- "Buy America" Preference in FEMA Financial Assistance Programs for Infrastructure: <https://www.fema.gov/grants/policy-guidance/buy-america>
- Center of Disease (CDC) ATSDR Social Vulnerability Index: <https://www.atsdr.cdc.gov/placeandhealth/svi/index.html>
- Climate and Economic Justice Screening Tool (CEJST): <https://screeningtool.geoplatform.gov/>
- Department of Homeland Security Standard Terms and Conditions: <http://www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions>
<https://www.dhs.gov/publication/dhs-standard-terms-and-conditions>
- Embodied Carbon in Construction Calculator (EC3): <https://www.buildingtransparency.org/>
- Environmental Planning and Historical Preservation (EHP): <https://www.fema.gov/emergency-managers/practitioners/environmental-historic>
- Executive Order 13985: [Advancing Racial Equity and Support for Underserved Communities Through the Federal Government: http://www.whitehouse.gov/briefing-room](https://www.whitehouse.gov/briefing-room)
- FEMA Benefit Cost Analysis (BCA): <https://www.fema.gov/grants/guidance-tools/benefit-cost-analysis>
- FEMA Climate-Related Financial Risk: <https://www.federalregister.gov/documents/2021/05/25/2021-11168/climate-related-financial-risk>
- FEMA Create a Hazard Mitigation Plan: <https://www.fema.gov/emergency-managers/risk-management/hazard-mitigation-planning/create-hazard-plan>
- FEMA GO: <https://go.fema.gov/>
- FEMA's Grant Equity Threshold Tool (GETT): <https://screeningtool.geoplatform.gov>
- FEMA Hazard Mitigation Assistance Cost Share Guide: https://www.fema.gov/sites/default/files/2020-08/fema_hma_cost-share-guide.pdf
- FEMA Hazard Mitigation Assistance Program and Policy Guide (HMA Guide): <https://www.fema.gov/grants/mitigation/guide>

- FEMA National Flood Insurance Program (NFIP) Community Status Book: <https://www.fema.gov/flood-insurance/work-with-nfip/community-status-book>.
- FEMA Nationwide Building Code Adoption Tracking: <https://www.fema.gov/emergency-managers/risk-management/building-science/bcat>
- FEMA Procurement Disaster Assistance Team: https://www.fema.gov/sites/default/files/documents/fema_PDAT-field-manual_102021.pdf
- FEMA Resilience Analysis and Planning Tool (RAPT): <https://www.fema.gov/rapt>
- FEMA Tribal Tribal Mitigation Plan Review Guide: https://www.fema.gov/sites/default/files/2020-06/fema-tribal-mitigation-plan-review-guide_12-05-2017.pdf
- ***FFRMS: www.fema.gov/floodplain-management/intergovernmental/federal-flood-risk-management-standard ***
- GDIT TSS Service Portal: <https://www.fsd.gov/fsd-gov/home.do>
- GSA Programs for State and Local Governments: <https://www.gsa.gov/resources-for/programs-for-State-and-local-governments>
- Improving Cybersecurity for Critical Infrastructure Control Systems: <https://www.cisa.gov/control-systems-goals-and-objectives>
- National Oceanic and Atmospheric Administration's Sea Level Rise Viewer: <https://coast.noaa.gov/digitalcoast/tools/slr.html>
- National Risk Index: <https://hazards.fema.gov/nri/>
- State Hazard Mitigation Officers: <http://www.fema.gov/state-hazard-mitigation-officers>
- System for Award Management (SAM.gov): <https://sam.gov/>
- Tools to Assist with FEMA Grants: <https://www.fema.gov/grants/tools>
- Unique Entity Identifier (UEI) Updates: <https://www.grants.gov/forms/forms-development/planned-uei-updates>